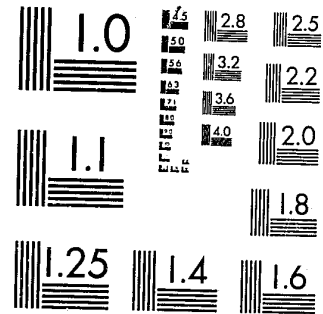


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REPORT

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by

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THE SERIOUS JUVENILE OFFENDER: A SURVEY
OF CRIMINAL JUSTICE PRACTITIONERS

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EXECUTIVE SUMMARY

The major findings of the survey are:

1. Almost all juvenile justice personnel in Minnesota believe that there exists a group of juveniles for whom current treatment options in Minnesota are inadequate.
2. Respondents list many offense patterns of juveniles for whom current treatment options are inadequate. The offense patterns most frequently cited are violent offenses and repeated property offenses. These offenders are usually perceived as having extensive delinquent histories with a pattern of increasing severity overtime. They are viewed as lacking respect for authorities and others and as having problems with school, chemical dependency, and relationships at home.
3. Most respondents believe that new treatment options should be developed for those juveniles who are currently not receiving adequate treatment. The treatment option preferred by a majority of respondents is the development of a secure facility for serious juvenile offenders.
4. The majority of respondents believe that violent personal offenders with prior offense histories should be automatically referred to adult courts. Most respondents believe that property offenders and moving traffic violators should remain within the jurisdiction of juvenile courts.
5. Opinions on automatic referral of juvenile delinquents to adult courts differ according to the geographic location of respondents. In the case of violent person crimes and moving traffic offenses, nonmetropolitan area respondents are more likely than metropolitan area respondents to favor automatic referral. Metropolitan area and nonmetropolitan area respondents do not differ in their opinions on automatic referral of juveniles who commit property crimes.
6. Opinions on automatic referral of juvenile delinquents to adult courts differ according to the profession of the respondent. For all types of offenses, juvenile officers and county attorneys are most likely to favor automatic referral of juveniles, defense attorneys are least likely to favor automatic referral of juveniles, and judges and

corrections personnel adopt positions between the two extremes.

7. Most respondents *oppose* changing the age at which juveniles can be referred to adult court.
8. Most respondents *oppose* eliminating the requirement that juveniles referred to adult court must be found not suitable for treatment or must endanger the public safety. They do favor that the law be changed to require automatic certification for juveniles with specific offenses and/or prior records.
9. Information collected on actual referrals of juveniles to adult court during the first 6 months of 1979 indicates that almost one-half of the referrals in Minnesota were made in metropolitan area counties. Most juveniles who were referred to adult court were 16- and 17-year old males. Most juveniles who were referred in Hennepin and Ramsey counties committed violent crimes against persons or burglaries, whereas most juveniles who were referred in nonmetropolitan counties committed burglaries or other property offenses.

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I. OVERVIEW OF THE PROBLEM

In recent years, there has been concern about the adequacy of present methods of dealing with serious juvenile offenders. One strategy to deal with this problem is to require that juveniles who commit specified serious offenses be automatically referred to the adult criminal court.¹ The set of offenses which should require automatic referral as well as the extent to which the juveniles' prior record should be included in the referral criteria are issues which are currently being debated by proponents of automatic referral. In general, two justifications are cited for the automatic referral of serious juvenile offenders to the adult court. First, it is believed that automatic referral would remove dangerous offenders from the community and place them in more secure adult correctional facilities. Second, it would apply uniform standards throughout the state and reduce regional and county differences in referral patterns. Arguments against automatic referral typically claim that despite the severity of their offenses, serious juvenile offenders are still minors. As such, efforts should be made to treat them as humanely as possible. This argument holds that placing juveniles in adult institutions would be detrimental to the juveniles and would weaken efforts to rehabilitate them.

¹Automatic transfer can describe a multiplicity of possible solutions. See pp. 9-10, L. Sommerer and M. Greer, *The Serious Juvenile Offender: A Summary of the Issues* (St. Paul, Minnesota: Crime Control Planning Board, January, 1980). In this report, for the sake of simplicity, transfer, referral, and certification are used interchangeably.

While this report does not attempt to deal with all of the policy implications of this debate, it is believed that policy making can be facilitated by providing legislators and planners with information about the referral process as it pertains to Minnesota. Accordingly, two questions are dealt with in this report. The first, is an assessment of the opinions of juvenile justice system personnel on how serious the problem of the serious juvenile offender is and what strategies they would propose to deal with the problem, including their attitudes concerning referring serious juvenile offenders to adult courts. The second question dealt with in this report is an analysis of the extent to which juveniles are currently being referred to stand trial in adult courts, including information on the age, sex, and offenses of those being referred.

It is hoped that knowledge of current sentiments of state juvenile justice personnel and current patterns of referring juveniles will assist legislators in assessing the need for new measures to deal with serious juvenile offenders and, should new laws be required, determining their extent and direction.

II. METHODS OF ANALYSIS

Information on attitudes of juvenile justice personnel towards referring those juveniles classified as serious offenders to adult court was obtained from questionnaires which were mailed to a sample of judges, county attorneys, defense attorneys, juvenile corrections personnel and juvenile police officers. Information on current referral patterns in Minnesota was ascertained from additional questions included only in those questionnaires which were mailed to county attorneys. Sampling procedures are discussed below.

A. THE OPINION SURVEY: SAMPLING PROCEDURES

Five groups of juvenile justice personnel were included in the sample: judges, county attorneys, defense attorneys, juvenile corrections personnel and juvenile police officers. Respondents were selected as follows:

Judges: All judges of county juvenile courts.

County Attorneys: All county attorneys.

Defense Attorneys: All Hennepin County public defenders and private defense attorneys throughout the state whose names were included on lists provided by several individuals involved in the legal defense of juveniles.

Juvenile Corrections Personnel: All chief probation officers of non-Community Corrections Act counties; all corrections administrators of Community Corrections Act counties or areas; several Minnesota Department of Corrections administrators including the director of the Serious Juvenile Offender Treatment Program; and the superintendents of state and county juvenile correctional institutions.

Juvenile Police Officers: Juvenile officers whose names were obtained from lists provided by the Minnesota State Juvenile

Officers Association and the Hennepin County Juvenile Advisory Committee.

Questionnaires were completed during November and December of 1979. Table 1 presents a summary of the number of individuals sampled and the response rate of each group. An overall response rate of 74 percent indicates that a sufficiently large sample of juvenile justice personnel responded to the questionnaire to enable generalizations to be made from the results of this survey. A copy of the questionnaire is attached to the report (Appendix).

