

Juveniles and Violent Crime In Missouri



MJRC

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Missouri
Juvenile Justice
Review
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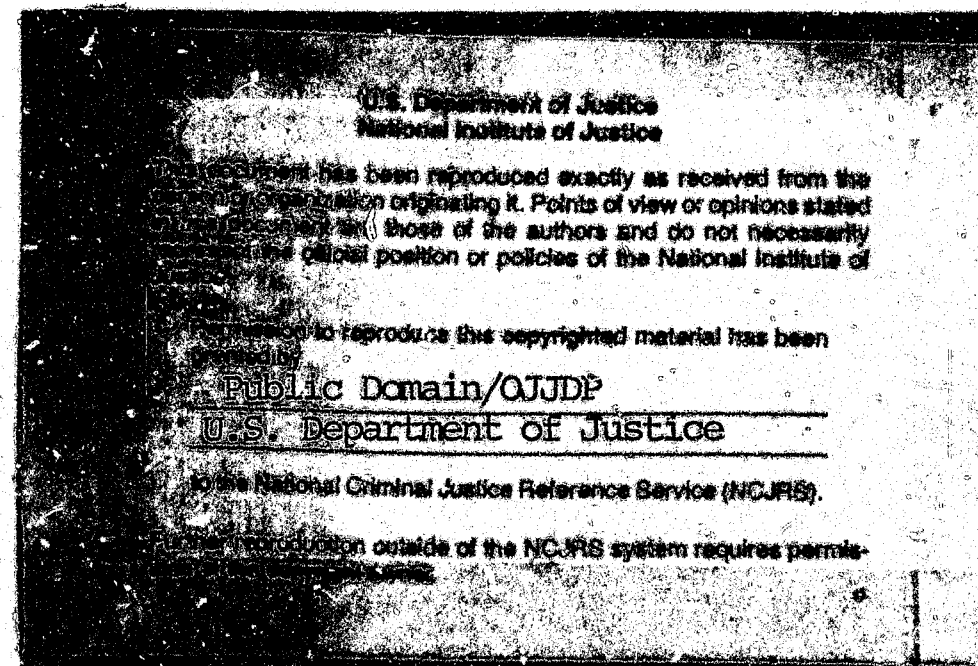
**JUVENILES AND
VIOLENT CRIME
IN MISSOURI**

NCJRS

FEB 27 1984

ACQUISITIONS

Prepared by
Missouri Juvenile Justice Review Committee
July 1983



This document was prepared by the Missouri Juvenile Justice Review Committee under grant number 82 JFC3 0009 awarded by the State Advisory Group for Juvenile Justice and Delinquency Prevention through the Missouri Department of Public Safety. These funds were made available to Missouri by the Office of Juvenile Justice and Delinquency Prevention, United States Department of Justice. Points of view or opinions stated in this document are those of the Missouri Juvenile Justice Review Committee and do not necessarily represent those of the State Advisory Group for Juvenile Justice and Delinquency Prevention, the Department of Public Safety, or of the United States Department of Justice.

