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Juvenile Offenders and Victims: 2006 National Report

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Foreword

America's youth are facing an ever-changing set of problems and barriers to successful lives. As a result, we are constantly challenged to develop enlightened policies and programs to address the needs and risks of those youth who enter our juvenile justice system. The policies and programs we create must be based on facts, not fears. Too often, the facts are unknown or not readily available. This Report is designed to remedy, at least in part, that information gap.

Juvenile Offenders and Victims: 2006 National Report draws on reliable data and relevant research to provide a comprehensive and insightful view of juvenile crime across the nation. The Report offers Congress, state legislators and other state and local policymakers, professors and teachers, juvenile justice professionals, and concerned citizens empirically based answers to frequently asked questions about the nature of juvenile crime and victimization and about the justice system's response.

Citing FBI and other data sources, the Report demonstrates that the rate of juvenile violent crime arrests has consistently decreased since 1994, falling to a level not seen since at least the 1970s. However, during this period of overall decline in juvenile violence, the female proportion of juvenile violent crime arrests has increased (especially for the crime of assault), marking an important change in the types of youth entering the juvenile justice system and in their programming needs. The Report also describes when and where juvenile violent crime occurs, focusing attention on the critical afterschool hours.

Statistics presented throughout the Report find that racial disparity in the juvenile justice system is declining. For example, the black juvenile violent crime arrest rate in the late 1980s was six times the white rate—by 2003, it had fallen to four times the white rate. During the same period, the black juvenile arrest rate for drug abuse violations fell from five times to less than double the white rate.

The Report also presents new findings from OJJDP's national Census of Juveniles in Residential Placement. The daily number of committed youth held in public and private facilities increased 28% between 1991 and 2003, with the increase far greater in private than in public facilities. However, after peaking in 1999, the number of youth in custody began to fall—for the first time in a generation.

In sum, *Juvenile Offenders and Victims: 2006 National Report* offers a clear view of juvenile crime and the justice system's response at the beginning of the 21st century. It is an indispensable resource for informed professionals who strive to shape the juvenile justice system today.

J. Robert Flores
Administrator
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Chapter 1

Juvenile population characteristics

Juveniles in the U.S. today live in a world very different from that of their parents or grandparents. Problems experienced by children at the turn of the century are the products of multiple and sometimes complex causes. Data presented in this chapter indicate that in many ways conditions have improved in recent years, but only marginally. For example, the proportion of juveniles living in poverty has declined recently, but juveniles are still far more likely to live in poverty today than 20 years ago. Similarly, teenage birth rates have declined in recent years but still remain high. Fewer children are being raised in two-parent families. Although high school dropout rates have fallen for most juveniles, the rates are still too high, especially in an employment market where unskilled labor is needed less and less.

This chapter presents a brief overview of some of the more commonly requested demographic, economic, and sociological statistics on juveniles. These statistics pertain to factors that are directly or indirectly associated with juvenile crime and victimization. Although these factors may be correlated with juvenile crime and/or victimization, they may not be the immediate cause and may be linked to the causal factor. The sections summarize demographic, poverty, and living arrangement data developed by the U.S. Census Bureau, birth statistics from the National Center for Health Statistics, and education data from the National Center for Education Statistics.

At the beginning of the 21st century, 1 in 4 U.S. residents was under age 18

The juvenile population is increasing similarly to other segments of the population

For 2002, the U.S. Census Bureau estimated that 72,894,500 persons in the United States were under the age of 18, the age group commonly referred to as *juveniles*. The juvenile population reached a low point in 1984, at 62.5 million, then grew each year through 2002, increasing 17%.

Current projections indicate that the juvenile population will continue to grow throughout the 21st century. The Census Bureau estimates that it will increase 14% between 2000 and 2025—about one-half of one percent per year. By 2050, the juvenile population will be 36% larger than it was in 2000.

In 2002, juveniles were 25% of the U.S. resident population. The Census Bureau estimates that this proportion will remain essentially constant through at least 2050; i.e., the relative increases in the juvenile and adult populations will be equivalent during the first half of the 21st century.

The racial character of the juvenile population is changing

The Census Bureau has changed its racial classifications. Prior to the 2000 decennial census, respondents were asked to classify themselves into a single racial group: (1) white, (2) black or African American, (3) American Indian or Alaska Native, or (4) Asian or Pacific Islander. In the 2000 census, Asians were separated from Native Hawaiians and Other Pacific Islanders. In addition, respondents could classify themselves into more than one racial group. In 2000, 1.4% of the total U.S. population and 2.5% of the juvenile population classified themselves as multiracial.

Most national data systems have not yet reached the Census Bureau's level of detail for racial coding—and historical data cannot support this new coding structure, especially the mixed-race categories.* Therefore, this report generally uses the four-race coding structure. For ease of presentation, the terms white, black, American Indian, and Asian are used.

With that understood, in 2002, 77.9% of the juvenile population was classified as white, 16.4% black, 1.4% American Indian, and 4.4% Asian. These proportions will change in the near future if the anticipated differential growth of these subgroups comes to pass.

Percent change within racial segments of the juvenile population (ages 0–17):

Race	1980–2000	2000–2020
White	8%	7%
Black	25	9
American Indian	85	16
Asian	160	59
Total	14	10

The Hispanic portion of the juvenile population will increase

In 2002, 18% of juveniles in the U.S. were of Hispanic ethnicity. Ethnicity is different from race. More than 9 of every 10 Hispanic juveniles were classified racially as white. More specifically, 92% of Hispanic juveniles were white, 5% black, 2% American Indian, and 1% Asian.

In 2002, 21% of white juveniles were also Hispanic. A similar proportion of American Indians (24%) also described their ethnicity as Hispanic. This proportion was far smaller for black juveniles and Asian juveniles (5% each).

The Census Bureau estimates that the number of Hispanic juveniles in the U.S. will increase 58% between 2000 and 2020. This growth will bring the Hispanic proportion of the juvenile population to 23% by 2020 and to 31% by 2050.

How useful are race/ethnicity classifications?

Using race and Hispanic origin as characteristics to classify juveniles assumes meaningful differences among these subgroups. If Hispanic and non-Hispanic juveniles have substantially different characteristics, then such comparisons could be useful. Furthermore, if Hispanic ethnicity is a more telling demographic trait than race, then a five-category classification scheme that places all Hispanic youth in their own category and then divides other youth among the four racial categories may be useful—assuming available data support such groupings.

However, this is only one of many race/ethnicity classification schemes. For example, some argue that the Hispanic grouping is too broad—that data should, for example, distinguish youth whose ancestors came from Mexico, Puerto Rico, Cuba, and other countries. Similar proposals make finer distinctions among juveniles with ancestry in the various nations of Asia and the Middle East, as well as the various American Indian nations.

* To facilitate the transition to a more broad-based use of the new racial coding structure, the National Center for Health Statistics modified Census' population data, removing the 31 mixed-race categories. Bridging the new racial coding structure back to the old structure was accomplished by estimating a single racial group classification of mixed-race persons, based on responses to the National Health Interview Survey that asked respondents to classify themselves using both the old and new racial coding structures.

In the 1920s, the Children's Bureau (then within the U.S. Department of Labor) asked juvenile courts to classify referred youth by their nativity, which at the time distinguished primarily among various European ancestries. Today, the idea of presenting crime and justice statistics that distinguish among juveniles with Irish, Italian, and German ancestry seems nonsensical. The demographic classification of juveniles is not a scientific process, but a culturally related one that changes with time and place. Those reading our reports 100 years from now will likely wonder about the reasons for our current racial/ethnic categorizations.

Juvenile justice systems serve populations that vary greatly in racial/ethnic composition

In 2002, at least 9 of every 10 juveniles in Vermont, Maine, New Hampshire, and West Virginia were non-Hispanic and white. In contrast, New Mexico's juvenile population was 51% Hispanic. Other states with large Hispanic juvenile populations were California (45%), Texas (42%), Arizona (37%), Nevada (30%), and Colorado (24%). In 2002, three quarters of all Hispanic juveniles lived in California, Texas, New York, Florida, Illinois, Arizona, and New Jersey.

In 2002, four states had juvenile populations with more than 10% American Indians or Alaska Natives. These states were Alaska (21%), South Dakota (14%), New Mexico (12%), and Oklahoma (12%).

The states with the greatest proportion of black juveniles in their populations in 2002 were Mississippi (45%), Louisiana (40%), South Carolina (37%), Georgia (34%), Maryland (33%), and Alabama (32%). The juvenile population in the District of Columbia was 72% black.

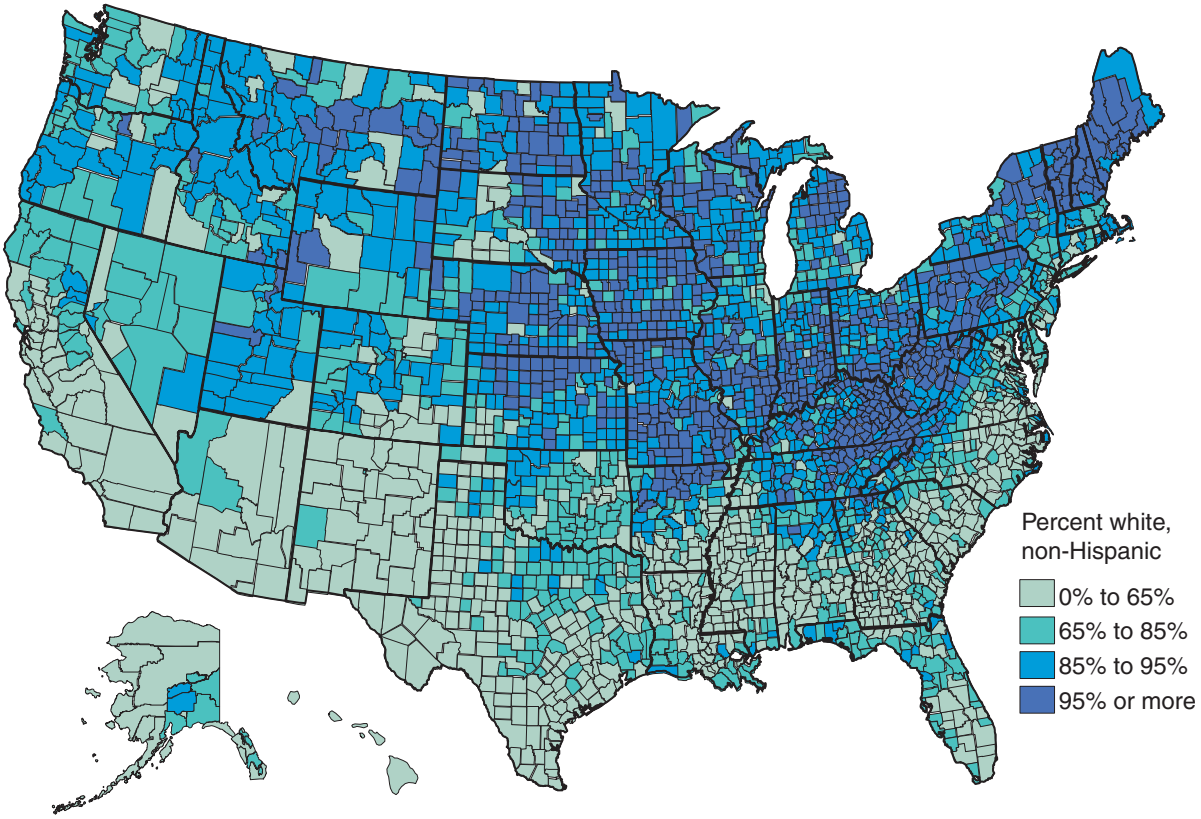
In 2002, more than 1 in 4 juveniles in New Mexico, California, Texas, Arizona, and Nevada were Hispanic