TABLE 1 NUMBER MAILED QUESTIONNAIRE AND PERCENTAGE RESPONDING BY LOCATION AND PROFESSION			
LOCATION AND TYPE OF PROFESSION	NUMBER MAILED QUESTIONNAIRE	NUMBER RESPONDING	PERCENT RESPONDING
<u>Metropolitan Area</u>			
Judge	7	5	71.0%
County attorney	7	4	57.0
Defense attorney	64	49	77.0
Corrections personnel	30	23	77.0
Juvenile officer	67	41	61.0
ALL PROFESSIONS	175	122	70.0%
<u>Nonmetropolitan Area</u>			
Judge	78	57	73.0%
County attorney	78	59	76.0
Defense attorney	23	17	74.0
Corrections personnel	99	85	87.0
Juvenile officer	40	26	65.0
ALL PROFESSIONS	318	244	77.0%
<u>Statewide</u>	493	366	74.0% ^a
^a Percentage is an average not a total.			

B. DATA ON REFERRALS TO ADULT COURT

Data on actual referrals to adult courts in Minnesota during the first 6 months of 1979 were obtained from county attorneys. They were

asked to provide the following information: the number of motions for referral of juveniles to adult court in their county during the first 6 months of 1979 and the number of actual referrals according to the age, sex, and offense committed by the juvenile. A copy of this part of the questionnaire is also included in the appendix.

III. OPINIONS OF CRIMINAL JUSTICE PERSONNEL
REGARDING SERIOUS JUVENILE OFFENDERS

A. PERCEPTIONS OF THE PROBLEM

In assessing the individuals' opinions about a problem, it is first important to determine whether they believe that a problem exists. Accordingly, all respondents were asked whether there exists a group of juveniles for whom treatment options available within current Minnesota law are inadequate. The responses to this question are reported in Table 2.

TABLE 2			
PERCENTAGE OF PROFESSIONAL GROUPS STATING THAT THERE EXISTS A GROUP OF JUVENILES FOR WHOM TREATMENT OPTIONS ARE INADEQUATE BY LOCATION OF PROFESSIONAL GROUP			
TYPE OF PROFESSION	L O C A T I O N		
	Metropolitan Area	Nonmetropolitan Area	Statewide
Judge	100.0%	76.8%	78.7%
County attorney	50.0	86.2	85.0
Defense attorney	71.7	86.7	75.4
Corrections personnel	82.6	83.5	83.3
Juvenile officer	92.5	80.8	87.9
ALL PROFESSIONS ^a	81.9%	82.5%	82.3%

^aThe percentage of all professions is a weighted average of the individual types of professions in their respective locations (e.g., 81.9% of all metropolitan area respondents state that there exists a group of juveniles for whom treatment options are inadequate).

Responses are presented for each geographic location and profession of the respondents. The results indicate that 82.3 percent of all

respondents believe that there exists a group of juveniles for whom current treatment options are inadequate. Furthermore, with the exception of metropolitan area county attorneys where two of four respondents disagreed, this belief is shared by respondents from all professions which were surveyed and by both metropolitan area and nonmetropolitan area respondents.

Once it has been ascertained that a problem exists, it is essential to obtain a clear picture of how the respondents themselves define the problem. Accordingly, respondents were asked to specify the kinds of offenses usually committed by those juveniles for whom treatment options are inadequate. Response patterns varied on this question. Some respondents listed specific types of crimes (e.g., murder, burglary), others listed general categories (e.g., property crimes, violent crimes), while others responded with a general comment such as "serious crimes," "felons," or "repeaters" or made general statements about policy rather than describing a particular type of juvenile. In Table 3, the responses have been summarized according to general categories. Thus, a response such as "assault" would be coded as a "violent personal crime" and "truancy" would be coded as a "status offense." Many respondents listed more than one type of offense pattern. Therefore, the total number of responses are greater than the number of respondents. The figures in Table 3 represent the percent of each category of respondent (according to their geographic location and profession) who mentioned the offense pattern specified in the column heading.

TABLE 3
 PERCENTAGE OF PROFESSIONAL GROUP PERCEIVING INADEQUATE TREATMENT OPTIONS
 FOR VARIOUS OFFENSE PATTERNS^a

LOCATION AND TYPE OF PROFESSION	TYPE OF OFFENSE PATTERN						
	Violent Per- son Crimes (e.g., mur- der, assault)	Property Crimes (e.g., bur- glary, theft)	Unspecified Serious or Repeated Offenses	Status Offenses (e.g., truancy, runaway)	Misdemeanors and Minor Offenses (including traffic offenses)	Drug Users and Chemi- cally De- pendent Juveniles	Other Responses ^b
<u>Metropolitan Area</u>							
Judge	50.0%	75.0%	25.0%	---	---	---	---
County attorney	25.0	---	25.0	---	---	---	50.0%
Defense attorney	59.4	28.1	28.1	9.3%	---	---	21.9
Corrections personnel	66.7	33.3	33.3	38.9	---	---	5.6
Juvenile officer	62.9	62.9	17.1	17.1	5.7%	17.1%	2.9
ALL PROFESSIONS (average)	60.9%	43.5%	23.9%	27.2%	2.2%	6.5%	12.0%
<u>Nonmetropolitan Area</u>							
Judge	45.7%	39.1%	28.3%	26.1%	8.7%	6.5%	8.7%
County attorney	58.7	47.8	23.9	15.2	2.2	10.9	4.3
Defense attorney	38.5	15.4	23.1	15.4	7.7	7.7	15.4
Corrections personnel	55.7	35.7	28.6	17.1	5.7	5.7	7.1
Juvenile officer	65.0	50.0	10.0	20.0	---	5.0	10.0
ALL PROFESSIONS (average)	53.8%	39.5%	25.1%	19.0%	5.1%	7.2%	7.7%
<u>Statewide (average)</u>	56.1%	40.8%	24.7%	21.6%	4.2%	7.0%	9.1%

^a Figures represent percentage of respondents in each category who mentioned that type of offense pattern (e.g., 45.7% of the nonmetropolitan judges perceived that there are inadequate treatment options for violent personal crimes). Row percentages sum to over 100 because most respondents mentioned more than one type of juvenile for whom treatment options are inadequate.

^b Includes general comments about policy or treatment, responses that refer to a specific age or ethnic group, and responses that offense patterns vary or cannot be categorized.