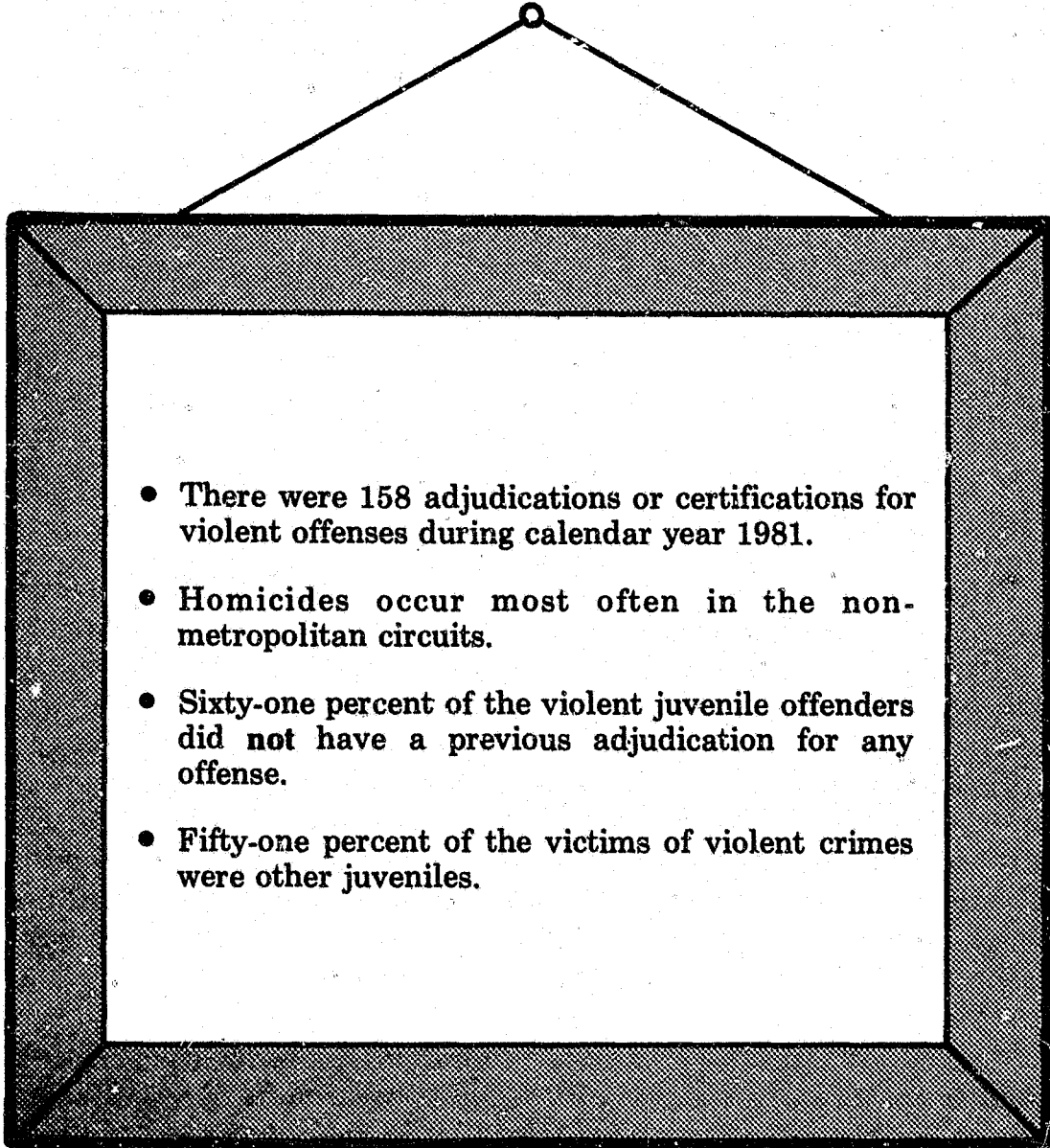
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ACKNOWLEDGEMENTS

The Missouri Juvenile Justice Review Committee (MJJRC) thanks all of the people from juvenile courts across the state who assisted in this study. Their cooperation and support was a key factor in being able to successfully collect the necessary data. Special thanks goes to the Office of Research and Statistics in the Division of Budget and Planning, Department of Social Services for the State of Missouri for tabulating the data.

The MJJRC also thanks the Office of Juvenile Justice and Delinquency Prevention for the technical assistance provided by Donna Hamparian through a contract with the National Office for Social Responsibility (NOSR).

JUVENILES AND VIOLENT CRIME The Picture in Missouri

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- There were 158 adjudications or certifications for violent offenses during calendar year 1981.
 - Homicides occur most often in the non-metropolitan circuits.
 - Sixty-one percent of the violent juvenile offenders did **not** have a previous adjudication for any offense.
 - Fifty-one percent of the victims of violent crimes were other juveniles.

INTRODUCTION

All crimes create a cause for community concern. Violent crimes are the most threatening; create the most fear of being victimized; and create the most anger toward the offender. The rate of violent crime has stabilized in recent years or shown a slight increase depending upon which source of data is utilized. At any rate, when the general public is exposed to graphic accounts of violence, they are concerned about the safety of their community. This concern has been translated into demands for public officials to take corrective actions.

Some of the actions taken in recent years have focused on dealing with the role of juvenile offenders in committing violent crimes. The OJJDP at the federal level has suggested that 30% of formula grant funds be earmarked for efforts directed at the serious and violent juvenile offender. Many states have passed so called "get tough" legislation to allow or mandate more severe penalties to deal with violent juvenile offenders. A recent report states that half of the state legislatures in the past five years have changed their states' juvenile codes to make it easier to refer juveniles to criminal courts to be tried as adults.¹

The types of changes being made in other states have some far reaching implications. Will those changes, indeed, bring about a reduction in violent crimes committed by juveniles? The jury is still out on this question. Other implications of the changes are related to the increasing tendency across the country toward juvenile punishment rather than treatment. This type of response to the fear of violent crime begins to affect the basic philosophy of the juvenile court. If taken too far, changes made to deal with violent offenders begin to affect the less serious juvenile offenders which make up the vast majority of the typical juvenile court caseload.

The seriousness of the actions being taken and the desire to be able to deal as effectively as possible with violent juvenile offenders in Missouri prompted the MJJRC's interest in this area. A preview of information available for Missouri showed that no data was being collected from a statewide perspective to describe the nature and scope of violent juvenile crime. Thus, the decision was made to conduct this study to gather the information needed. The ultimate goal of the project was to arm the public and decision makers with objective, quantifiable information on which to base future decisions regarding violent juvenile offenders.