	2002 juvenile population (ages 0–17)						
		Non-Hispanic					Percent change
State	Number	White	Black	American Indian	Asian	Hispanic	1990–2002
U.S. total	72,894,500	61%	16%	1%	4%	18%	14%
Alabama	1,107,100	64	32	1	1	2	5
Alaska	192,400	62	5	21	5	6	8
Arizona	1,476,900	50	4	7	2	37	47
Arkansas	677,500	72	21	1	1	5	9
California	9,452,400	36	8	1	11	45	18
Colorado	1,151,100	67	5	1	3	24	31
Connecticut	872,900	70	12	0	3	14	16
Delaware	189,700	65	25	0	3	7	15
Dist. of Columbia	112,100	15	72	0	2	11	–1
Florida	3,882,300	55	22	0	2	20	30
Georgia	2,268,500	56	34	0	2	7	30
Hawaii	295,500	23	3	0	61	13	6
Idaho	370,400	84	1	2	1	12	18
Illinois	3,254,500	59	19	0	4	18	11
Indiana	1,594,900	82	11	0	1	5	11
Iowa	698,000	89	4	0	2	5	–3
Kansas	696,500	77	8	1	2	11	5
Kentucky	931,600	87	10	0	1	2	–2
Louisiana	1,185,700	55	40	1	1	3	–2
Maine	279,100	95	1	1	1	1	–9
Maryland	1,379,900	57	33	0	4	6	17
Massachusetts	1,463,300	76	8	0	5	11	8
Michigan	2,570,300	73	19	1	2	5	4
Minnesota	1,252,100	83	7	2	5	5	6
Mississippi	760,700	52	45	1	1	2	4
Missouri	1,397,500	80	15	1	1	3	6
Montana	216,300	85	1	10	1	3	–3
Nebraska	439,400	82	6	1	2	9	2
Nevada	572,600	55	9	1	5	30	81
New Hampshire	308,400	94	1	0	2	3	11
New Jersey	2,127,400	59	17	0	7	17	17
New Mexico	500,500	33	2	12	1	51	10
New York	4,613,300	55	19	0	6	20	8
North Carolina	2,068,800	63	27	1	2	7	27
North Dakota	146,800	87	1	8	1	2	–14
Ohio	2,879,900	80	16	0	1	3	4
Oklahoma	873,600	68	11	12	2	8	4
Oregon	855,100	77	3	2	4	14	15
Pennsylvania	2,863,500	79	14	0	2	5	2
Rhode Island	239,200	74	8	1	3	15	6
South Carolina	979,200	59	37	0	1	3	6
South Dakota	195,600	81	2	14	1	2	–2
Tennessee	1,404,700	74	22	0	1	3	15
Texas	6,102,300	42	13	0	3	42	24
Utah	713,000	83	1	2	3	12	14
Vermont	139,700	96	1	1	1	1	–3
Virginia	1,779,400	65	24	0	4	6	17
Washington	1,513,400	73	6	2	7	12	16
West Virginia	389,200	94	4	0	1	1	–11
Wisconsin	1,338,100	81	9	1	3	6	3
Wyoming	122,300	85	1	3	1	9	–10

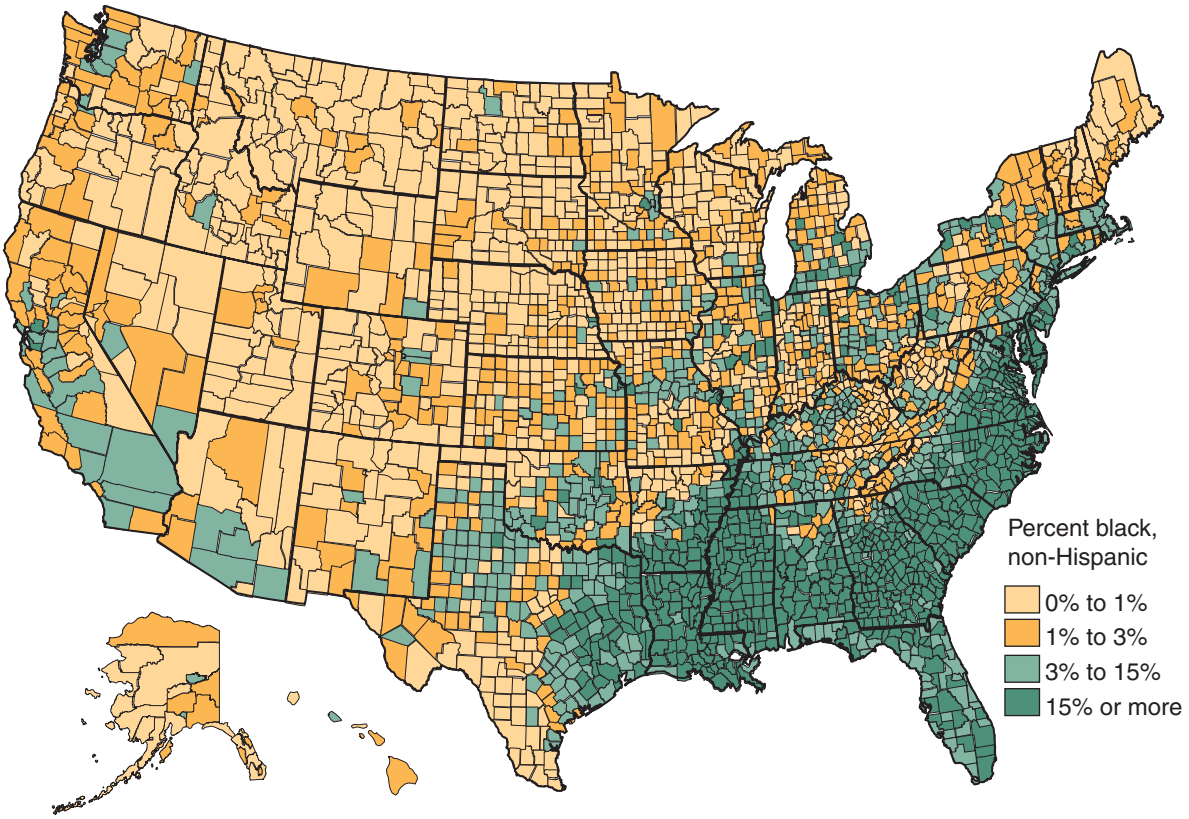
Note: Detail may not total 100% because of rounding.

Source: Authors' adaptation of Puzzanchera et al.'s *Easy access to juvenile populations* [online analysis].

Proportion of non-Hispanic white youth in the juvenile population (ages 0–17), 2002

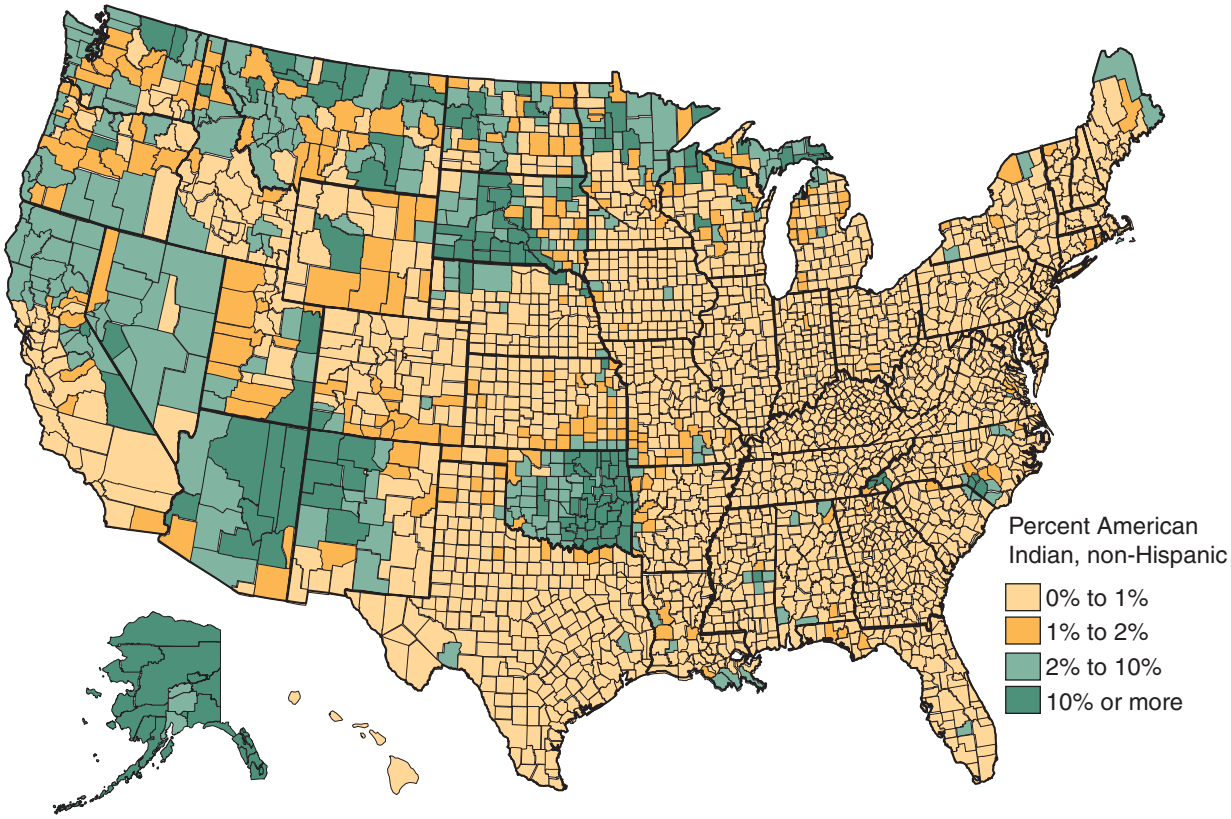


Proportion of non-Hispanic black youth in the juvenile population (ages 0–17), 2002

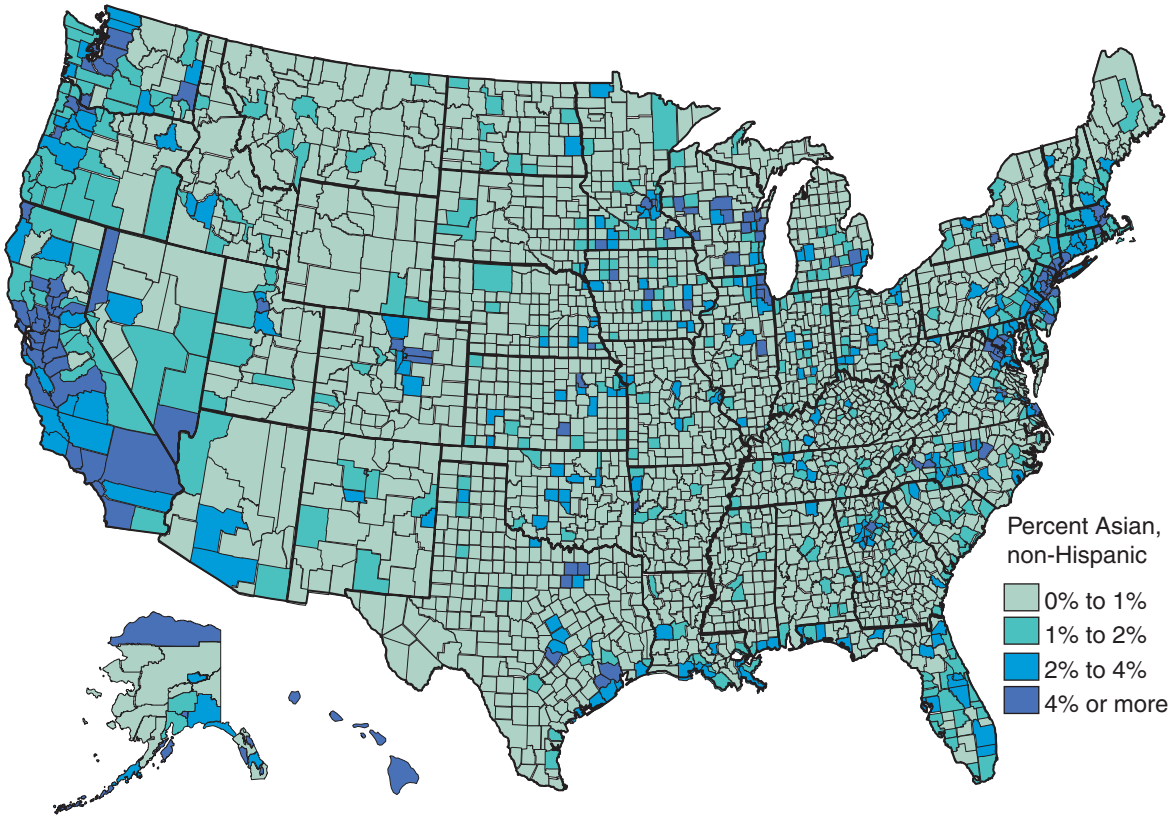


Source: Authors' adaptation of National Center for Health Statistics' *Estimates of the July 1, 2000–July 1, 2002 United States resident populations from the vintage 2002 postcensal series by year, age, sex, race, and Hispanic origin* [machine-readable data file].