It is clear from Table 3 that the type of offense which is mentioned most often by all categories of respondents is the violent person offense. Over half of the respondents (56.1 percent) mentioned this category of offense. On the other hand, violent person offenders are not the only type of offender for whom current treatment options are viewed as inadequate. Two out of five respondents (40.8 percent) mentioned the property offender as one for whom current treatment options are inadequate. Several of those respondents specified that it is the repeat property offender in particular for whom treatment options are inadequate.

Other responses which were mentioned less frequently included serious or repeat offenses in general (24.7 percent), status offenses (21.6 percent), misdemeanors or minor offenses including traffic offenses (4.2 percent), and chemical dependency (7.0 percent). It appears, therefore, that juvenile justice personnel perceive a wide range of types of offenders for whom current treatment options are inadequate. The most common response, however, is the violent personal offender.

Questions were also asked about the offense histories and other behaviors associated with those juvenile offenders for whom treatment options are perceived as inadequate. The responses to the questions varied, depending upon the type of offense the respondent indicated in response to the previous question. Several themes are apparent, however, in the responses. Most respondents stressed the prior history of delinquent acts committed by these youth. Many respondents commented on the increasing severity of offenses over time committed by these youth and the failure of prior treatment efforts to change their behavior. Below are some examples of responses to the question, "what kinds of offense

histories do these juveniles usually have?":

- Repeated violations over a number of years. (County Attorney)
- Several adjudications usually starting with misdemeanor type offenses and then working into a consistent and prolonged felony adjudication record. (County Attorney)
- Extensive; many treatment options tried and failed; history of escapes and runaways. (Corrections Worker)

Some respondents mentioned prior status offenses and drug use of these juveniles:

- Extensive runaways, incorrigibility, truancy, chemical dependency problems. (Judge)

A few respondents believe that the violent offender usually does not have an extensive prior record, and some respondents were reluctant to generalize:

- In cases of murder and aggravated assault, there may be no record. (Juvenile Officer)
- Can be extensive or for that matter nonexistent so far as delinquency is concerned. (Corrections Worker)

Contrary to the last two responses, the general pattern of responses to this question suggests that respondents are not overly concerned with the one-time violent offender who commits an isolated act of aggression. Rather, it is the repeat offender, the one with a history of violent and antisocial behavior who causes the greatest concern among juvenile justice personnel.

Other kinds of behavior which respondents associate with juveniles for whom current treatment options are inadequate include school difficulties (truancy, learning problems and disruptive behavior), incorrigibility, and chemical dependency. In addition, many respondents commented

on the "negative attitudes" of these juveniles, including their lack of respect for authority and others, their absence of a sense of responsibility for their actions, and hostility towards the police and courts. Another frequent response dealt with the aggressive and antisocial character of these juveniles. Other respondents (especially juvenile officers) commented on the poor quality of the juvenile's home life. In addition they mentioned the inability of the parents to control the youth's behavior. Psychological and emotional problems were mentioned by a few respondents, notably corrections workers and defense attorneys. Here are some representative responses to the question, "what other kinds of behavior can be used to identify these offenders?":

- Chemical usage higher than other juveniles of similar age; rebellious; antiauthority. (Corrections Worker)
- Hostility towards authority. Aggressive behavior. (Corrections Worker)
- Failure in school; runaway; incorrigible; drinking/drug use. (Juvenile Officer)
- Unsuccessful school history; inadequate parenting. (County Attorney)
- Total irresponsibility for personal actions and disregard for the rights and property of others. (Judge)
- Poor school attendance and poor academic standings; poor parent control; run most all hours of the day and night. (Juvenile Officer)
- Antisocial behavior; breakdown in family unit. No interest or little interest in structured forms of education and family life. (Juvenile Officer)
- Failure to recognize or accept responsibility for own actions. Chemical dependency problems. (Defense Attorney)

A review of findings of the survey to this point, indicates that the majority of respondents in Minnesota believe that there does exist a group of juveniles for whom current treatment options are inadequate.

Although the offenses which these juveniles commit are defined by respondents in several ways, the most frequently mentioned types of offense are violent person crimes. Most respondents also believe that these juveniles have extensive prior offense records, negative attitudes towards authority and others, chemical dependency problems and behavior problems at school and at home.

B. DEVELOPMENT OF NEW TREATMENT OPTIONS

Respondents were asked whether or not they support the development of new treatment options for those juvenile offenders for whom current treatment options are inadequate. If they answered "yes," they were then asked to describe the options that are needed. Table 4 indicates the percentage of respondents according to the geographic location and profession of the respondents who believe that new treatment options should be developed. Clearly, an overwhelming majority of the respondents (91.4 percent) believe that new treatment options should be developed. Furthermore, with the exception of metropolitan area county attorneys where one of two respondents who answered this question checked "no" ("because they don't work"), the belief that new treatment options should be developed exists across all locations and professions.

TABLE 4
PERCENTAGE OF RESPONDENTS STATING THAT TREATMENT OPTIONS SHOULD BE DEVELOPED
FOR JUVENILES FOR WHOM CURRENT OPTIONS ARE INADEQUATE
BY LOCATION AND PROFESSION OF RESPONDENT

TYPE OF PROFESSION	L O C A T I O N		
	Metropolitan Area	Nonmetropolitan Area	Statewide
Judge	100.0%	95.2%	95.7%
County attorney	50.0	93.5	91.7
Defense attorney	90.9	92.3	91.3
Corrections personnel	82.4	91.0	89.3
Juvenile officer	91.4	90.0	90.9
ALL PROFESSIONS ^a	89.1%	92.6%	91.4%

^aThe percentage of all professions is a weighted average of the individual types of professions in their respective locations (e.g., 89.1% of all metropolitan area respondents state that treatment options should be developed).

Table 5 summarizes the specific treatment options recommended by respondents. Of those who responded to this question, the majority (56.7 percent) favored the development of a secure facility to house serious juvenile offenders. Some respondents referred to it as a "secure facility," others as "long-term confinement" in a secure setting and a few used the term "youth prison." Related to this, some respondents (11.3 percent) advocated certifying these offenders as adults or housing them in adult institutions. Another response (11.8 percent) was to increase the state's power to hold juveniles (particularly status offenders) in detention. A few respondents (5.9 percent) suggested developing new treatment programs in existing juvenile correctional institutions or expanding the serious juvenile offender treatment program to include more juveniles. They did not suggest what the nature and structure of these programs should be. Some respondents (11.3 percent) suggested a variety of specific programs including community group homes, clinics, drug treatment centers, a sex-offender program, programs involving parents of delinquents, counseling, and public works projects. No single

type of program, however, was suggested by more than two or three respondents. Finally, some respondents (21.4 percent) did not suggest a specific option, but merely stated a general belief such as "something should be done to help these kids" or "we need to develop effective treatment options." Included in this category are those who merely checked "yes" and offered no specific suggestion.