What kind of information is needed to accurately describe the nature and extent of violent juvenile crime? Basic demographic information such as the number of offenders, their age, sex, and race help provide a picture of violent juvenile crimes. The literature reflects another approach used in describing violent juvenile crime. Authors Snyder and Hutzler describe juvenile crime by providing information on issues in response to what they identify as a number of popular misperceptions.² In a booklet titled **Facts About Violent Juvenile Crime**, McDermott summarizes the latest research and re-examines the assumptions about youth violence.³ The MJJRC, adapting the approach used by McDermott, attempted to gather information which would answer commonly asked questions and respond to commonly held assumptions.

A major difference in the approach used in this study was to seek answers to questions specific to the State of Missouri, such as: How many juveniles are actually adjudicated for violent crimes? Are they repeat offenders? Was the offense committed alone? Was a weapon used? Was the victim injured? What action was taken by the court? At a minimum, as changes in dealing with violent juvenile offenders in Missouri are considered, answers to those questions should be available to decision makers.

This report is arranged in the following manner. There is a brief methodology section explaining how the study was conducted. The main body of the paper then presents a summary of the findings of this study. These findings are categorized into the following four general topic areas:

1. offenses
2. offenders
3. victims
4. juvenile court's response

In addition, there is a section describing the characteristics related to the homicide cases. The final section presents a discussion of the possible implications of the data and recommendations.

METHODOLOGY

To gather the needed information for this study, a three step process was employed. The first step was to identify the criteria to be used to define a "violent offense."

DEFINITION

Of the various definitions used in the literature, there is general agreement that "violent offenses" are crimes against persons. These are crimes where physical harm to the victim is caused or threatened during the course of the offense. Using this as a basis, twenty-nine (29) offenses were identified by specific statute number under Missouri's Criminal Code as violent offenses. These offenses included those crimes against persons classified as Class A felonies; selected Class B felonies (those B felonies which are crimes against persons); and the homicide offenses of capital murder, first degree murder, murder in the second degree, and manslaughter. In turn, a "violent juvenile offender" was defined as any juvenile adjudicated* by the juvenile court or certified** to stand trial as an adult for one of the above violent offenses. In Missouri, a juvenile is a person under seventeen years of age.

This definition limits the scope of this study to those offenders who were adjudicated or certified. Those offenders who were alleged to have committed a violent offense without the charge being substantiated were purposely excluded. This study makes no attempt to estimate the number of violent offenses committed by juveniles which go unreported or for which there is insufficient evidence for formal juvenile court action.

SURVEY

In the second phase a written survey was developed and sent to the juvenile officers in each of Missouri's forty-four (44) judicial circuits. The results of the survey identified those juveniles adjudicated delinquent or certified to criminal court for a violent offense during calendar year 1981. The information collected in-

*Adjudicated means a juvenile court has sustained an allegation that a juvenile has committed an offense included in Missouri's Juvenile Code (Chapter 211 RSMo), thus giving the juvenile court authority to exercise its jurisdiction over the juvenile.

**Dismissal to allow prosecution under general law is often synonymously referred to as certification, waiver, or transfer. A juvenile is "certified" to stand trial as an adult when a petition against him in juvenile court is dismissed to allow prosecution of the juvenile under the general law.

cluded the statute number of the violent offense committed and the juvenile's age, sex, race, and disposition. Case numbers were obtained to provide a process for selecting a sample of cases for which more detailed information could be gathered in the next phase of the study.

REVIEW OF CASE RECORDS

The third phase involved identifying a representative sample of offenders from the initial survey for more detailed case reviews. The sample consisted of 72% (113) of the universe of violent offenders. Seventy-seven percent of the cases in the sample were from St. Louis City, St. Louis County, and Jackson County (which includes Kansas City). Seventy-six percent of the cases were from these metropolitan areas in the initial universe of offenders. In addition, all homicide cases and at least 50% of the cases in each of the other offense categories were included.

A written survey instrument was completed on each of the 113 cases in the sample. In 89% of the cases reviewed, two primary data collectors conducted on-site examinations of the juveniles' case files to retrieve the data. In the remaining cases (primarily circuits with one or two cases) the primary data collectors completed the survey instrument over the telephone with the assistance of the juvenile officer in the circuit where the case was located.

Information from the case reviews was entered on computer. The following section of this report presents a summary of the key findings from this data.