Proportion of non-Hispanic American Indian youth in the juvenile population (ages 0–17), 2002

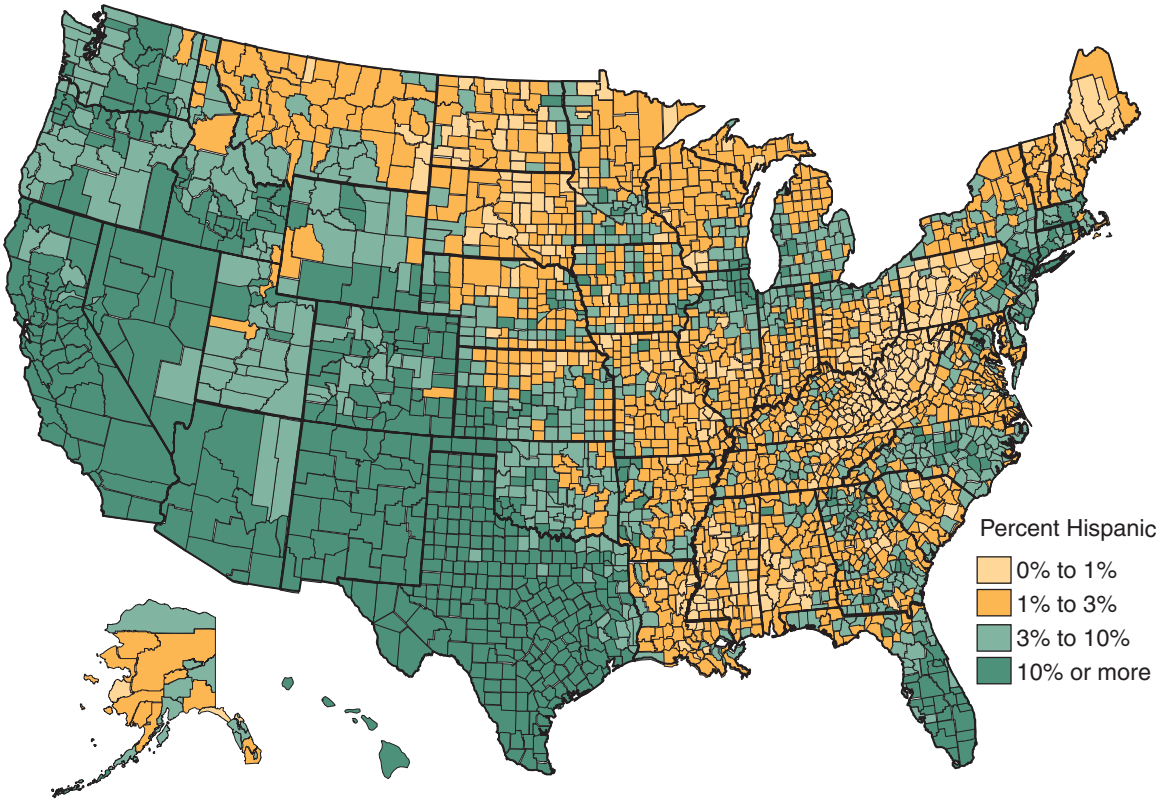


Proportion of non-Hispanic Asian youth in the juvenile population (ages 0–17), 2002

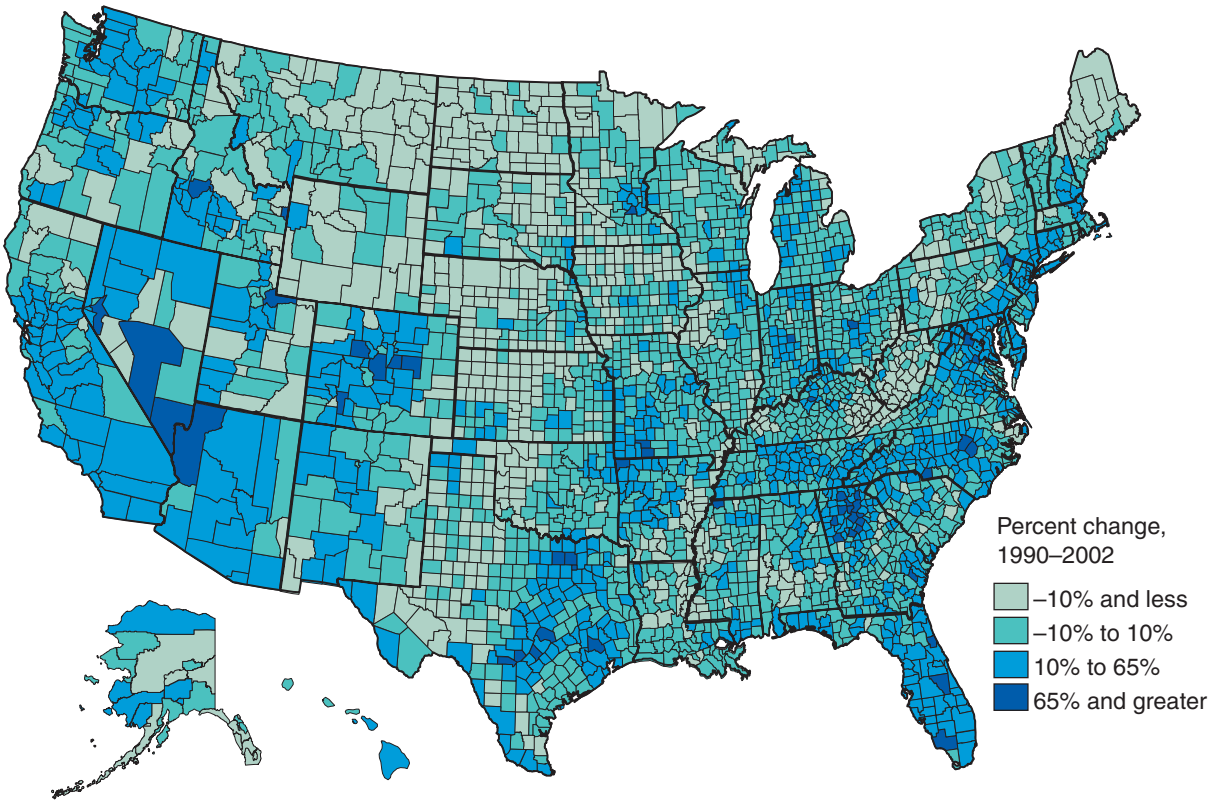


Source: Authors' adaptation of National Center for Health Statistics' *Estimates of the July 1, 2000–July 1, 2002 United States resident populations from the vintage 2002 postcensal series by year, age, sex, race, and Hispanic origin* [machine-readable data file].

Proportion of Hispanic youth in the juvenile population (ages 0–17), 2002



Change in the juvenile population (ages 0–17), 1990–2002



Source: Authors' adaptation of National Center for Health Statistics' *Estimates of the July 1, 2000–July 1, 2002 United States resident populations from the vintage 2002 postcensal series by year, age, sex, race, and Hispanic origin* [machine-readable data file] and *Bridged-race intercensal estimates of the July 1, 1990–July 1, 1999 United States resident population by state, county, age, sex, race, and Hispanic origin* [machine-readable data file].

In 2002, poverty was more common among children under age 5 than any other age group

Juvenile poverty appears to be associated with juvenile crime

Research has often found a connection between poverty and self-reported delinquency. For example, Farrington found that low family income measured when the youth was age 8 predicted self-reported violence in the teenage years and conviction rates for violent offenses. Research, however, indicates that the linkage may not be direct. For example, Sampson found that poverty exerts much influence on family disruption (e.g., marital separation, divorce), which in turn has a direct influence on juvenile violent crime rates. He also found that family disruption had a stronger influence on juvenile violence than adult violence. Therefore, differential poverty levels are likely to influence juvenile crime trends.

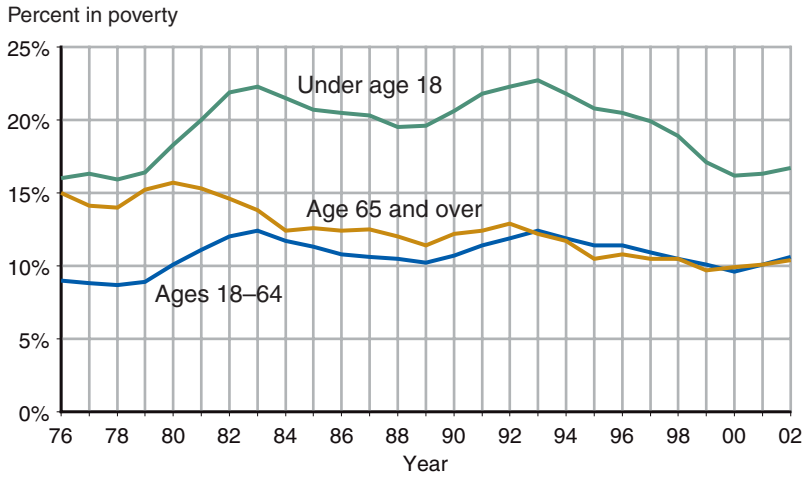
One of every six juveniles lived in poverty in 2002

Each person and family is assigned a poverty threshold according to the size of the family and the ages of the members.* The national poverty thresholds are used throughout the U.S. and are updated for inflation annually. In 1990, the poverty threshold for a family of four with two children was $13,254. In 2002, this threshold was $18,244. In comparison, the poverty threshold for a family of six with four children was $24,038 in 2002. Although the thresholds in some sense reflect families' needs, they are not intended to be a complete description of what individuals and families need to live.

In 2002, 12% of all persons in the U.S. lived at or below their poverty

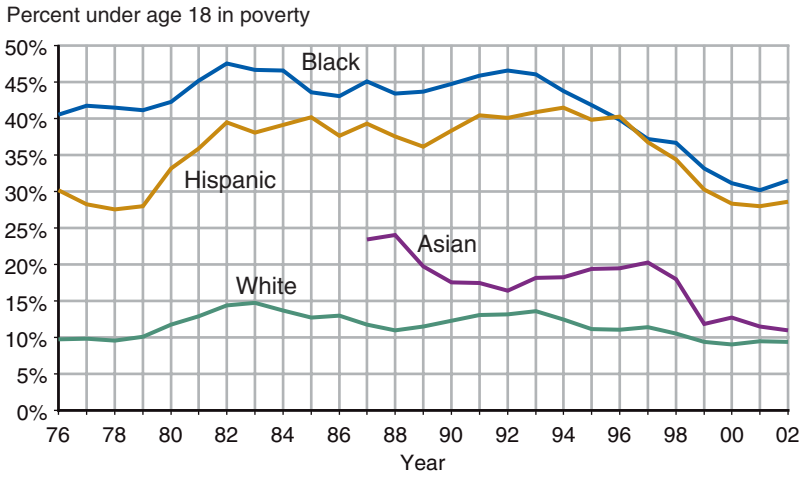
* Family members are defined as being related by birth, marriage, or adoption.

Although the proportion of juveniles living below the poverty level has declined substantially from its peak in 1993, it is still considerably larger than that of older Americans



- In the mid-1970s, the proportions of juveniles and senior citizens living in poverty were essentially equal. In the last quarter of the 20th century, the proportion of senior citizens living in poverty declined, while the juvenile poverty rates increased before falling back at the end of the century to the levels of the mid-1970s.

In 2002, black juveniles and Hispanic juveniles were more than 3 times as likely to live in poverty as non-Hispanic white juveniles



- Regardless of race or Hispanic ethnicity, the proportions of juveniles living in poverty in 2002 were at or near their lowest levels since the mid-1970s.

Notes: Poverty statistics on American Indians and Alaska Natives were not presented in the source reports. Racial categories do not include persons of Hispanic ethnicity.

Source: Authors' adaptation of Proctor and Dalaker's Poverty in the United States: 2002, *Current Population Reports*.

thresholds. This proportion was far greater for persons under age 18 (17%) than for those ages 18–64 (11%) and those above age 64 (10%). The youngest children were the most likely to live in poverty: 16% of juveniles ages 5–17 lived in households with resources below the established poverty thresholds, but 19% of children under age 5 did so.

Many children live far below their poverty thresholds. One technique for gaining a perspective on this is to see how many children live below 50% of the poverty level—e.g., in 2002, how many children lived in families of four with two children and incomes less than $9,122, or half the poverty threshold of $18,244. In 2002, 6.9% of persons under age 18 were living below 50% of the poverty level, compared with 4.6% of persons ages 18–64 and 2.2% of persons over age 64. This proportion was once again highest for children under age 5 (8.6%). In all, more than 40% of juveniles living in poverty lived in what can be characterized as extreme poverty.

More than 1 of every 4 juveniles in the District of Columbia, Arkansas, Louisiana, Mississippi, and West Virginia lived below the poverty level in 2002

	Percent of persons living below the poverty threshold					Percent of persons living below the poverty threshold			
State	All ages	Ages 0–17	Ages 18–64	Over age 64	State	All ages	Ages 0–17	Ages 18–64	Over age 64
United States	12.1%	16.7%	10.6%	10.4%	Missouri	9.9%	15.3%	8.4%	6.4%
Alabama	14.5	19.1	12.2	15.7	Montana	13.5	18.5	12.3	10.6
Alaska	8.8	11.3	7.9	*	Nebraska	10.6	13.0	9.7	10.6
Arizona	13.5	19.3	12.6	6.0	Nevada	8.9	12.1	7.7	7.6
Arkansas	19.8	31.2	15.9	16.6	New Hampshire	5.8	5.8	5.5	7.1
California	13.1	18.7	11.4	8.9	New Jersey	7.9	9.3	7.2	9.1
Colorado	9.8	12.5	8.7	9.8	New Mexico	17.9	24.4	15.7	14.5
Connecticut	8.3	11.0	7.6	5.9	New York	14.0	20.5	11.9	12.4
Delaware	9.1	12.6	8.5	6.0	North Carolina	14.3	20.6	12.5	10.6
Dist. of Columbia	17.0	33.0	12.4	*	North Dakota	11.6	16.5	9.9	11.1
Florida	12.6	16.5	11.3	11.3	Ohio	9.8	11.8	9.4	7.5
Georgia	11.2	16.0	9.2	10.7	Oklahoma	14.1	19.3	12.7	10.5
Hawaii	11.3	14.4	10.4	9.4	Oregon	10.9	13.9	10.6	6.2
Idaho	11.3	15.0	11.0	3.6	Pennsylvania	9.5	13.8	8.3	7.7
Illinois	12.8	17.7	11.5	8.1	Rhode Island	11.0	15.2	9.2	12.6
Indiana	9.1	10.5	8.4	9.3	South Carolina	14.3	19.0	12.2	14.7
Iowa	9.2	10.7	8.1	11.8	South Dakota	11.5	12.2	10.5	14.4
Kansas	10.1	12.0	9.2	10.2	Tennessee	14.8	20.0	13.0	14.4
Kentucky	14.2	21.4	12.1	10.9	Texas	15.6	22.0	12.8	15.4
Louisiana	17.5	26.4	14.4	13.6	Utah	9.9	12.5	8.1	12.4
Maine	13.4	19.1	11.9	12.0	Vermont	9.9	12.8	9.2	8.4
Maryland	7.4	7.4	6.8	11.0	Virginia	9.9	13.8	8.3	9.8
Massachusetts	10.0	13.0	8.8	10.9	Washington	11.0	14.1	10.3	7.9
Michigan	11.6	15.0	10.3	11.5	West Virginia	16.8	25.1	15.2	11.6
Minnesota	6.5	7.7	5.9	6.9	Wisconsin	8.6	12.1	7.1	9.1
Mississippi	18.4	25.3	15.3	19.1	Wyoming	9.0	10.7	8.7	*

* The percentage has been suppressed because the denominator (i.e., the total population in the age group) is less than 75,000, making it statistically unreliable.