Clearly, the major response was to develop a secure facility for serious juvenile offenders. Thus, when criminal justice personnel talk about "new treatment options," uppermost in their minds is security.

TABLE 5
 TYPES OF TREATMENT OPTIONS WHICH RESPONDENTS BELIEVE SHOULD BE DEVELOPED^a

LOCATION AND TYPE OF PROFESSION	TYPE OF TREATMENT OPTION					
	Secure Facility for Juveniles	Greater Use of Referral to Adult Courts	Greater Use of Jails or Detention Facilities	Expansion of Programs Within Existing Juvenile Institutions	Development of Specialized Treatment Programs ^b	General Policy Statement with No Specific Suggestions
<u>Metropolitan Area</u>						
Judge	75.0%	25.0%	25.0%	---	---	---
County attorney	---	---	---	---	---	100.0%
Defense attorney	60.9	4.3	4.3	13.0%	8.7%	21.7
Corrections personnel	78.6	7.1	---	---	7.1	14.3
Juvenile officer	54.8	12.9	16.1	6.5	12.9	22.6
ALL PROFESSIONS (average)	60.8%	9.5%	9.5%	6.8%	22.6%	21.6%
<u>Nonmetropolitan Area</u>						
Judge	68.9%	6.3%	21.9%	6.3%	12.5%	28.1%
County attorney	44.4	17.8	13.3	2.2	11.1	20.0
Defense attorney	30.0	---	10.0	10.0	30.0	40.0
Corrections personnel	62.1	17.2	8.6	6.9	8.6	13.8
Juvenile officer	47.4	---	10.5	5.3	15.8	26.3
ALL PROFESSIONS (average)	54.9%	12.3%	12.8%	5.5%	12.2%	21.3%
<u>Statewide (average)</u>	56.7%	11.3%	11.8%	5.9%	11.3%	21.4%

^a Figures represent percentage of respondents in each category who suggested that particular treatment option (e.g., 68.9% of the nonmetropolitan judges suggested that a secure facility for juveniles be developed). Row percentages sum to over 100 because some respondents suggested more than one type of treatment option. A total of 238 individuals (65% of those who returned the questionnaire) responded to this question.

C. CHANGING THE REQUIREMENTS FOR
REFERRING JUVENILES TO ADULT COURTS

Respondents were next asked about their opinions on referring juvenile delinquents to adult court. Eight types of crime were listed. (See attached questionnaire in appendix.) For each type, respondents were asked whether or not they believe that juveniles who commit that crime should have their cases automatically transferred to the adult court regardless of whether or not they have a prior record, whether they should be transferred to adult court only if their prior record meets specific criteria or whether their cases should be handled according to current Minnesota law. Table 6 summarizes the responses of all juvenile justice personnel to this question. As might be expected, most respondents believe that referral to adult court, with or without consideration of prior record, is justified in cases of violent person crimes, whereas fewer respondents believe that referral to adult court is necessary for property or traffic offenses.

TABLE 6 PERCENTAGE OF RESPONDENTS FAVORING REFERRAL OF JUVENILES TO ADULT COURT ACCORDING TO THE OFFENSE COMMITTED	
OFFENSE	PERCENT FAVORING REFERRAL (with or without consider- ation of prior record)
First degree murder	75.0%
First degree criminal sexual conduct	72.1%
First degree assault	67.8%
Other felonious crimes against person	57.5%
Burglary	49.2%
Felonious theft	44.4%
Other felonious crimes against property	38.9%
Moving traffic violation	35.3%

Opinions on this issue, however, are not uniform across all professions and geographic locations of respondents. In Tables 7-12, three

types of crime have been selected for illustrative purposes. Tables 7 and 8 examine the responses to this question for cases of murder according to the geographic location and profession of the respondent, respectively. Tables 9 and 10 do the same for burglary and Tables 11 and 12 deal with moving traffic violations.

PROPOSED JUDICIAL PROCESS	L O C A T I O N					
	METROPOLITAN AREA		NONMETROPOLITAN AREA		STATEWIDE	
	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent
Automatic certification regardless of prior record	52	43.7%	143	60.1%	195	54.6%
Automatic certification if prior record meets specific criteria	22	18.5	51	21.4	73	20.4
Handle within current Minnesota law	45	37.8	44	18.5	89	24.9
TOTAL	119	100.0%	238	100.0%	357	100.0%

Chi-square = 16.12 with 2 degrees of freedom; $p < .001$.

PROPOSED JUDICIAL PROCESS	TYPE OF PROFESSION											
	JUDGE		COUNTY ATTORNEY		DEFENSE ATTORNEY		CORRECTIONS PERSONEL		JUVENILE OFFICER		ALL PROFESSIONS	
	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent
Automatic certification regardless of prior record	32	53.3%	44	71.0%	12	19.4%	55	52.8%	51	76.1%	195	54.6%
Certification if prior record meets specific criteria	10	16.7	12	19.4	9	14.5	28	26.4	14	20.9	73	20.4
Handle within current Minnesota law	18	30.0	6	9.7	41	66.1	22	20.8	2	3.0	89	24.9
TOTAL	60	100.0%	62	100.0%	62	100.0%	106	100.0%	67	100.0%	357	100.0%

Chi-square = 88.58 with 8 degrees of freedom; $p < .0001$.

PROPOSED JUDICIAL PROCESS	LOCATION					
	METROPOLITAN AREA		NONMETROPOLITAN AREA		STATEWIDE	
	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent
Automatic certification regardless of prior record	6	5.0%	7	3.0%	13	3.7%
Certification if prior record meets specific criteria	46	38.7	115	48.9	161	45.5
Handle within current Minnesota law	67	56.3	113	48.1	180	50.8
TOTAL	119	100.0%	235	100.0%	354	100.0%

Chi-square = 3.80 with 2 degrees of freedom; $p = .15$.

TABLE 10
JUDICIAL PROCESS PROPOSED FOR JUVENILES WHO COMMIT BURGLARY
BY PROFESSIONAL GROUP

PROPOSED JUDICIAL PROCESS	TYPE OF PROFESSION											
	JUDGE		COUNTY ATTORNEY		DEFENSE ATTORNEY		CORRECTIONS PERSONNEL		JUVENILE OFFICER		ALL PROFESSIONS	
	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent
Automatic certification regardless of prior record	5	8.3%	1	1.7%	2	3.2%	1	1.0%	4	6.0%	13	3.7%
Certification if prior record meets specific criteria	25	41.7	37	61.7	8	12.9	46	43.8	45	67.2	161	45.5
Handle within current Minnesota law	30	50.0	22	36.7	52	83.9	58	55.2	18	26.9	180	50.8
TOTAL	60	100.0%	60	100.0%	62	100.0%	105	100.0%	67	100.0%	354	100.0%

Chi-square = 42.74 with 8 degrees of freedom; $p < .0001$.