FINDINGS OF VIOLENT OFFENDER STUDY

A LOOK AT THE OFFENSES

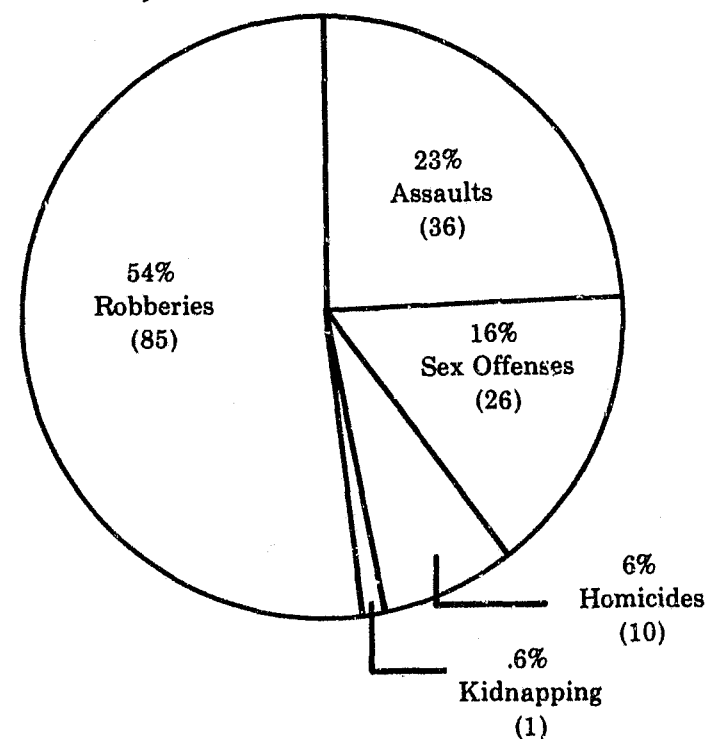
Assumption: Violent juvenile crime is a serious problem in Missouri.

Study Findings: There were 158 juveniles adjudicated or certified to adult courts for violent offenses during calendar year 1981 for the entire state.

One violent offense is serious if you happen to be the victim. It is another question to ask whether a total of 158 violent offenses statewide, over a twelve month period, constitutes a serious social problem. This question must ultimately be left up to policy makers.

Unfortunately, data compatible with data from this study does not exist to provide a historical perspective on the rate of increase or decrease in violent juvenile crime in Missouri. Available FBI Uniform Crime Reports (UCR), often cited in the literature, note police activity in the form of arrests. This data does not tell anything about the offender or what happens after the arrest. We do know that the 158 cases represent only .5% of the estimated 35,000 referrals to juvenile courts in Missouri over a twelve month period.

DISTRIBUTION OF VIOLENT CRIMES
BY JUVENILES IN MISSOURI 1981



Assumption: You are in most danger of being a victim of a violent juvenile crime late at night.

Study Findings: Seventy-six percent of the violent juvenile crimes occurred between 7 AM and 8 PM.

The time the offense occurred was known in 95 cases in the sample. As the above finding reflects, most of the offenses occurred during the day or early evening. In contrast to the other offenses, homicides were more likely to occur at night than during the day. For the seven homicide offenses where the time of offense was known, five occurred between 12 midnight and 6 AM.

Assumption: Juveniles are becoming more sophisticated and committing robberies involving large amounts of money and/or property.

Study Findings: Of 34 robberies where the amount taken was known, \$100 or less was taken in 22 (65%) of these cases. In 12 (35%) cases, the amount taken was \$10 or less. In an additional 12 cases the robbery was unsuccessful and no money was obtained.

In those cases where the amount was known, the amount taken ranged from \$1 to \$3,000. There is a rapid drop from the amount of \$3,000 with the next largest amount taken being \$689.

The offense of robbery is one of the offense labels which requires particular caution when interpreting descriptive statistics. "Robbery" is a label for a wide range of criminal behavior from purse snatching to armed bank robbery. To assume that all persons arrested for robbery have committed a criminal act of the same severity is a mistake.⁴ This need for caution was supported by the data collectors in this study. They reported that, when reviewing accounts of the offenses in the case records, many of the robberies were not as violent as the label "robbery" might indicate. Examples of this were when lunch money, a bicycle, or other items were taken from another youth and no physical injury occurred. While serious, these were only seemingly violent offenses.

A LOOK AT THE OFFENDER

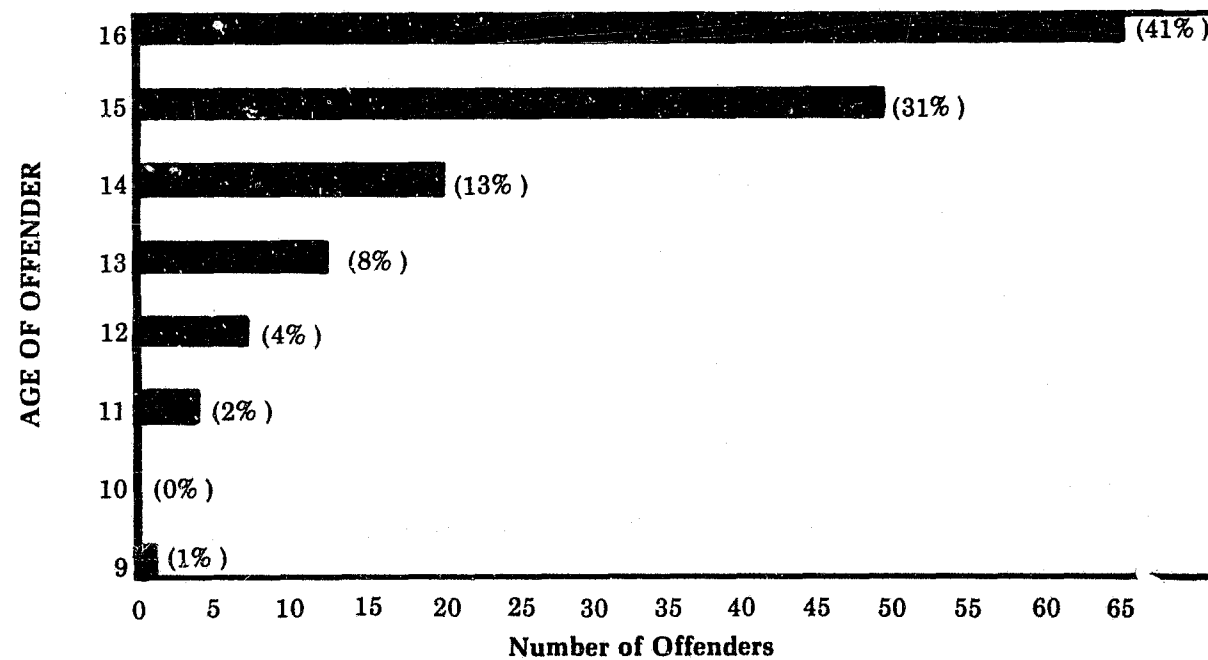
Assumption: A significant number of juveniles are violent offenders.