Source: Authors' adaptation of U.S. Census Bureau's *Annual demographic survey, March supplement, POV46, poverty status by state*.

In 2002, almost one-third of black juveniles lived in poverty, and one-fifth of black children under age 5 lived in extreme poverty (incomes less than half the poverty threshold)

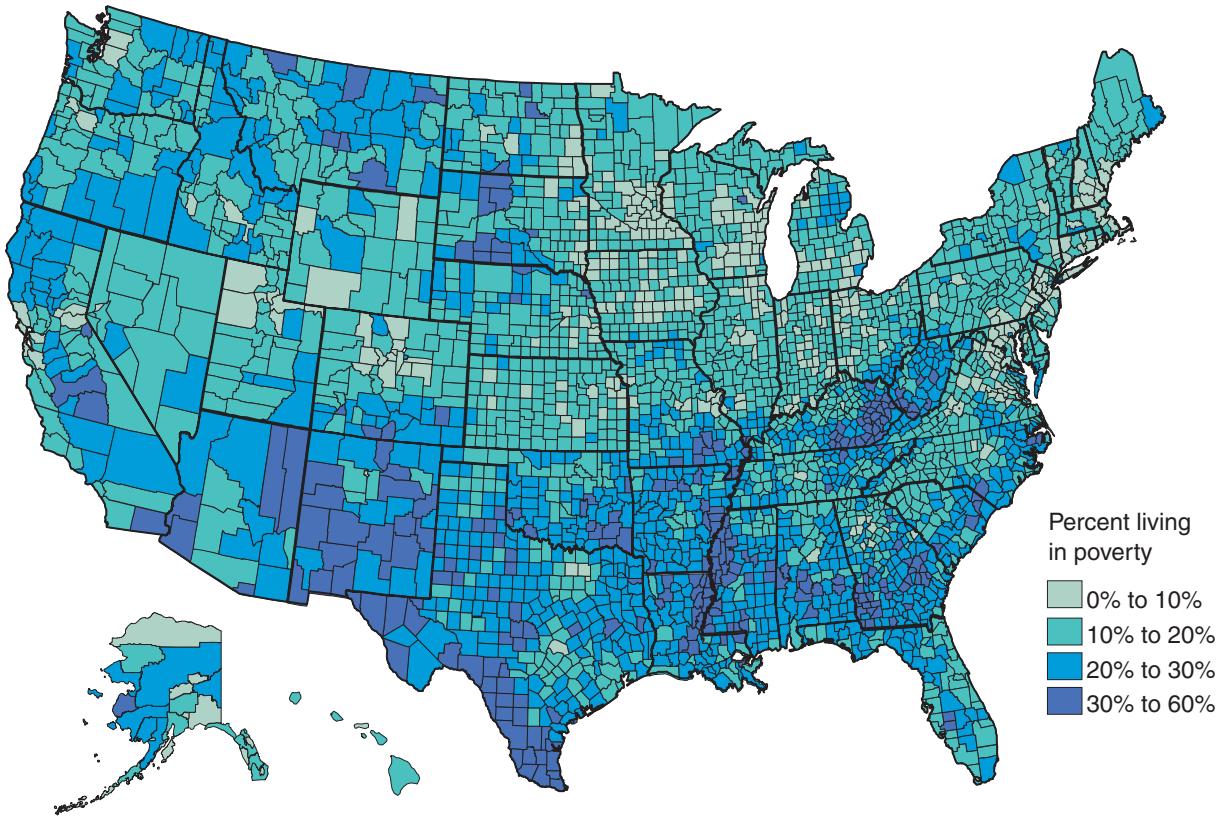
	Living below the poverty level					Living below 50% of the poverty level				
	All	White	Black	Asian	Hispanic	All	White	Black	Asian	Hispanic
All ages	12.1%	8.0%	24.1%	10.1%	21.8%	4.9%	3.2%	10.6%	4.9%	8.5%
Under age 18	16.7	9.4	32.3	11.7	28.6	6.9	3.6	15.4	5.0	11.2
Under age 5	19.0	11.2	37.5	9.2	29.3	8.6	4.6	20.8	4.2	11.9
Ages 5–17	15.8	8.8	30.4	12.7	28.3	6.3	3.3	13.5	5.4	10.9
Ages 18–64	10.6	7.5	19.9	9.7	18.1	4.6	3.3	8.8	5.3	7.3
Over age 64	10.4	8.3	23.8	8.4	21.4	2.2	1.8	4.8	2.1	3.9

- In 2002, for white and Asian populations, the juvenile poverty rates were about 20% above those of adults ages 18–64. In contrast, for black and Hispanic populations, the rate differences were about 60%.

Note: Racial categories do not include persons of Hispanic ethnicity.

Source: Authors' adaptation of U.S. Census Bureau's *Annual demographic survey, March supplement, POV01, age and sex of all people, family members and unrelated individuals iterated by income-to-poverty ratio and race*.

Proportion of juveniles (ages 0–17) living in poverty, 2002



Source: Authors' analysis of the U.S. Census Bureau's *Small area income & poverty estimates 2000* [machine-readable data file].

In the last half of the 20th century, the proportion of juveniles living in single-parent households increased

Family structure is related to juveniles' problem behaviors

A recent study by McCurley and Snyder explored the relationship between family structure and self-reported problem behaviors. The central finding was that youth ages 12–17 who lived in families with both biological parents were, in general, less likely than youth in other families to report a variety of problem behaviors, such as running away from home, sexual activity, major theft, assault, and arrest. The family structure effect was seen within groups defined by age, gender, or race/ethnicity. In fact, this study found that family structure was a better predictor of these problem behaviors than race or ethnicity. The family structure effect emerged among both youth who lived in neighborhoods described as "well kept" and those in neighborhoods described as "fairly well kept" or "poorly kept." For these reasons, it is useful to understand differences and trends in youth living arrangements. However, it is important to note that family structure may not be the proximate cause of the youth behavior, but rather the conditions often linked with it.

About 7 of every 10 children live with married parents

Analyses of the 1960 decennial census found that 88% of children under age 18 lived in two-parent families. The Census Bureau's Current Population Survey found that the proportion of children living in two-parent families declined throughout the 1970s and the 1980s and through the first half of the 1990s. In 2002, 69% of children were living in two-parent families—a level that has held since the mid-1990s.

Most other children lived in one-parent households. (Even if a second adult is present and is a biological parent or functions in a parental role, the Census Bureau still classifies the household as single-parent if the two adults are unmarried.) The proportion of children living in single-parent households increased from 9% in 1960 to 27% in 2002.

Historical data are not available to document the changing proportion of children who live with two unmarried biological parents. However, the Survey of Income and Program Participation (SIPP) captured this distinction for 1996. SIPP found that only 2% of children lived in families with two unmarried biological parents in 1996. This proportion varied with race and ethnicity: white non-Hispanic (2%), black (2%), American Indian (6%), Asian (1%), and Hispanic (5%). SIPP also found that 69% of U.S. children under age 18 lived with married parents. This proportion was highest for Asian (82%) and white non-Hispanic (77%) children, lower for Hispanic (64%) and American Indian (56%) children, and lowest for black children (35%).

According to the Census Bureau, most children who live in single-parent households live with their mothers. The proportion of children living with their mothers in single-parent households grew from 8% of the juvenile population in 1960 to 23% in 2002. In 1970, the mothers of 7% of the children living in single-mother households had never been married; this proportion grew to 42% in 2002.

The proportion of children living with their fathers in one-parent households grew from 1% in 1960 to almost 5% in 2002. In 1970, the fathers of 4% of the children living in single-father households had never been married; this proportion grew to 38% in 2002, a pattern similar to the mother-only households.

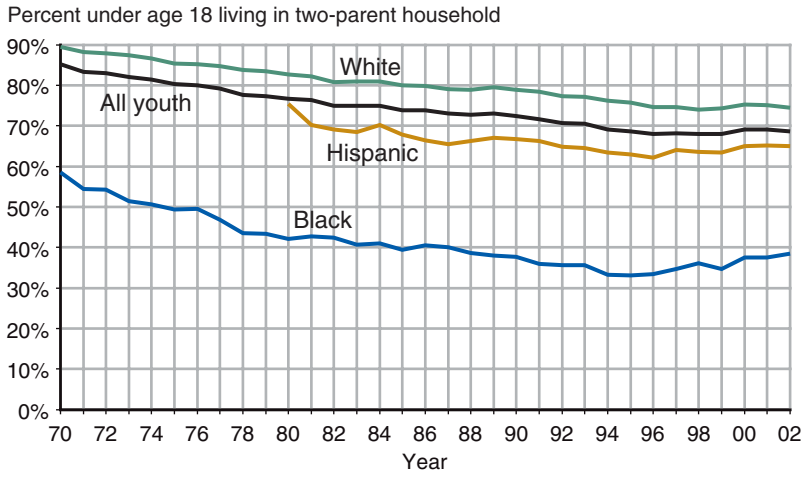
The Census Bureau found a major difference between mother-only and father-only households: cohabitation (living with an unrelated adult of the opposite gender who is not one's spouse) was much more common in father-only households. In 2002, children living in single-parent households were three times more likely to have a cohabiting father (33%) than a cohabiting mother (11%).

Some children live in households headed by other relatives or by nonrelatives. In 2002, 3% of children lived in households headed by other relatives, with about 3 of every 5 of these children living with a grandparent. (Across all household types, 8% of children lived in households that included a grandparent.) In 2002, 1% of all children lived with nonrelatives.

Most children live in families with at least one parent in the labor force

Overall, 88% of children in 2002 lived in families with one or both parents in the labor force. (Being in the labor force means that the person is employed or is actively looking for work.) Of all children living with two parents, 97% had at least one parent in the labor force, and 62% had both parents in the labor force. When just one parent in two-parent families was in the labor force, 87% of the time it was the father. Among children living in single-parent households, those living with their fathers only were more likely to have the parent in the labor force than those living with their mothers only (89% versus 77%).

The proportion of children under age 18 living in two-parent households declined between 1970 and 2002, regardless of race

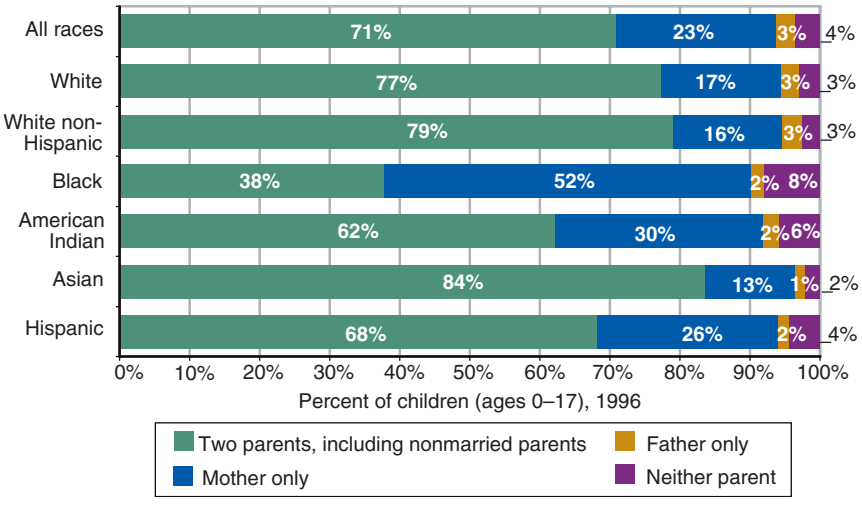


- Between 1970 and 2002, the proportion of children living in single-parent households increased from 9% to 22% for whites and from 32% to 53% for blacks. The proportion for Hispanic children increased from 21% in 1980 to 30% in 2002.

Note: Race proportions include persons of Hispanic ethnicity. Persons of Hispanic ethnicity may be of any race; however, most are white.

Source: Authors' adaptation of the U.S. Census Bureau's *Families and living arrangements, historical time series*.

Black children were the least likely to live with both parents—regardless of the marital status of the parents



Note: Persons of Hispanic ethnicity may be of any race.

Source: Authors' adaptation of Fields' Living arrangements of children: Fall 1996, *Current Population Reports*.

Children in single-parent families are more likely to live in poverty

The economic well-being of children is related to family structure. In 2002, 17% of all juveniles lived below the poverty level. However children living in two-parent families were far less likely to live in poverty (8%) than were children living with only their fathers (19%), only their mothers (38%), or neither parent (48%). Viewed another way, more than half (52%) of all children living below the poverty level in 2002 were living in single-mother families and about one-third (32%) were living in two-parent families.