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TABLE 11
JUDICIAL PROCESS PROPOSED FOR JUVENILES WHO COMMIT MOVING TRAFFIC VIOLATIONS
BY LOCATION OF RESPONDENT

PROPOSED JUDICIAL PROCESS	LOCATION					
	METROPOLITAN AREA		NONMETROPOLITAN AREA		STATEWIDE	
	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent
Automatic certification regardless of prior record	18	15.5%	45	19.4%	63	18.1%
Certification if prior record meets specific criteria	11	9.5	49	21.1	60	17.2
Handle within current Minnesota law	87	75.0	138	59.5	225	64.7
TOTAL	116	100.0%	232	100.0%	348	100.0%

Chi-square = 9.60 with 2 degrees of freedom; $p = .008$.

TABLE 12 JUDICIAL PROCESS PROPOSED FOR JUVENILES WHO COMMIT MOVING TRAFFIC VIOLATIONS BY PROFESSIONAL GROUP												
PROPOSED JUDICIAL PROCESS	TYPE OF PROFESSION											
	JUDGE		COUNTY ATTORNEY		DEFENSE ATTORNEY		CORRECTIONS PERSONNEL		JUVENILE OFFICER		ALL PROFESSIONS	
	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent	Number of Respondents	Percent
Automatic certification regardless of prior record	19	32.2%	9	14.8%	7	11.7%	14	13.7%	14	21.2%	63	18.1%
Certification if prior record meets specific criteria	8	13.6	11	18.0	1	1.7	31	30.4	9	13.6	60	17.2
Handle within current Minnesota law	32	54.2	41	67.2	52	86.7	57	55.9	43	65.2	225	64.7
TOTAL	59	100.0%	61	100.0%	60	100.0%	102	100.0%	66	100.0%	348	100.0%

Chi-square = 36.08 with 8 degrees of freedom; $p < .0001$.

From Table 7, it is apparent that a greater percentage of non-metropolitan area respondents (60.1 percent) favor automatic referral of murderers regardless of prior record than do metropolitan area respondents (43.7 percent). Conversely, more metropolitan area respondents (37.8 percent) favor handling juveniles who commit murder under current law than do nonmetropolitan area respondents (18.5 percent). This difference is statistically significant. Furthermore, although not depicted in the tables included here, similar statistically significant differences in opinion between metropolitan and nonmetropolitan area respondents exist in the cases of criminal sexual conduct and aggravated assault. Table 11 reveals a statistically significant difference in opinion between metropolitan and nonmetropolitan area respondents on how to handle juvenile moving traffic violators, where 75.0 percent and 59.5 percent, respectively, believe in handling offenders within current Minnesota law. On the other hand, there are no significant differences in opinion between metropolitan and nonmetropolitan area respondents in terms of dealing with burglary (see Table 9), felonious theft, other felonious person crimes and other felonious property crimes. Therefore, it is fair to conclude that nonmetropolitan area respondents are more likely than metropolitan area respondents to favor referring juveniles who commit violent person crimes and moving traffic violators to adult court, but that no differences in opinion exist concerning whether or not to refer property offenders to adult court.

Tables 8, 10, and 12 reveal that the profession of the respondents does influence their opinions on whether to refer juveniles to adult court. In the case of murder (Table 8), for example, 71.0 percent of county attorneys and 76.1 percent of juvenile officers prefer automatic

certification to adult court regardless of the juvenile's prior record. About half of the judges and corrections personnel (53.3 percent and 52.8 percent, respectively) believe that juveniles who commit murder should be automatically referred to adult court. Defense attorneys, on the other hand, are least likely to favor automatic referral of juveniles who commit murder. In fact, 66.1 percent of the defense attorneys favor handling such juveniles within current Minnesota law.

Tables 10 and 12 reveal similar differences in opinion among professions concerning how to deal with juveniles who commit burglary and moving traffic violations. In fact, although not depicted here, similar statistically significant differences in opinion among the professions exist for all eight offenses. In each case, the pattern is the same. Police officers and county attorneys are most likely to favor referral of juveniles to adult court, defense attorneys are most likely to favor handling juveniles within current law, and judges and corrections personnel are more evenly divided on the issue.

It appears, then, that there is sentiment in favor of automatic referral of serious juvenile offenders to adult court. This opinion is held most strongly in cases of violent person crimes such as murder. Furthermore, respondents' opinions on the issue of referring juveniles to adult court is affected by their profession and, in some instances, by their geographic location.

D. CHANGING THE MINIMUM AGE AT WHICH JUVENILES CAN BE REFERRED TO ADULT COURT

Respondents were asked whether or not they believed that there should be a minimum age required for juveniles to be referred to adult court.

Roughly three-quarters (3/4) of all respondents (74.4 percent) believe that there *should* be a minimum age. Respondents were then asked whether they think the minimum age should be changed from the current requirement of fourteen years old and, if yes, to what age they think it should be changed. Table 13 summarizes these results according to the geographic location and profession of the respondents.

TABLE 13 OPINION THAT MINIMUM AGE FOR CERTIFYING JUVENILES SHOULD BE CHANGED FROM CURRENT REQUIREMENT OF 14 YEARS BY LOCATION AND PROFESSION OF RESPONDENT				
LOCATION AND TYPE OF PROFESSION	R E S P O N S E			
	YES		NO	
	Number of Respondents	Percent	Number of Respondents	Percent
<u>Location</u>				
Metropolitan area	45	38.5%	72	61.5%
Nonmetropolitan area	61	25.8	175	74.2
STATEWIDE	106	30.0% ^a	247	70.0% ^a
<u>Type of Profession</u>				
Judge	14	23.7%	45	76.3%
County attorney	18	29.0	44	71.0
Defense attorney	28	46.7	32	53.3
Corrections personnel	25	23.4	82	76.6
Juvenile officer	21	32.3	44	67.7
ALL PROFESSIONS	106	30.0% ^a	247	70.0% ^a
Chi-square for geographic location = 5.34 with 1 degree of freedom; p = .02.				
Chi-square for type of profession = 11.47 with 4 degrees of freedom; p = .02.				
^a Percentages are averages not totals.				