Study Findings: Violent offenders in this study represented one juvenile per 4,047 juveniles of the same age group in Missouri's general population. Offenders ranged from 9 to 16 years of age.

It should be noted the proportions would be higher in specific age, sex, and race subgroupings. However, one juvenile out of 4,047 juveniles does not appear to constitute a significant number.

In the study 88.6% of the offenders were males and 11.4% were females. In Missouri's general population, males make up 51.1% and females 48.9%. The distribution by race of offenders was as follows: white, 42.4%; black, 57.0%; and other, .6%. In the general population, whites represent 85.3%; black, 13.4% and other, .8%.

AGE OF JUVENILES ADJUDICATED OR CERTIFIED FOR VIOLENT OFFENSES, MISSOURI 1981



Assumption: Most violent juvenile offenders are repeat offenders with a history of several violent offenses.

Study Findings: Only 8.8% (10) of the violent offenders had been adjudicated or certified for a previous violent offense.

Sixty-one percent of the offenders did not have a previous adjudication or certification for any offense. A study by the National Center for Juvenile Justice made similar findings. In their ten-state sample, one-half of all the youth charged with a violent offense had no previous court contact.⁵

Assumption: Alcohol or other drugs are often involved when juveniles commit violent crimes.

Study Findings: Alcohol involvement was noted in 4.4% of the offenders' case records. Other drugs were noted in 8.8% of the offenders' case records.

To be included in this count, drug involvement had to be clearly identified in the police report and/or other sections of the juvenile's case file. Drug involvement included the use of drugs during or in the immediate hours preceding the commission of the offense. Unfortunately the limited information available in some case records and the limited scope of this study does not provide for a comprehensive assessment of this issue.