Family structure is also related to the proportion of children in households receiving public assistance or food stamps. Overall, 5% of children in 2002 lived in households receiving public assistance and 11% lived in households receiving food stamps, but the proportions were far greater for children living in single-mother families.

	Percent of children receiving	
Family structure	Public assistance	Food stamps
All families	5%	11%
Two-parent	2	4
Mother only	13	29
Father only	5	13
Neither parent	12	15

In 2002, 62% of all children receiving public assistance and 61% receiving food stamps lived in single-mother families. Two-parent families accounted for 32% of children receiving public assistance and 23% of those receiving food stamps.

The teenage birth rate fell substantially between 1950 and 2002

Teen birth rates continue to decline

Tatem-Kelley and her coauthors have stated that having a baby as a teenager has serious and often deleterious consequences for the lives of both the young mother and her baby. Teenage mothers and fathers are often ill equipped to effectively parent and often draw heavily on the resources of their extended families and communities. For teenage parents who themselves were raised in dysfunctional or abusive families, parenting problems may be even more evident and family support more limited.

In 2002, the birth rate for older juveniles (i.e., women ages 15–17) was 23.2 live births for every 1,000 women in the age group. In the same year, the birth rate for young adults (i.e., women ages 18 and 19) was 3 times greater (72.8). The birth rates for older juveniles and young adults varied by race and Hispanic ethnicity.

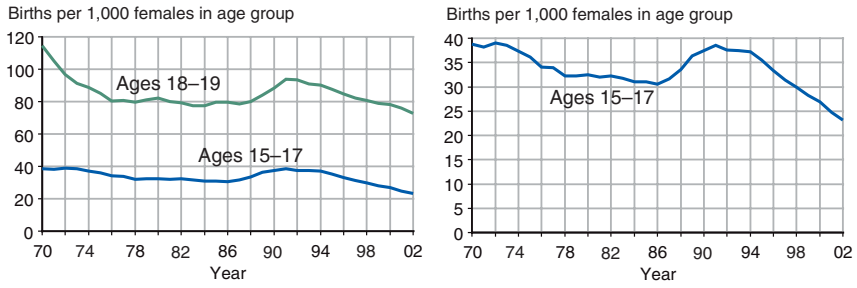
Births per 1,000 women, 2002:

Race/ ethnicity	Ages 15–17	Ages 18–19
All races	23.2	72.8
White non-Hispanic	13.1	51.9
Black non-Hispanic	41.0	110.3
Hispanic	50.7	133.0

The birth rate for Hispanic females ages 15–17 in 2002 was almost 4 times that for white non-Hispanics. The rate for black non-Hispanic females was more than 3 times that for white non-Hispanics.

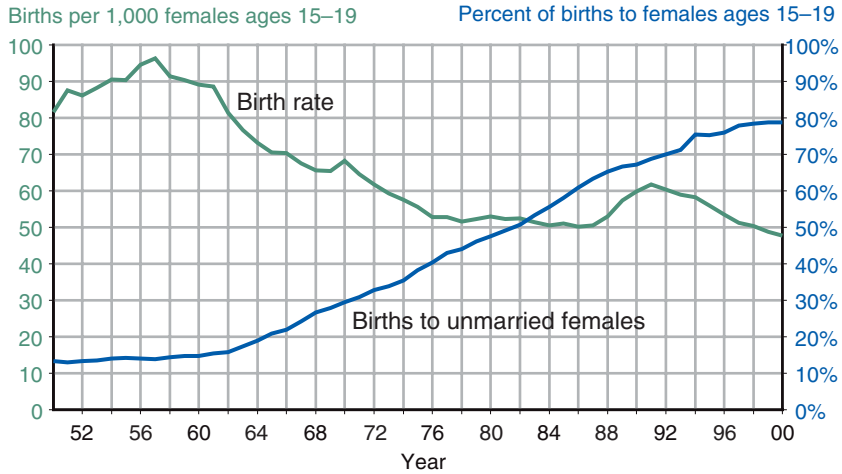
Between 1991 and 2002, birth rates declined more for older juveniles (40%) than for young adults (23%). The decline for older juveniles was greater for non-Hispanic whites (45%) and blacks (52%) than for Hispanics (27%).

Following a peak in 1991, the birth rate for females ages 15–17 fell consistently so that by 2002, the rate was 40% below its 1970 level



- The birth rate for older juvenile females (ages 15–17) fell 21% between 1970 and 1986, and then increased over the next 5 years back to its 1970 level.
- The birth rate for young adult females (ages 18 and 19) dropped even more than the rate for older juveniles between 1970 and 1986, falling 31%. Although the rate for young adults also then increased to a peak in 1991, this peak was far below the 1970 level. Similar to older juveniles, the birth rate for young adults in 2002 was 37% below its 1970 level.

The annual birth rate for females ages 15–19 declined substantially between 1950 and 2000, while the proportion of these births that were to unmarried women increased



- In 1950, 13% of all births to females ages 15–19 were to unmarried women. By 2000, this proportion had increased to 79%.
- In 1950, of the 82 births per 1,000 females ages 15–19, 71 were to married women and 11 were to unmarried women. In 2000, of the 48 births per 1,000 females ages 15–19, 10 were to married women and 38 were to unmarried women.

Source: Authors' adaptation of Martin et al.'s Births: Final data for 2002, *National Vital Statistics Reports,* 52(10); Ventura et al.'s Births to teenagers in the United States, 1940–2000, *National Vital Statistics Reports,* 49(10); and Ventura et al.'s Births: Final data for 1999, *National Vital Statistics Reports,* 49(1).

Birth rates for women ages 15–17 varied greatly across states in 2002, ranging from 8.1 in New Hampshire to 38.2 in Texas

State	Births per 1,000 females in age group, 2002			Ratio of ages 15–17 to 18–19
	Ages 15–19	Ages 15–17	Ages 18–19	
United States	43.0	23.2	72.8	32%
Alabama	54.5	31.5	88.7	36
Alaska	39.5	18.9	73.7	26
Arizona	61.2	35.0	102.5	34
Arkansas	59.9	31.6	101.7	31
California	41.1	22.6	69.1	33
Colorado	47.0	26.2	79.1	33
Connecticut	25.8	14.1	45.1	31
Delaware	46.3	24.7	77.8	32
District of Columbia	69.1	44.8	101.5	44
Florida	44.5	23.2	78.4	30
Georgia	55.7	31.4	92.8	34
Hawaii	38.2	17.7	66.4	27
Idaho	39.1	18.4	69.1	27
Illinois	42.2	23.4	70.5	33
Indiana	44.6	22.6	78.5	29
Iowa	32.5	16.4	55.4	30
Kansas	43.0	21.4	74.2	29
Kentucky	51.0	26.5	84.8	31
Louisiana	58.1	31.7	96.1	33
Maine	25.4	11.9	45.2	26
Maryland	35.4	20.0	59.6	34
Massachusetts	23.3	12.5	39.6	32
Michigan	34.8	18.0	60.8	30
Minnesota	27.5	14.2	47.3	30
Mississippi	64.7	37.6	103.3	36
Missouri	44.1	22.2	76.6	29
Montana	36.4	17.8	63.3	28
Nebraska	37.0	18.3	64.2	29
Nevada	53.9	28.0	96.7	29
New Hampshire	20.0	8.1	39.0	21
New Jersey	26.8	14.7	46.1	32
New Mexico	62.4	37.8	99.5	38
New York	29.5	15.7	50.1	31
North Carolina	52.2	28.6	89.3	32
North Dakota	27.2	11.7	48.7	24
Ohio	39.5	20.1	69.4	29
Oklahoma	58.0	30.1	97.6	31
Oregon	36.8	18.2	64.8	28
Pennsylvania	31.6	17.2	53.7	32
Rhode Island	35.6	19.6	59.0	33
South Carolina	53.0	29.2	87.2	33
South Dakota	38.0	17.3	67.8	26
Tennessee	54.3	28.2	94.2	30
Texas	64.4	38.2	104.3	37
Utah	36.8	17.8	62.4	29
Vermont	24.2	10.4	44.4	23
Virginia	37.6	19.0	66.0	29
Washington	33.0	16.8	57.6	29
West Virginia	45.5	21.5	80.7	27
Wisconsin	32.3	15.9	57.1	28
Wyoming	39.9	17.7	72.1	25

- Comparing birth rates for older juveniles (ages 15–17) to those of young adults (ages 18 and 19) shows that the older juvenile rate ranged from 21% of the young adult rate in New Hampshire to 44% of the young adult rate in the District of Columbia.

Source: Authors' adaptation of Martin et al.'s Births: Final data for 2002, *National Vital Statistics Reports,* 52(10).

The teenage birth rate in the U.S. is high compared with other industrialized nations

A recent report by the National Center for Health Statistics presented teenage birth rates for a large number of nations. While it was not possible to obtain such rates for a common year, the authors of the report did show the most recent data from each nation.

Births per 1,000 women ages 15–19:

Country	Birth rate	Data year
United States	48.7	2000
Russian Federation	44.7	1995
New Zealand	34.0	1996
United Kingdom	30.2	1997
Canada	24.5	1995
Portugal	21.3	1997
Australia	20.5	1995
Israel	16.7	1997
Ireland	16.1	1996
Austria	14.7	1997
Norway	12.8	1997
Greece	12.1	1997
Belgium	11.9	1992
Germany	9.7	1996
Finland	9.1	1997
Denmark	8.3	1996
France	7.9	1993
Sweden	7.8	1996
Spain	7.5	1996
Italy	6.8	1995
Switzerland	5.7	1996
Netherlands	5.6	1996
Japan	4.3	1997

Source: Authors' adaptation of Ventura et al.'s Births to teenagers in the United States, 1940–2000, *National Vital Statistics Reports,* 49(10)

The teenage birth rate in the United States was roughly equal to the Russian rate; double the rates in Canada and Australia; 3 times the rates in Israel and Ireland; 6 times the rates in Denmark, France, and Sweden; and more than 10 times the Japanese rate.

Although the dropout rate fell over the last 30 years, nearly a half million youth quit high school in 2000

Educational failure is linked to law-violating behavior

The difficulties finding employment for high school dropouts can be documented by examining their labor force and unemployment status. The National Center for Education Statistics (NCES) found that 64% of the 2000/2001 school year dropouts were in the labor force (employed or actively looking for work), with more than one-third (36%) of those in the labor force unemployed. In comparison, 81% of the 2001 high school graduates who were not in college were in the labor force, and a far smaller proportion of this workforce (21%) was unemployed.

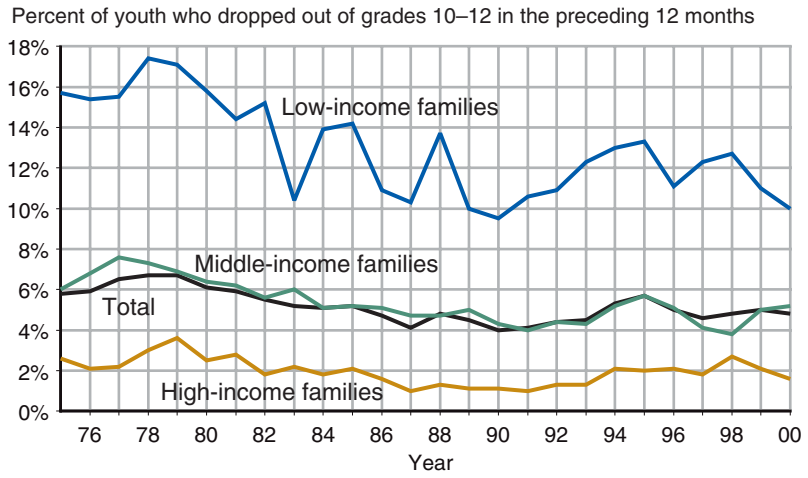
Within the juvenile justice system, programs often attempt to bring youth into the labor market. Sherman and his colleagues prepared a report for Congress in 1997 stating that, although there are some exceptions, research generally provides strong theoretical and empirical support for the conclusion that employment helps to prevent or reduce delinquent behavior.

If, as research has found, educational failure leads to unemployment (or underemployment), and if educational failure and unemployment are related to law-violating behavior, then patterns of educational failure over time and within specific groups may help to explain patterns of delinquent behavior.