Table 13 indicates that most respondents (70 percent) prefer to keep the minimum age at which juveniles can be referred to adult court at fourteen years old. Table 13 also indicates that metropolitan

area respondents are more likely to prefer changing the minimum age than are nonmetropolitan area respondents. In addition, although not shown on the table, only 33 percent of the metropolitan area respondents who want to change the minimum referral age want to lower or eliminate it. On the other hand, 47 percent of nonmetropolitan area respondents who want to change the minimum age want to lower or eliminate it.

Table 13 also reveals that county attorneys and juvenile officers are more likely to prefer changing the minimum age for referring juveniles to adult court than are members of other professions. Although not depicted on the table, greater percentages of county attorneys and juvenile officers who want to change the minimum referral age want to lower or eliminate it (61.0 percent and 78.0 percent, respectively) whereas most judges, corrections personnel and defense attorneys who want to change the minimum age want to see it raised (64.0 percent, 79.0 percent, and 67.0 percent, respectively). This is consistent with the finding that police and county attorneys are more favorably disposed toward automatic referral of juvenile offenders to adult court than are members of the other professions.

E. OTHER SUGGESTED CHANGES IN THE LAW REGULATING REFERRAL OF JUVENILES TO ADULT COURT

In Subdivision 2, Section d, of Minnesota statute 260.125 relating to the referral of juveniles to adult court, it is stated that juveniles may only be referred to adult court if "the court finds that the child is not suitable to treatment or that the public safety is not served under the provisions of laws relating to juvenile courts." In reference

to this statute, respondents were asked whether the phrase "that the child is not suitable to treatment" should be eliminated from the statute. Favoring elimination of that phrase means that one believes that authorities who wish to refer a juvenile to adult court should not have to show that repeated efforts to treat the juvenile were unsuccessful. Table 14 presents the opinions of respondents on this issue.

TABLE 14 ELIMINATION OF TREATMENT REQUIREMENT IN CURRENT STATUTE BY LOCATION AND PROFESSION OF RESPONDENT ^a				
LOCATION AND TYPE OF PROFESSION	RESPONSE			
	YES		NO	
	Number of Respondents	Percent	Number of Respondents	Percent
<u>Location</u>				
Metropolitan area	45	38.5%	72	61.5%
Nonmetropolitan area	96	42.7	129	57.3
STATEWIDE	141	41.2% ^b	201	58.8% ^b
<u>Type of Profession</u>				
Judge	18	34.6%	34	65.4%
County attorney	30	50.0	30	50.0
Defense attorney	11	18.0	50	82.0
Corrections personnel	40	38.8	63	61.2
Juvenile officer	42	63.6	24	36.4
ALL PROFESSIONS	141	41.2% ^b	201	58.8% ^b
Chi-square for geographic location = 0.40 with 1 degree of freedom; $p = .53$.				
Chi-square for type of profession = 30.31 with 4 degrees of freedom; $p < .0001$.				
^a See Section 260.125, Subd. 2, clause d, Minnesota Statutes, 1979.				
^b Percentages are averages not totals.				

Table 14 indicates that the majority of respondents (58 percent) oppose eliminating the phrase. In other words, respondents as a whole do not feel that counties should be absolved of their responsibilities to try to handle offenders within the juvenile justice system.

Geographic location does not significantly affect one's opinion on this issue. However, opinions on this issue are significantly related to the respondent's profession. Defense attorneys are most opposed to removing the "not suitable to treatment" requirement (82.0 percent oppose its removal). Most judges and corrections personnel (65.4 percent and 61.2 percent, respectively) oppose removing the requirement. County attorneys are evenly divided on the issue and most juvenile officers (63.6 percent) favor removing the "not suitable to treatment" requirement. Thus, the responses to this issues follow the same general pattern discussed above.

Respondents were also asked whether or not they favor eliminating the phrase "that the public safety is not served" from the statute. Table 15 reveals that roughly three-fourths (3/4) of the respondents (74.5 percent) oppose removing the "public safety" requirement. This is true for both metropolitan and nonmetropolitan area respondents. In other words, most respondents feel that juveniles who present no danger to the public safety should *not* be required to stand trial as adults (unless they are not suitable to treatment in the juvenile system).

TABLE 15
ELIMINATION OF PUBLIC SAFETY REQUIREMENT IN CURRENT STATUTE
BY LOCATION AND PROFESSION OF RESPONDENT^a

LOCATION AND TYPE OF PROFESSION	R E S P O N S E			
	YES		NO	
	Number of Respondents	Percent	Number of Respondents	Percent
<u>Location</u>				
Metropolitan area	36	31.3%	79	68.7%
Nonmetropolitan area	51	22.6	175	77.4
STATEWIDE	87	25.5% ^b	254	74.5% ^b
<u>Type of Profession</u>				
Judge	9	17.0%	44	83.0%
County attorney	14	23.3	46	76.7
Defense attorney	25	41.7	35	58.3
Corrections personnel	18	17.5	85	82.5
Juvenile officer	21	32.3	44	67.7
ALL PROFESSIONS	87	25.5% ^b	254	74.5% ^b

Chi-square for geographic location = 2.62 with 1 degree of freedom; $p = .11$.

Chi-square for type of profession = 15.50 with 4 degrees of freedom; $p = .004$.

^aSee Section 260.125, Subd. 2, clause d, Minnesota Statutes, 1979.

^bPercentages are averages not totals.

Opinions on this issue differ according to the profession of the respondent. Although a majority of respondents in all professions oppose eliminating this requirement, the opposition is greatest among judges, corrections personnel and county attorneys (83.0 percent, 82.5 percent and 76.7 percent, respectively) and least among juvenile officers and defense attorneys (67.7 percent and 58.3 percent, respectively). Incidentally, this is one of the few issues on which defense attorneys and police officers are in relative agreement.

Respondents were also asked whether they felt that the law should be amended to require that specific offenses and/or prior record serve as a

condition for discretionary transfers to adult court. The results, presented in Table 16, indicate general agreement with this approach. Almost two-thirds (2/3) of the respondents (65.7 percent) favor such a change. Metropolitan area and nonmetropolitan area respondents do not differ significantly on this issue. The respondent's profession is significantly related to opinions on this issue, following the same general pattern discussed above. Juvenile officers and county attorneys are most likely to favor a requirement that specific offenses and/or prior record serve as a condition for referring juveniles to adult courts and defense attorneys are least likely to favor such a requirement.