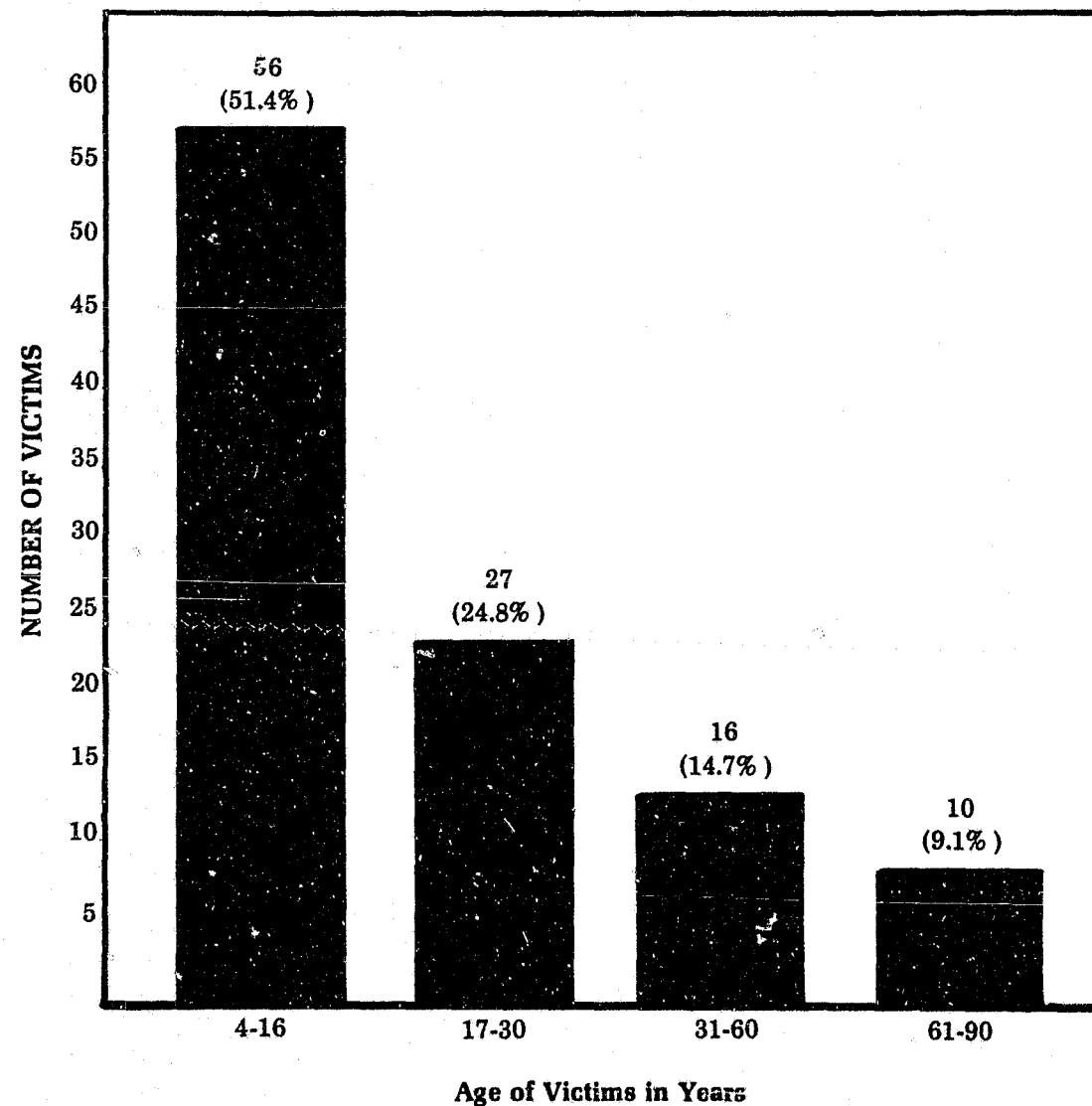
A LOOK AT THE VICTIM

Assumption: Violent juvenile offenders usually choose the elderly and females as victims.

Study Findings: The victims of violent juvenile crime were under 60 years of age 90% of the time and 16 years of age or younger 51% of the time. Sixty-two percent of the victims were males.

Results similar to those above are cited in the literature, with the exception of purse snatching, which is one crime where the victims are more likely to be elderly and female.⁶

AGE OF VICTIMS OF VIOLENT JUVENILE CRIME
MISSOURI 1981*



*Based on sample data

Assumption: Violent crimes by juveniles usually result in serious injury to the victim.

Study Findings: Seventy-two percent of the victims in this study were NOT injured physically as a result of the offense.

The threat of physical force as well as actual physical injury can be very traumatic for the victim. In many cases the charges and adjudications for violent offenses are based on the threat rather than the use of physical force. In citing levels of physical injury, the authors do not intend to minimize the magnitude of the potential for psychological harm.

In this study the no-injury category included those cases where there may have been minor bruises, scratches, etc., but there was no medical treatment required.

Assumption: Victims of violent juvenile offenses usually do not know their attackers.

Study Findings: Fifty-one percent of the victims in the study were relatives, friends, or at least acquaintances of the offenders.

The chances of the victim being a total stranger to his attacker varies significantly depending upon the type of offense. For robbery, the victim and offender were strangers in 77% of the cases; for assault, they were strangers in 45% of the cases. For the sex offense category, the victim and offender were total strangers in only 13% of the cases.

A LOOK AT THE JUVENILE COURT'S RESPONSE

Assumption: When police apprehend juveniles they are released by juvenile authorities and are back on the street before the police.

Study Findings: Eighty-seven percent of all the violent offenders in this study were detained prior to the adjudication hearing.

The study findings show that violent juvenile offenders are usually detained prior to their adjudicatory hearing. In contrast to the adult system, juveniles are not allowed the option of posting bail or bond to obtain release awaiting their hearing.

JUVENILE COURTS' DISPOSITIONS OF
VIOLENT OFFENDERS BY OFFENSE CATEGORY
MISSOURI 1981*

	Certification	Commitment to DYS	Court Residential	Private Residential	Commitment to DMH	Court Supervision	Dismissed
HOMICIDES	8	1	—	—	—	—	1
SEX OFFENSES	2	8	1	4	—	6	1
ROBBERY	7	27	3	3	—	20	1
ASSAULT	1	10	2	1	3	3	—
TOTAL	18	46	6	8	3	29	3

*Based on sample data

Assumption: Juveniles who injure their victims are "coddled" by juvenile authorities and released to their parents.

Study Findings: Eighty-four percent of the offenders in this study who physically injured their victims received a disposition involving out-of-home placement or certification.

There were 32 cases where physical injury to the victim occurred. Thirty-four percent (11) of those offenders were certified to criminal court. An additional 38% (12) of those offenders were committed to the Division of Youth Services.

Assumption: The juvenile courts take an unreasonable amount of time to process juvenile cases.

Study Findings: Disposition of the offense in this study was reached within 80 days from the receipt of referral in 84% of the cases.