The dropout rate varies across demographic subgroups

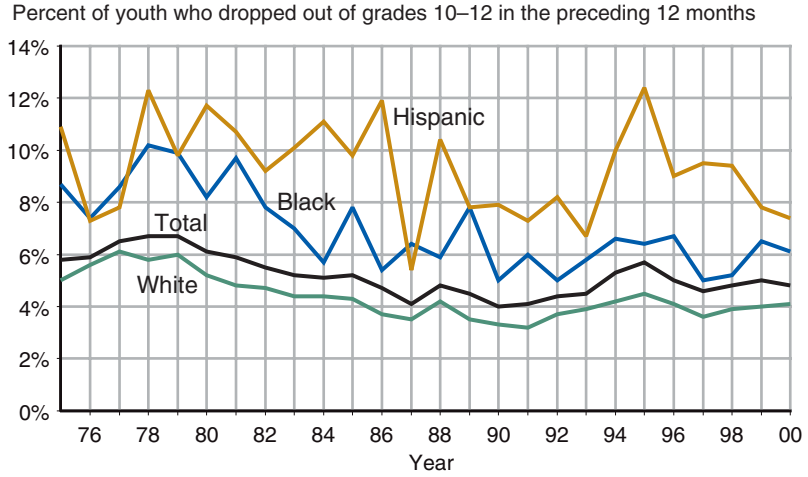
NCES develops annual estimates of (1) the number of persons in grades 10–12 who dropped out of school in the preceding 12 months and (2) the percent of persons ages 16–24

The annual proportion of students in grades 10–12 who left school without completing a high school program was lower in the 1990s than in the 1970s



Note: Low income is defined as the bottom 20% of family incomes for the year, middle is between 20% and 80% of all family incomes, and high is the top 20% of all family incomes.

Dropout rates for white youth have remained below the rates for other racial/ethnic groups



Note: Race proportions do not include persons of Hispanic ethnicity. Persons of Hispanic ethnicity can be of any race.

Source: Authors' adaptation of Kaufman et al.'s *Dropout Rates in the United States: 2000*.

who were dropouts. The first statistic (the event dropout rate) provides an annual assessment of flow into the dropout pool. The second statistic (the status dropout rate) provides an assessment of the proportion of dropouts in the young adult population.

Almost 5 of every 100 persons (4.8%) enrolled in high school in October 1999 left school before October 2000 without successfully completing a high school program—in other words, in the school year 1999/2000, about 488,000 youth dropped out and the event dropout rate was 4.8%. The event dropout rate in 2000 was higher for males (5.5%) than females (4.1%). The event dropout rates did not differ statistically among the various racial/ethnic groups: Asian (3.5%), white non-Hispanic (4.1%), black non-Hispanic (6.1%), and Hispanic (7.4%). However, the event dropout rate was far lower (1.6%) for youth living in families with incomes in the top one-fifth of all family incomes than for youth living in families with incomes in the bottom one-fifth of all family incomes (10.0%).

Over the years, demographic disparities in annual event dropout rates have accumulated to produce noticeable differences in status dropout rates—i.e., the proportion of young adults (persons ages 16-24) who are not enrolled in school and have not completed high school (or received an equivalency certificate). In October 2000, the status dropout rate among young adults was 10.9%. The rate was greater for males (12.0%) than females (9.9%). The status dropout rate was also substantially greater for Hispanics (27.8%) than black non-Hispanics (13.1%), white non-Hispanics (6.9%), or Asians (3.8%). A closer look at the data for Hispanics shows that the status dropout rate was much higher for Hispanics born outside the U.S. (44.2%) than those born in the U.S. (15.2%).

Juveniles in the labor force

In 2002, 25% of juveniles ages 15–17 were in the labor force. Being in the labor force means the juvenile was working either full-time or part-time as a paid employee with an ongoing relationship with a particular employer, such as working in a supermarket. Juveniles were not considered to be in the labor force if they worked in "freelance jobs" that involved doing tasks without a specific employer, such as babysitting or mowing lawns. Labor force participation increased with age: 9% of 15-year-olds, 26% of 16-year-olds, and 41% of 17-year-olds. About equal proportions of males and females ages 15–17 were in the labor force in 2002 (24% vs. 26%).

The unemployment rate is the proportion of persons in the labor force who are unemployed. For juveniles ages 15–17 in 2002, the unemployment rate was 21%. In comparison, for adults ages 25–54 the unemployment rate in 2002 was 5%. The unemployment rate for juveniles ages 15–17 varied by race and ethnicity in 2002. The unemployment rate for non-Hispanic white juveniles (18%) was significantly lower than the rates for black (40%) and Hispanic (24%) juveniles.

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Chapter 2

Juvenile victims

Juveniles of all ages are the victims of violent crime. Some of their offenders are family members; this is often the case for very young victims. Some juveniles are the victims of abuse and neglect at the hands of their caregivers. Research has shown that child victimization and abuse are linked to problem behaviors that become evident later in life. So an understanding of childhood victimization and its trends may lead to a better understanding of juvenile offending.

This chapter summarizes what is known about the prevalence and incidence of juvenile victimizations. It answers important questions to assist policymakers, practitioners, researchers, and concerned citizens in developing policies and programs to ensure the safety and well-being of children. How often are juveniles the victims of crime? How many are murdered each year? How often are firearms involved? Who are their offenders? How many youth commit suicide? How many children are victims of crime at school? What are the characteristics of school crime? When are juveniles most likely to become victims of crime? What is known about missing and runaway youth? How many children are abused and neglected annually? What are the trends in child maltreatment?

Data sources include the Bureau of Justice Statistics' National Crime Victimization Survey and the Federal Bureau of Investigation's Supplementary Homicide Reporting Program and its National Incident-Based Reporting System. School victimization data are drawn from both the National Center for Education Statistics and the Bureau of Justice Statistics. Child maltreatment is reported by the National Center on Child Abuse and Neglect. Data from the Office of Juvenile Justice and Delinquency Prevention's National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children are presented, as well as suicide information from the National Center for Health Statistics.

On average, between 1980 and 2002 about 2,000 juveniles were murdered annually in the U.S.

Homicide is one of the leading causes of juvenile deaths

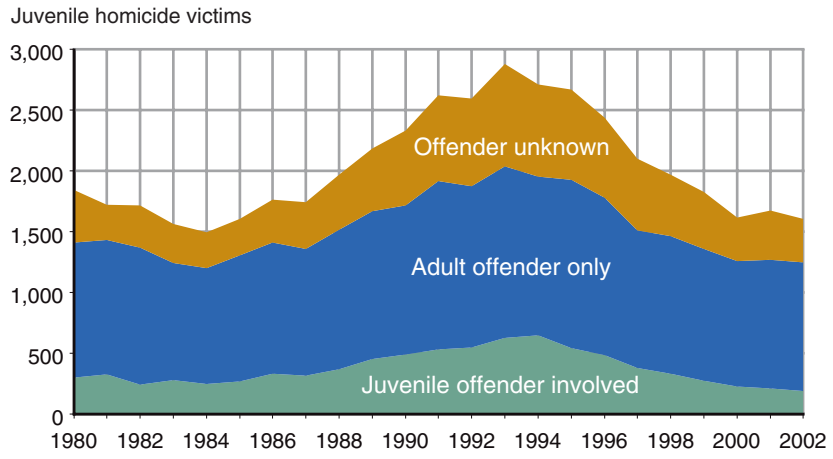
The National Center for Injury Prevention and Control (within the Centers for Disease Control and Prevention) reports that homicide was the fourth leading cause of death for children ages 1–11 in 2002. Only deaths caused by unintentional injury, cancer, and congenital anomalies were more common for these young juveniles. That same year, homicide was the third leading cause of death for juveniles ages 12–17, with the more common causes of death being unintentional injury and suicide.

The FBI and NCHS maintain detailed records of murders

The Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting Program asks local law enforcement agencies to provide detailed information on all homicides occurring within their jurisdiction. These Supplementary Homicide Reports (SHRs) contain information on victim demographics and the method of death. Also, when known, SHRs capture the circumstances surrounding the death, the offender's demographics, and the relationship between the victim and the offender. Although not all agencies report every murder every year, for the years 1980 through 2002, the FBI received SHR records on more than 90% of all homicides in the U.S.

For 2002, the FBI reported that law enforcement identified the offender in 64% of murders nationwide, which means that for many of these crimes, the offenders remain unknown. Based on SHR data from 1980 through 2002, an offender was not identified by law enforcement in 24% of the murders of persons under age 18, in 34% of the murders

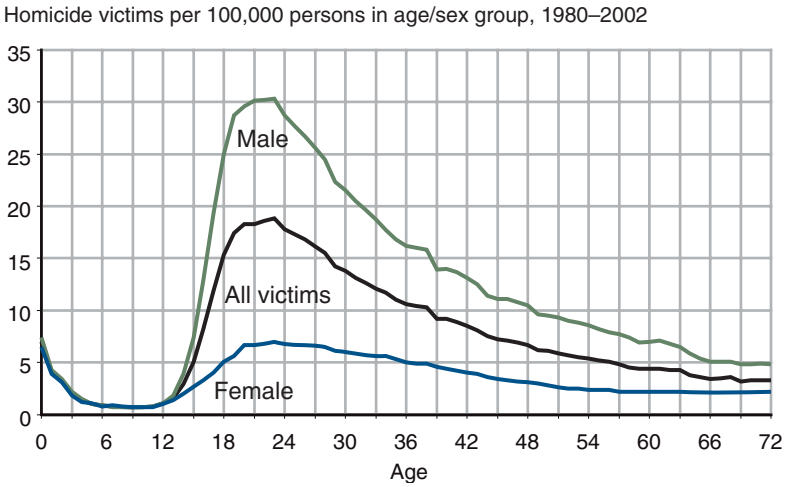
The number of juvenile homicides in 2002 was 44% below the peak year of 1993 and at its lowest level since the mid-1980s



- Between 1980 and 2002, juvenile offenders participated in 1 of every 4 homicides of juveniles in which the offenders were known to law enforcement. In about one-sixth of the juvenile homicides in which juvenile offenders participated, adult offenders were also involved.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

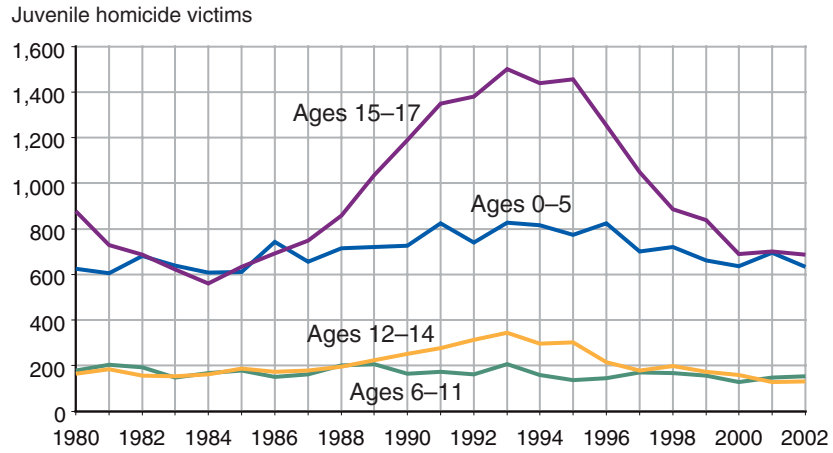
Between 1980 and 2002, the likelihood of being a murder victim peaked for persons in their early twenties, although for females, the first year of life was almost as dangerous



- Until their teen years, boys and girls were equally likely to be a homicide victim.

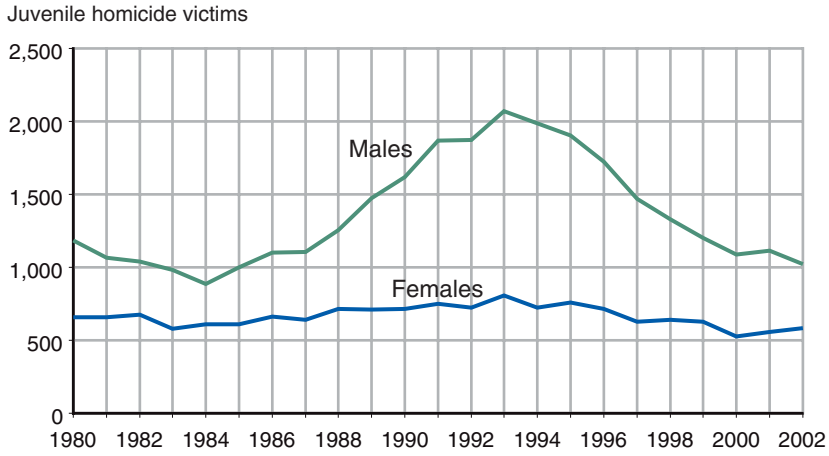
Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

The large increase in juvenile homicides between 1984 and 1993 and the subsequent decline were nearly all attributable to changes in homicides of older juveniles



Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

In terms of gender, the large increase in juvenile homicides between 1984 and 1993 and the subsequent decline were nearly all attributable to changes in homicides of male juveniles



- Unlike the number of male victims, the annual number of juvenile females murdered has not differed substantially between 1980 and 2002.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

of adults, and in 33% of murders overall.

Within the Centers for Disease Control and Prevention (CDC), the National Center for Health Statistics (NCHS) maintains the National Vital Statistics System. This system receives reports on homicides from coroners and medical examiners. Annual estimates of juvenile homicides by NCHS tend to be about 10% higher than those from the FBI. The reasons for this difference are unclear but are probably related to inconsistent reporting and/or to differences in definitions, updating procedures, and/or imputation techniques.

A critical aspect of this Report is the delineation of patterns among victim and offender characteristics. Because the NCHS data capture no offender information, the discussion that follows is based on the FBI's SHR data.

The likelihood of being murdered in 2002 was the same as in 1966

According to FBI estimates, 16,200 murders occurred in the U.S. in 2002. When compared with trends over the last 40 years, the number of murders in the U.S. was relatively stable between 1999 and 2002, with the 2002 FBI estimate just 4% above the estimate for the historically low year of 1999—when the FBI estimated that 15,500 persons were murdered.* Before 1999, 1970 is the most recent year with fewer murders than in 2002.