TABLE 16
AMEND REFERENCE STATUTE TO REQUIRE SPECIFIC OFFENSES
AND/OR PRIOR RECORD AS A CONDITION FOR REFERRING JUVENILES
BY LOCATION AND PROFESSION OF RESPONDENT^a

LOCATION AND TYPE OF PROFESSION	R E S P O N S E			
	YES		NO	
	Number of Respondents	Percent	Number of Respondents	Percent
<u>Location</u>				
Metropolitan area	71	61.7%	44	38.3%
Nonmetropolitan area	153	67.7	73	32.3
STATEWIDE	224	65.7% ^b	117	34.3% ^b
<u>Type of Profession</u>				
Judge	33	58.9%	23	41.1%
County attorney	43	74.1	15	25.9
Defense attorney	29	48.3	31	51.7
Corrections personnel	68	66.0	35	34.0
Juvenile officer	51	79.7	13	20.3
ALL PROFESSIONS	224	65.7% ^b	117	34.3% ^b

Chi-square for geographic location = 0.95 with 1 degree of freedom; $p = .33$.

Chi-square for type of profession = 16.56 with 4 degrees of freedom; $p = .002$.

^aSee Section 260.125, Subd. 2, clause d, Minnesota Statutes, 1979.

^bPercentages are averages not totals.

Finally, respondents were given an opportunity to recommend any other changes in the statute pertaining to the referral of juveniles to adult court. Most individuals did not respond to this question. Of those who did, the predominant response was to require automatic referral for certain crimes or to make it easier to certify a juvenile to be tried as an adult. A sizable number of respondents suggested that the statute be clarified, i.e., that specific criteria be developed to determine when the public safety cannot be served by processing the offender as a juvenile and when the juvenile is not suitable to treatment. Some respondents suggested lowering the jurisdiction of the adult court to include sixteen year olds, some suggested placing all juvenile traffic offenders under the jurisdiction of the adult traffic court, and a few suggested abolishing the juvenile court entirely and handling all offenders as adults. A few defense attorneys requested that juveniles be given the right to appeal transfers to adult courts.

F. SUMMARY OF OPINIONS OF
CRIMINAL JUSTICE PERSONNEL

Most criminal justice personnel believe that juvenile offenders who commit violent person crimes and have a prior record(s) should be referred to adult court. This opinion is most prevalent among juvenile officers and county attorneys and least prevalent among defense attorneys. Most respondents are opposed to changing the minimum age for certification and are opposed to removing the requirements that juveniles can only be referred to adult court if they are not suitable to treatment or if they endanger the public safety.

Referral of juveniles to adult court is not viewed as the ultimate

solution to the delinquency problem, nor is it viewed as the proper way to deal with most juvenile delinquents. There is a widespread belief, however, that some juveniles have not profited from current treatment efforts and persist in their delinquency despite this. They have prolonged offense histories and other adjustment problems. It is these offenders whom many criminal justice personnel believe should be referred to adult court. Referring juveniles to the adult court is a solution most favored by police officers and county attorneys and one that receives more support among nonmetropolitan area personnel.

Whereas opinions about how to deal with serious juvenile offenders differ according to the profession and geographic location of respondents, there is agreement among most criminal justice personnel that many juveniles are not currently being effectively treated and that new options for handling these juveniles should be developed.

IV. DATA ON JUVENILES REFERRED TO ADULT COURT
IN MINNESOTA DURING THE FIRST 6 MONTHS OF 1979

An attempt was made to obtain information on the number of motions made to refer juveniles to adult court and the number of actual referrals. Not all counties supplied this information, and the data from Ramsey County was not provided in precisely the same form as the other information. Nevertheless, tentative profiles of the extent to which referrals of juveniles to adult court are requested and granted and some of the characteristics of juveniles referred to adult court can be drawn. Because metropolitan and nonmetropolitan area counties have different patterns of referral, they will be analyzed separately.

A. METROPOLITAN AREA REFERRALS

Hennepin County authorities requested the greatest number of referrals of any county and had the most granted. Of the 34 motions that were made, 21 were granted, but 3 of those granted were stayed. All of the 18 juveniles who were actually referred were males. There were 2 fifteen year olds, 5 sixteen year olds, and 11 seventeen year olds.

The types of offenses for which Hennepin County juveniles were referred to adult court are as follows:

- 1 referral for first degree criminal sexual conduct,
- 1 referral for first degree assault,
- 3 referrals for robbery,
- 6 referrals for a combination of assault and robbery,
- 4 referrals for burglary,
- 1 referral for a combination of burglary and assault,
- 2 referrals for unauthorized use of a motor vehicle.

In addition, Hennepin County authorities provided information on the prior offense histories of these juveniles. Most had extensive offense histories, including prior felonies.

The information supplied by Ramsey County is not directly comparable to Hennepin County because Ramsey County's information is based on a different time period. There were 19 motions to refer juveniles to adult court made in Ramsey County from January through December of 1979. Information on actual referrals was supplied for January through October of 1979, during which time 12 referrals were ordered. All were males; 4 were sixteen year olds and 8 were seventeen year olds. Referrals were based on the following offenses (including two multiple offenders):

- 1 referral for manslaughter,
- 2 referrals for first degree criminal sexual conduct,
- 4 referrals for aggravated robbery,
- 5 referrals for burglary,
- 2 referrals for unauthorized use of a motor vehicle.

Of the other metropolitan area counties, one reported no motions to refer juveniles to adult court. One county reported 3 motions and 3 actual referrals, 2 sixteen-year old males and 1 seventeen-year old male. No breakdown by offense was reported by that county. One county reported 16 motions and 16 actual referrals. All were seventeen-year old males. Fifteen were for moving traffic violations and one was for an unspecified felonious property crime.¹

¹With the exception of Hennepin and Ramsey counties which supplied referral information separately, information pertaining to other counties was obtained from the questionnaire. Since anonymity was guaranteed, the name of this and other counties cannot be provided.

Although information from the two other metropolitan area counties was not obtained, it does appear that the patterns of referring juveniles to adult courts in Hennepin and Ramsey counties differ from referral patterns in the other metropolitan area counties.

Although the information was not provided in a uniform manner, several conclusions can be drawn about the type of juvenile referred to adult courts in Hennepin and Ramsey counties. They are male, usually sixteen or seventeen years old, and they have committed felonies. Most common among their offenses are assault, robbery, and burglary. Based on the information provided to us and recognizing its limitations, metropolitan area counties accounted for 47.7 percent of all the referrals which were granted in the state.

B. NONMETROPOLITAN AREA REFERRALS

The pattern of referrals in nonmetropolitan areas is strikingly different from that of Hennepin and Ramsey counties. Twenty-eight of the 59 counties which provided information (47.5 percent) reported no motions for referring juveniles to adult court, 16 counties (27.1 percent) reported 1 motion and 15 counties (25.4 percent) reported between 2 and 8 motions. The mean and median number of motions for referral to adult court in nonmetropolitan counties are 1.27 and 1.16.