Many factors may increase the length of time between referral of a case to the juvenile court and the dispositional hearing. These include the filing of supplemental amendments to the original petition, a request for additional time by the juvenile's attorney to prepare for the hearing, and the investigations required for dismissal hearings to allow prosecution under general law.

However, the majority of cases in this study (84%) were disposed of within 80 days. This is a full 100 days less than the requirement in the adult system for an accused adult to be brought to trial within 180 days.

A SPECIAL LOOK AT THE CATEGORY OF HOMICIDES

The category of homicides warrants a special look at the data gathered because of the seriousness of these offenses. The following list is a summary of the key findings related to this offense category.

- There were 10 homicides which represented 6.2% of the violent offenses adjudicated or certified.
- Homicides occurred most often in the non-metropolitan circuits.
- None of the homicide offenders had been adjudicated for a previous violent offense.
- Forty percent of the homicide victims were part of the immediate family of the offender.
- None of the homicide offenders had a previous petition sustained where they were the victims of abuse/neglect. In two cases there was mention of possible previous abuse in the case record.
- Guns were used in 70% of the cases; in one a baseball bat was a weapon; in one the victim was beaten with fists and kicked to death; and one incident was the result of an automobile collision.
- All of the homicide offenders were 14 years of age or older; five of the homicide offenders were white males, one was a white female, three were black males, and one was a black female.
- Eight of the ten homicide offenders were certified to stand trial as adults. One was committed to DYS and one case was subsequently dismissed with a ruling of justifiable homicide.
- All of the homicide offenders were detained prior to their adjudication hearing except the juvenile whose charge was dismissed as justifiable homicide.

IMPLICATIONS AND RECOMMENDATIONS

The findings of this study indicate that several popular myths regarding violent juvenile offenses and offenders in Missouri should be dispelled. At the same time, the results also raise a number of questions which warrant further attention and study before final conclusions can be drawn.

As one reviews this report, it is important to remember that the 158 violent offenses initially identified and the 113 offenses included in the sample for further study included **only** those in which the juvenile courts sustained the original charge and either adjudicated the juvenile or certified the juvenile to the adult system. The major metropolitan areas in Missouri, in particular, may well be able to demonstrate that their referral rates for the same violent offenses studied approximate the statewide total. However, a number of issues are then brought to bear, including insufficient information to sustain the original charge, reduction of charges based upon a clarification of the facts or elements of the charge, findings during the course of a court proceeding that the youth was not involved in the offense, and so forth. In the final analysis, the Missouri Juvenile Justice Review Committee believed that adjudication was the most valid measure of actual participation in the violent offense and thereby limited their examination to these cases.

The seemingly disparate data suggested above is but one example of the need for more thorough and uniform reporting and record-keeping systems in Missouri. Currently, not only is the most basic data in the area of violent juvenile offenses unavailable, but certain issues worthy of research cannot be explored because of inadequate recording systems. For example, for some time there has been speculation that a juvenile involved in a violent offense would be likely to have a history of abuse and/or neglect. Based upon the court records examined, those records did not routinely contain sufficient information to allow a study or analysis of the subject.

There has also been a recent tendency to believe that drugs and alcohol play a major role in the commission of violent offenses. During the course of this study, it was found that only on rare occasion was there any mention of drug/alcohol involvement either prior to or during the commission of the offense. This information was notably lacking in both police reports and juvenile court records.

- **IMPLICATION:** Missouri's juvenile justice reporting and record-keeping systems with regard to violent offenses and offenders are inadequate to permit an in-depth, on-going study of this subject.
- **RECOMMENDATION:** Law enforcement personnel, professionals in Missouri's juvenile justice system, and researchers acquainted with this system should evaluate Missouri's current reporting and record-keeping systems to assess what information is available and what information would be desirable and to make recommendations to improve such systems.

In addition to the problems encountered in gathering and evaluating the data in the juvenile justice system, it would appear that similar information is lacking in the adult system. An obvious comparison that should have been noted in this report was that between juvenile adjudications or certifications and adult convictions. However, this data is just not available to make a reliable comparison. In 1981, 1,327 commitments were made to the Department (then Division) of Corrections for the following offenses: homicide, robbery, sex offenses and assault. Information relating to adults placed on probation or incarcerated at the local level for such offenses was not readily available, so this total does not reflect all adult dispositions. Even this misleading comparison, however, indicates that the 158 juveniles adjudicated or certified for violent offenses was but a small percentage of the total number of violent offenders in Missouri in 1981.

- **IMPLICATION:** In Missouri, there appears to be no valid, reliable data base from which accurate comparisons can be made regarding juvenile versus adult adjudications for violent offenses.
- **RECOMMENDATION:** If accurate comparisons are to be made between adult arrests and juvenile referrals, between adult convictions and juvenile adjudications or certifications, and between adult offenses/offenders and juvenile

offenses/offenders, like statistical data must be collected and available in central repositories.