However, the U.S. population grew 40% between 1970 and 2002. So, although the number of murders in

* The 3,047 victims (9 of whom were under age 18) of the terrorist attacks on September 11, 2001, are not in the counts of murder victims.

1970 and 2002 was about the same, the murder rate in 2002 was actually about 40% lower than in 1970. Before 1999, the most recent year with a murder rate comparable to 2002 (5.6 murders/100,000 persons in the U.S. population) is 1966. This means the probability that a U.S. resident would be murdered was less in 2002 than in nearly all of the previous 35 years.

In 2002, on average, 4 juveniles were murdered daily in the U.S.

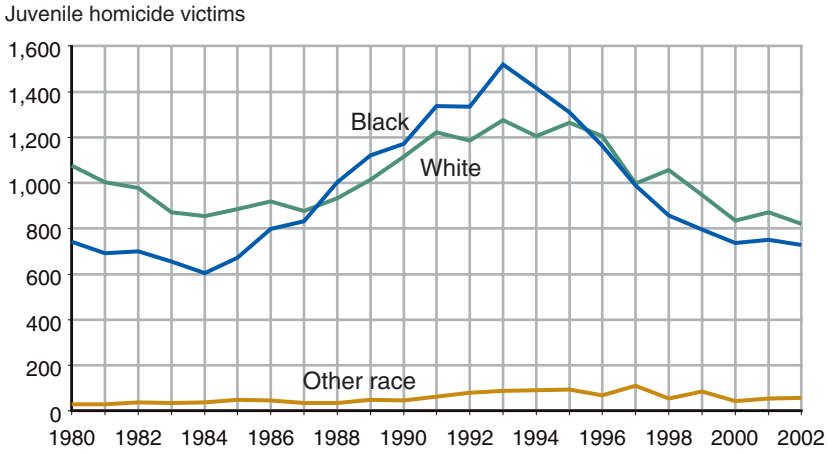
An estimated 1,600 persons under age 18 were murdered in the U.S. in 2002—10% of all persons murdered that year. About one-third (36%) of these juvenile murder victims were female. About 4 in 10 (39%) of these victims were under age 6, 1 in 10 (10%) were ages 6–11, 1 in 10 (8%) were ages 12–14, and 4 in 10 (43%) were ages 15–17.

More than half (51%) of juvenile murder victims in 2002 were white, 45% were black, and 4% were either American Indian or Asian. Given that white youth constituted 78% of the U.S. resident juvenile population in 2002 and black youth 16%, the murder rate for black youth in 2002 was more than 4 times the white rate. This disparity was seen across victim age groups and increased with victim age:

Victim age	2002 homicide rate* White	2002 homicide rate* Black	Black to white rate ratios
0–17	1.4	6.0	4.2
0–5	1.9	6.5	3.4
6–11	0.4	1.6	3.6
12–14	0.7	2.8	4.4
15–17	3.3	18.1	5.5

* Homicide rates are the number of homicides per 100,000 juveniles in the age group.

Between 1984 and 1993, while homicides of white juveniles increased 50%, homicides of black juveniles increased 150%



- Black youth accounted for 16% of the juvenile population between 1980 and 2002, but were the victims in 47% of juvenile homicides
- In the early 1980s, the homicide rate for black juveniles was 4 times the rate for white juveniles. This disparity increased so that by 1993 the black rate was 6 times the white rate. The relatively greater decline in black juvenile homicides between 1993 and 2002 dropped the disparity in black-to-white homicide rates back to 4-to-1.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

Of the 46,600 juveniles murdered between 1980 and 2002, most victims under age 6 were killed by a parent, while parents were rarely involved in the killing of juveniles ages 15–17

Offender relationship to victim	Age of victim 0–17	0–5	6–11	12–14	15–17	Victim ages 0–17 Males	Females
Offender known	74%	88%	81%	72%	64%	72%	88%
Total	100%	100%	100%	100%	100%	100%	100%
Parent/stepparent	31	62	40	11	3	26	61
Other family member	7	7	15	11	5	6	7
Acquaintance	47	28	30	58	66	50	29
Stranger	15	3	15	20	25	18	3
Offender unknown	26%	12%	19%	28%	36%	28%	12%

- Over the 23-year period, strangers were involved in *at least* 15% of the murders of juveniles. This figure is probably greater than 15% because strangers are likely to account for a disproportionate share of crimes in which the offender is unknown.

Note: Detail may not total 100% because of rounding.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

Between 1980 and 2002, at least 3 of every 4 murder victims ages 15–17 were killed with a firearm

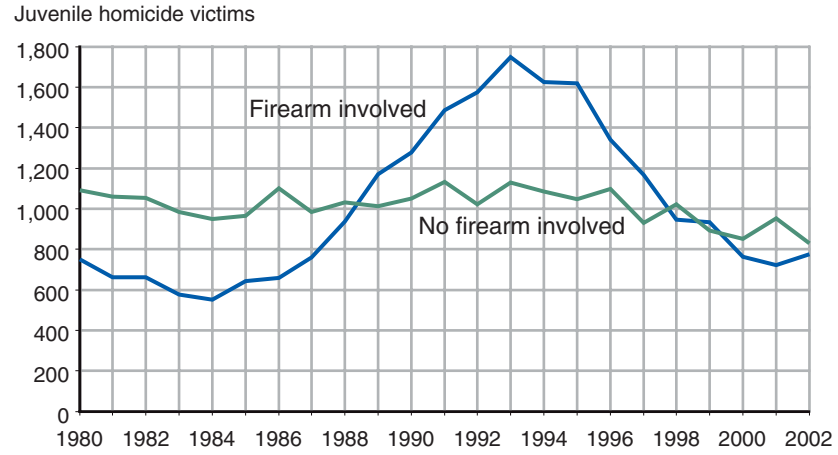
Trends in the number of juvenile homicides are tied to homicides involving firearms

Almost half (48%) of all juveniles murdered in 2002 were killed with a firearm, 22% were killed by the offender's hands or feet (e.g., beaten/kicked to death or strangled), and 11% were killed with a knife or blunt object. The remaining 19% of juvenile murder victims were killed with another type of weapon, or the type of weapon used is unknown.

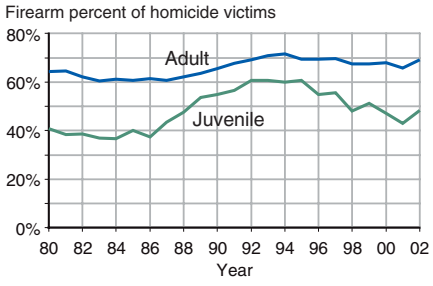
Firearms were used less often in the killings of young children. In 2002, firearms were used in 17% of murders of juveniles under age 12 but in 78% of the murders of juveniles ages 12–17. In 2002, a greater percentage of black than white juvenile murder victims were killed with a firearm (54% vs. 44%). In 2002, firearms were used more often in the murders of juvenile males (57%) than in the murders of juvenile females (33%).

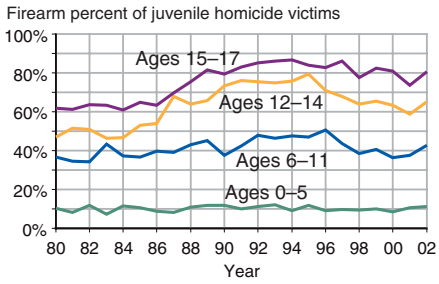
Between 1980 and 2002, the deadliest year for juveniles was 1993, when an estimated 2,880 were murdered. Within the period, 1993 was also the year when the proportion of murdered juveniles killed with a firearm was the largest (61%). In fact, across the period, the annual number of juveniles murdered by means other than a firearm generally declined—a remarkable pattern when compared with the large increase and subsequent decline in the number of firearm-related murders of juveniles. Except for killings of young children and killings of juveniles by family members, murder trends in all demographic segments of the juvenile population between 1980 and 2002 were linked primarily to killings by firearms.

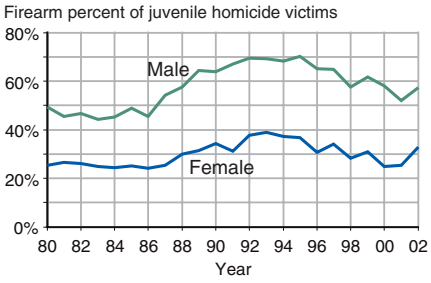
The large drop in the number of juveniles killed with a firearm after 1993 resulted in the overall number of juvenile homicides in 2002 falling to its lowest level since 1984

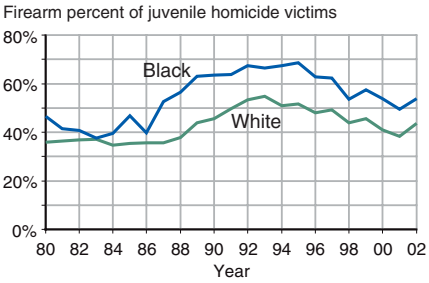


The proportion of homicides committed with firearms differed with victim demographics









- More so than for adults, the period from 1980 through 2002 saw big changes in the use of firearms in the murders of older juveniles.
- The proportions of firearm-related murders of male and female juveniles showed similar growth and decline patterns over the period.
- Although firearms were involved in a greater proportion of black juvenile homicides than white, trends in the proportion of firearm-related homicides were similar for the racial groups.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

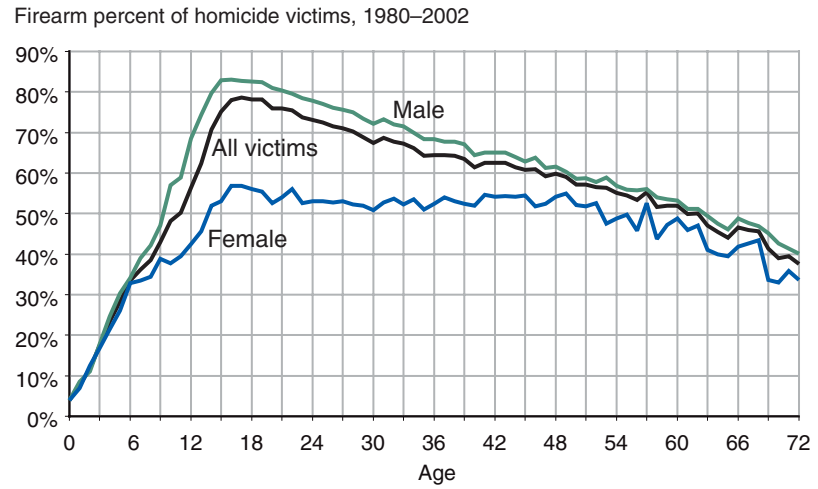
Young children are killed by family members—older juveniles by acquaintances

In the 2002 SHR data, the offender information is missing for 27% of juvenile murder victims either because the offender is unknown or because the information was not recorded on the data form. The proportion of unknown offenders in 2002 increased substantially with victim age: ages 0–5 (13%), ages 6–11 (15%), ages 12–14 (21%), and ages 15–17 (43%).

Considering only murders in 2002 for which the offender is known, a stranger killed 4% of murdered children under age 6, while parents killed 61%, other family members 7%, and acquaintances 28%. Older juveniles were far more likely to be murdered by nonfamily members. Five percent (5%) of victims ages 15–17 were killed by parents, 5% by other family members, 32% by strangers, and 58% by acquaintances.

Differences in the characteristics of the murders of juvenile males and juvenile females are linked to the age profiles of the victims. Between 1980 and 2002, the annual numbers of male and female victims were very similar for victims at each age under 13. However, older victims were disproportionately male. For example, between 1980 and 2002, 84% of murdered 17-year-olds were male. In general, therefore, a greater proportion of female murder victims are very young. So, while it is true that female victims were more likely to be killed by family members than were male victims (51% vs. 32%), this difference goes away within specific age groups. For example, for victims under age 6, 68% of males and 70% of females were killed by a family member between 1980 and 2002.

Between 1980 and 2002, murder victims most likely to be killed by firearms were those age 16, regardless of gender



Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

Of the 46,600 juveniles murdered between 1980 and 2002, half (50%) were murdered with a firearm

	Age of victim					Victim ages 0–17	
Weapon	0–17	0–5	6–11	12–14	15–17	Males	Females
Total	100%	100%	100%	100%	100%	100%	100%
Firearm	50	10	41	66	78	60	30
Knife/blunt object	14	11	19	17	14	13	17
Personal	19	48	11	5	2	15	27
Other/unknown	17	31	29	12	6	12	26

- Nearly half (48%) of murder victims under age 6 were killed by offenders using only their hands, fists, or feet (personal).
- More than three-fourths (78%) of victims ages 15–17 were killed with a firearm.
- Juvenile male victims were twice as likely as juvenile female victims to be murdered with a firearm.