Information on the age, sex and offense of juveniles referred to adult court was not provided by all nonmetropolitan counties, but some general observations can be made. Only two females, both seventeen-year old property offenders were referred to adult court. There were 45 seventeen-year old males, 9 sixteen-year old males, and 1 fifteen-year

old male referred. From those counties reporting the type of offense committed by the referred juvenile, a summary of offenses was composed. Nonmetropolitan area juveniles were referred to adult court for the following offenses:

- 1 referral for first degree murder,
- 2 referrals for unspecified felonious crimes against person,
- 16 referrals for burglary,
- 11 referrals for unspecified felonious property crimes,
- 3 referrals for unauthorized use of a motor vehicle,
- 3 referrals for unspecified misdemeanors.

In general, then, juveniles in nonmetropolitan counties who were referred to adult courts usually committed property crimes.

There are, therefore, similarities and differences between the types of juveniles referred to adult court in Hennepin and Ramsey counties compared to the other counties in the state. The number of referrals per county is greater in Hennepin and Ramsey counties. A majority of juveniles referred to adult courts in Hennepin and Ramsey counties committed violent crimes against person or burglary whereas most juveniles from nonmetropolitan area counties who were referred committed burglaries or other property offenses. However, regardless of location, the juveniles who were referred were predominantly sixteen- and seventeen-year old males.

A P P E N D I X

SERIOUS JUVENILE OFFENDER SURVEY



SERIOUS JUVENILE OFFENDER SURVEY

1. In your opinion, does there exist a group of juvenile offenders for whom treatment options available within current Minnesota law are inadequate?

- No (Go to question 2.)
- Yes

If yes, what kinds of offenses do these juveniles generally commit?

What kinds of offense histories do these juveniles usually have?

What other kinds of behavior can be used to identify these offenders?

Would you support the development of new treatment options for this group of juvenile offenders?

- No
- Yes (Please describe what treatment options are needed.)

2. In your opinion, which of the following judicial processes should be used for juveniles charged with each of the offenses identified below? (Check one response for each item.)

	AUTOMATIC CERTIFICATION/MANDATORY TRANSFER TO ADULT COURT REGARDLESS OF JUVENILE'S PRIOR RECORD	AUTOMATIC CERTIFICATION/MANDATORY TRANSFER TO ADULT COURT ONLY IF JUVENILE'S PRIOR RECORD MEETS SPECIFIC CRITERIA	HANDLED WITHIN CURRENT MINNESOTA LAW
a. First degree murder	[]	[]	[]
b. First degree criminal sexual conduct	[]	[]	[]
c. First degree assault	[]	[]	[]
d. Burglary	[]	[]	[]
e. Felonious theft	[]	[]	[]
f. Other felonious crimes against property	[]	[]	[]
g. Other felonious crimes against person	[]	[]	[]
h. Moving traffic violations	[]	[]	[]
i. Other (Specify): _____	[]	[]	[]
j. Other (Specify): _____	[]	[]	[]

If you support the development of legislation requiring mandatory transfer to adult court for certain juvenile offenses, should the legislation require a *minimum* age for certification regardless of the offense?

- No
 Yes (What age? _____)
 Do not support such legislation

3. Immediately below is the current reference statute that allows for discretionary transfers to adult court:

260.125 REFERENCE FOR PROSECUTION. Subdivision 1. When a child is alleged to have violated a state or local law or ordinance after becoming 14 years of age the juvenile court may enter an order referring the alleged violation to the appropriate prosecuting authority for action under laws in force governing the commission of and punishment for violations of statutes or local laws or ordinances. The prosecuting authority to whom such matter is referred shall within the time specified in such order of reference, which time shall not exceed 90 days, file with the court making such order of reference notice of intent to prosecute or not to prosecute. If such prosecuting authority files notice of intent not to prosecute or fails to act within the time specified, the court shall proceed as if no order of reference had been made. If such prosecuting authority files with the court notice of intent to prosecute the jurisdiction of the juvenile court in the matter is terminated.

Subd. 2. The juvenile court may order a reference only if

(a) A petition has been filed in accordance with the provisions of section 260.131

(b) Notice has been given in accordance with the provisions of sections 260.135 and 260.141

(c) A hearing has been held in accordance with the provisions of section 260.155, and

(d) The court finds that the child is not suitable to treatment or that the public safety is not served under the provisions of laws relating to juvenile courts.

Subd. 3. When the juvenile court enters an order referring an alleged violation to a prosecuting authority, the prosecuting authority shall proceed with the case as if the jurisdiction of the juvenile court had never attached.

[1959 c 685 s 16; 1963 c 516 s 2]

Do you believe the following changes in the above statute should be made? (Check No or Yes for each item.)

a. Change the minimum age for referral (current age is 14).

- No
 Yes (What age? _____)

b. Eliminate from Subd. 2(d) the phrase, "that the child is not suitable to treatment."

- No
 Yes

c. Eliminate from Subd. 2(d) the phrase, "that the public safety is not served."

- No
 Yes

d. Amend Subd. 2(d) to require that specific offenses and/or prior record serve as a condition for discretionary transfers to adult court.

- No
 Yes

e. Are there any other changes needed in the statute?

- No
 Yes (Please list changes.) _____

SERIOUS JUVENILE OFFENDER SURVEY

PART II

DATA QUESTIONS

4. How many motions for certification were made during the first six months of this year (January, 1979-June, 1979)?

_____ motions for certification were made

5. How many of the motions for certification described above actually resulted in certification in each of the categories listed below?

	NUMBER OF <u>MALES</u>	NUMBER OF <u>FEMALES</u>
Age 14	_____	_____
Age 15	_____	_____
Age 16	_____	_____
Age 17	_____	_____

NUMBER OF
JUVENILES
CERTIFIED

MOST SERIOUS OFFENSE INVOLVED IN CERTIFICATION OF OFFENDER

- _____ a. First degree murder
- _____ b. First degree criminal sexual conduct
- _____ c. First degree assault
- _____ d. Burglary
- _____ e. Felonious theft
- _____ f. Other felonious crimes against property
- _____ g. Other felonious crimes against person
- _____ h. Violation of game laws
- _____ i. Other misdemeanors
- _____ j. Other (*Please specify.*) _____

6. How many of the motions for certification described above are still pending? _____

7. From what source did you obtain the data described in questions 4-6 above? _____

END