The most significant finding of this study is that only 158 juveniles were adjudicated or certified in 1981 for violent offenses. While any one incident of violent crime constitutes a problem, the number of juveniles apprehended and adjudicated or certified does not evidence this as a major problem involving juvenile offenders in Missouri and does not justify a significant overhaul of the state's juvenile justice system. This system has, in fact, been dealing with identified violent offenders while at the same time affording non-violent offenders rehabilitative services and programs. Again, it is important to recall that the 158 offenders identified in the study not only represented a small percentage of all violent offenders in Missouri but also only represented approximately .5% of all juveniles referred to the juvenile courts in 1981.

- **IMPLICATION:** The number of juveniles adjudicated or certified for violent offenses constitutes an extremely small percentage of all juveniles referred to the juvenile courts.
- **RECOMMENDATION:** Before pursuing "get tough" legislation or the establishment of secure, "prison-like" facilities to handle the violent offender, the need must be assessed in light of the remaining 99.5% being referred to the juvenile courts and the available resources.

While a great deal of emphasis has recently been placed on violent juvenile crime and actions have been undertaken to address this concern both on the federal level and on the part of a number of states, Missouri has managed to avoid a hasty and perhaps premature reaction. With dwindling resources and funding alternatives, perspective must be maintained. Violent crime is a volatile and emotional issue, yet services to the 99.5% of non-violent offenders must not be sacrificed in response. The Missouri Juvenile Justice Review Committee (MJJRC) would urge Missouri to continue focusing its attention and resources on the majority of the youth referred to the juvenile justice system.

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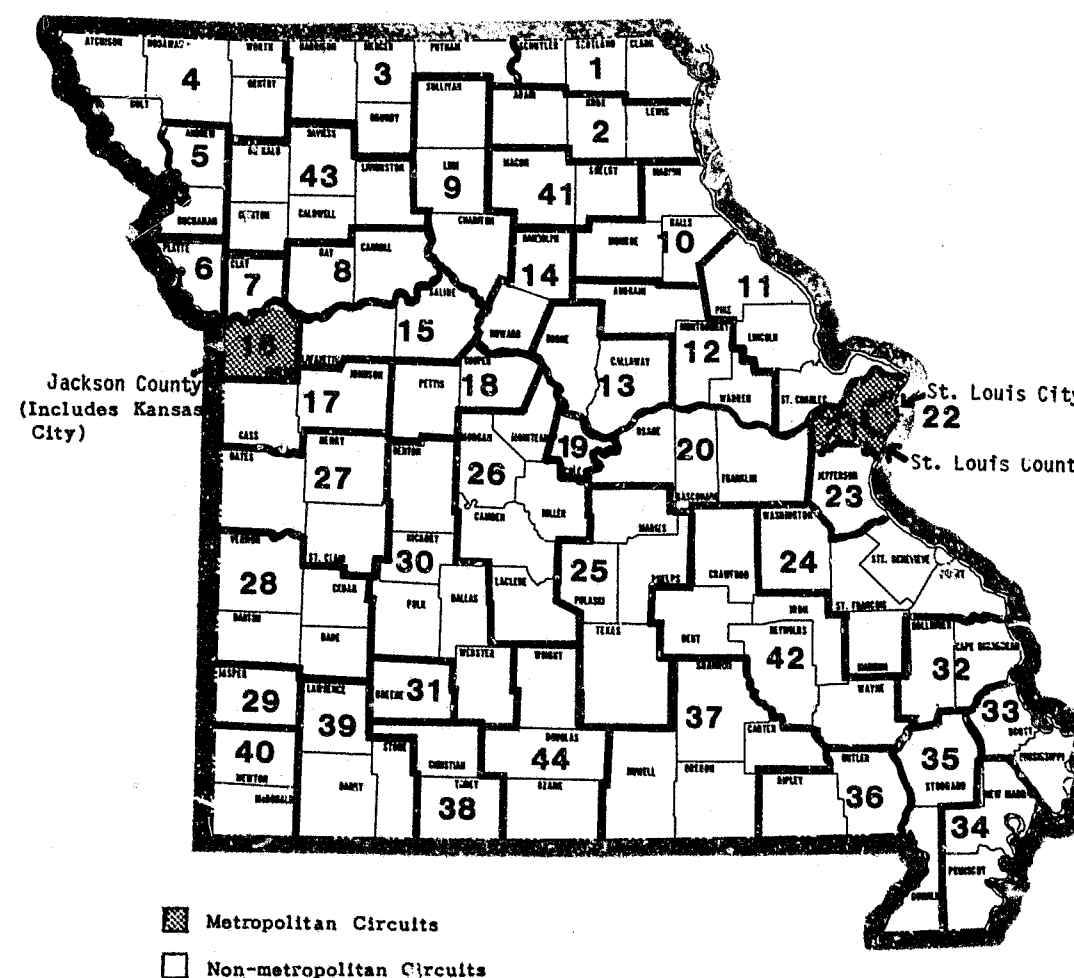
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