Note: Detail may not total 100% because of rounding.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

Persons ages 7–17 are about as likely to be victims of suicide as they are to be victims of homicide

Since the early 1980s, for every 1 juvenile female suicide there were 4 juvenile male suicides

Through its National Vital Statistics System (NVSS), NCHS collects information from death certificates filed in state vital statistics offices, including causes of death of juveniles. NVSS indicates that 23,900 juveniles ages 7–17 died by suicide in the U.S. between 1981 and 2001. For all juveniles ages 7–17, suicide was the fourth leading cause of death over this period, trailing only unintentional injury (140,600), homicide (30,300), and cancer (27,600)—with the numbers of homicide, cancer, and suicide deaths being very similar. Suicide was the third leading cause of death for males ages 7–17 and the fourth leading cause of death for females in that age group.

Between 1981 and 2001, 79% of all juvenile suicide victims were male, with the annual proportion remaining remarkably stable over the period. Consequently, suicide trends were similar for juvenile males and females.

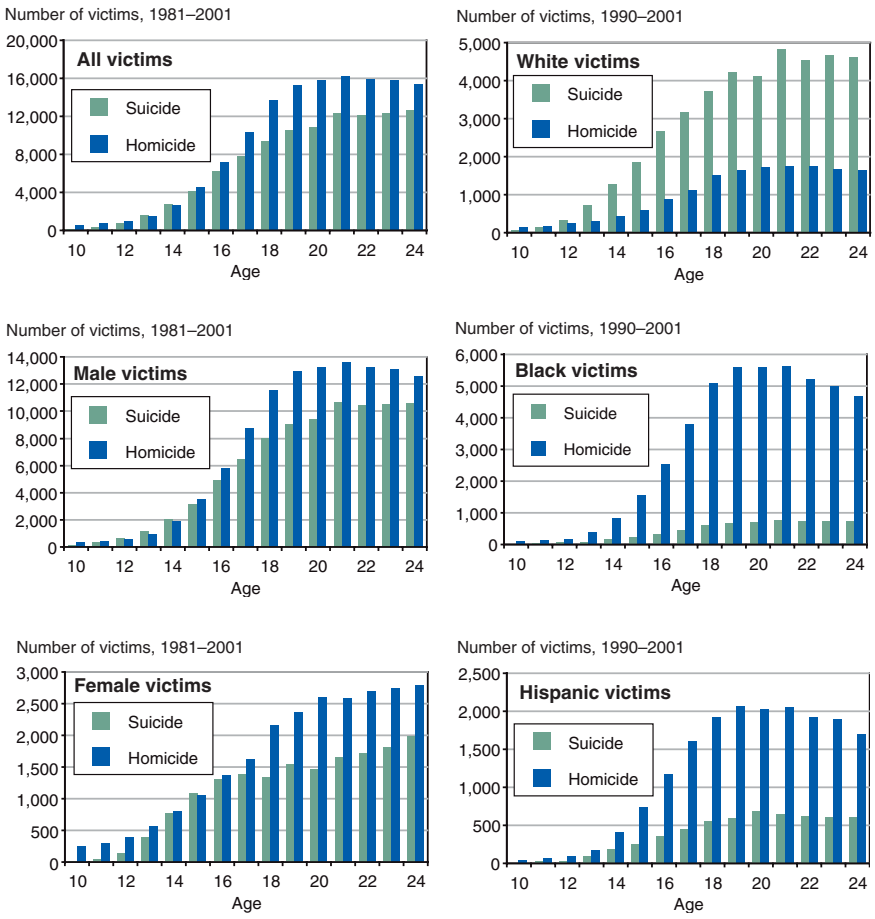
Sixty percent (60%) of all juvenile suicides between 1981 and 2001 were committed with a firearm, 27% by some form of suffocation (e.g., hanging), and 9% by poisoning. The method of suicide differed for males and females, with males more likely than females to use a firearm and less likely to use poison.

Method of suicide by persons ages 7–17, 1981–2001:

Method	Male	Female
Total	100.0%	100.0%
Firearm	63.5	49.0
Suffocation	27.7	23.2
Poisoning	5.6	22.5
Other	3.3	5.3

Note: Detail may not total 100% because of rounding.

Between 1981 and 2001, juveniles ages 12–15 were about as likely to be a suicide victim as they were to be a murder victim

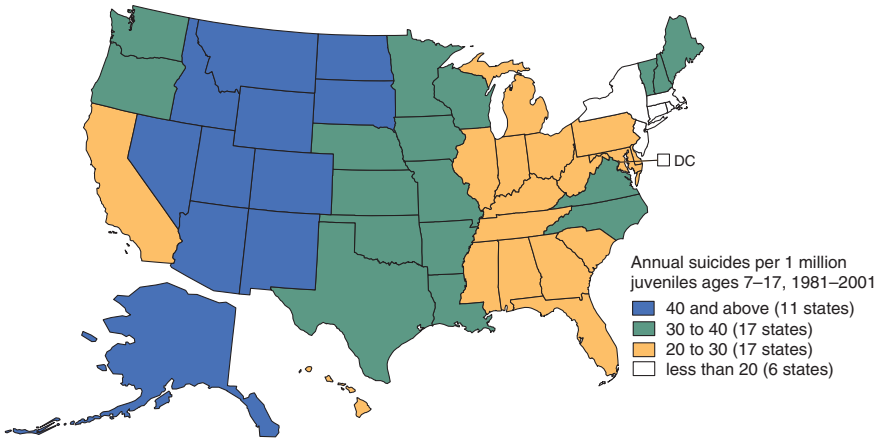


- Far more males than females ages 12–16 were victims of suicide or murder between 1981 and 2001. However, for each gender, the number of suicides was about the same as the number of murders.
- Between 1990 and 2001, suicide was more prevalent than homicide for non-Hispanic white juveniles, while the reverse was true for Hispanic juveniles and non-Hispanic black juveniles.
- At each age between 12 and 24, suicide was more common than murder for non-Hispanic whites between 1990 and 2001, in sharp contrast to patterns for Hispanics and non-Hispanic blacks. More specifically, for every 10 white homicide victims ages 10–17 there were 26 suicide victims (a ratio of 10 to 26); the corresponding ratio was 10 to 1 for black juveniles and 10 to 3 for Hispanic juveniles.

Note: White victims and black victims are not of Hispanic ethnicity.

Source: Authors' analysis of the National Center for Health Statistics' *WISQARS (Web-based Injury Statistics Query and Reporting System)* [interactive database system].

Between 1981 and 2001, juvenile suicide victims outnumbered juvenile murder victims in 33 states



State	Suicide rate 1981–2001	Suicide/ homicide ratio	State	Suicide rate 1981–2001	Suicide/ homicide ratio
Total U.S.	28.1	0.79	Missouri	30.2	0.71
Alabama	28.2	0.79	Montana	60.5	3.21
Alaska	74.7	2.37	Nebraska	34.5	1.86
Arizona	43.6	1.04	Nevada	41.7	1.03
Arkansas	36.6	1.02	New Hampshire	32.7	3.84
California	22.3	0.41	New Jersey	14.2	0.61
Colorado	46.4	1.81	New Mexico	56.4	1.34
Connecticut	19.0	0.64	New York	15.4	0.37
Delaware	26.0	1.58	North Carolina	30.1	1.02
Dist. of Columbia	15.3	0.05	North Dakota	50.0	8.77
Florida	26.0	0.72	Ohio	25.4	1.25
Georgia	26.9	0.73	Oklahoma	36.9	1.20
Hawaii	23.4	2.05	Oregon	37.1	2.04
Idaho	59.3	4.98	Pennsylvania	25.6	1.07
Illinois	22.5	0.36	Rhode Island	18.2	0.85
Indiana	28.6	1.14	South Carolina	25.7	0.89
Iowa	35.4	3.49	South Dakota	56.3	4.90
Kansas	35.3	1.43	Tennessee	29.2	1.01
Kentucky	28.0	1.66	Texas	32.0	0.76
Louisiana	32.2	0.57	Utah	50.2	3.38
Maine	36.9	4.17	Vermont	31.0	3.11
Maryland	23.8	0.49	Virginia	30.0	1.07
Massachusetts	17.3	0.92	Washington	32.4	1.33
Michigan	28.3	0.62	West Virginia	29.1	1.49
Minnesota	36.4	2.74	Wisconsin	35.7	1.77
Mississippi	28.1	0.73	Wyoming	63.1	4.14

Notes: The suicide rate is the average annual number of suicides of youth ages 7–17 divided by the average annual population of youth ages 7–17 (in millions). The suicide/homicide ratio is the total number of suicides of youth ages 7–17 divided by the total number of homicides of youth ages 7–17. A ratio of more than 1.0 indicates that the number of suicides was greater than the number of homicides.

Source: Authors' analysis of the National Center for Health Statistics' *WISQARS (Web-based Injury Statistics Query and Reporting System)* [interactive database system].

American Indians have the highest juvenile suicide rate

Beginning with the 1990 data, NVSS distinguished fatalities by the victim's Hispanic ethnicity, enabling racial and ethnic comparisons of juvenile suicides. Between 1990 and 2001, the juvenile suicide rate for white non-Hispanic youth (i.e., suicides per million persons ages 7–17 in this race/ethnicity group) was 30.9. The suicide rates were substantially lower for Hispanic (20.0), black non-Hispanic (18.6), and Asian non-Hispanic (17.9) juveniles ages 7–17. In contrast, the suicide rate for American Indian juveniles (59.5) was nearly double the white non-Hispanic rate and triple the rates for the other racial/ethnic groups.

Over the period 1981 to 2001, the juvenile suicide rate rose and fell

The juvenile suicide rate grew almost 50% between 1981 and 1988. The increase over this period was similar for males and females but was much larger for black than for white juveniles. The juvenile suicide rate remained essentially constant between 1988 and 1994 and then began to fall. By 2001, the overall rate had returned to its levels of the early 1980s. This general pattern was reflected in the trends of white and black juveniles and those of males and females. The proportion of juvenile suicides committed with a firearm peaked in 1994 at 69% and then fell so that by 2001 less than half (44%) of juvenile suicides involved a firearm.

The nonfatal violent victimization rate of youth ages 12–17 in 2003 was half the rate in 1993

NCVS tracks crime levels

Since 1973, the Bureau of Justice Statistics (BJS) has used the National Crime Victimization Survey (NCVS) to monitor the level of violent crime in the U.S. NCVS gathers information on crimes against persons ages 12 or older from a nationally representative sample of households. For those interested in juvenile justice, NCVS is critical for understanding the volume and nature of crimes against juveniles ages 12–17 as well as trends in these crimes. A major limitation, however, is that crimes against youth younger than age 12 are not captured.

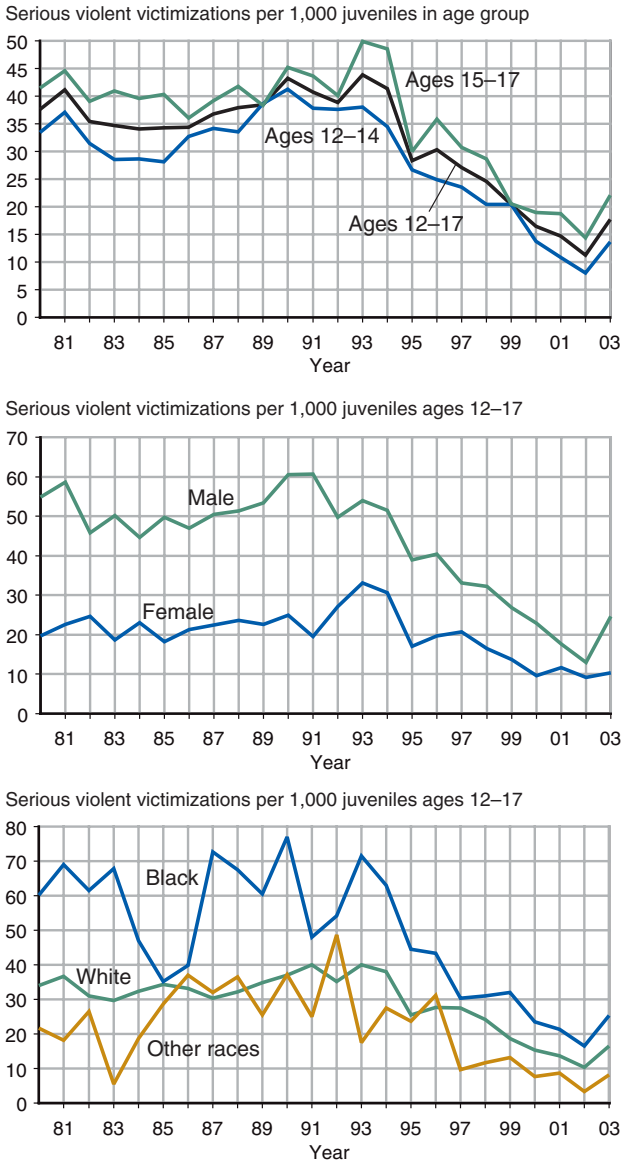
Juveniles are more likely than adults to be victims of violence

NCVS monitors nonfatal violent victimizations (i.e., the crimes of rape, sexual assault, robbery, aggravated assault, and simple assault). A 2005 BJS report summarized NCVS data for the years 1993–2003 to document the trends in nonfatal violent victimizations of youth ages 12–17. The report found that these youth experienced relatively high levels of violent crimes during these years and that their rate of nonfatal violent victimization had declined substantially over the period.

On average from 1993 through 2003, juveniles ages 12–17 were about 2.5 times more likely than adults (i.e., ages 18 and older) to be the victim of a nonfatal violent crime. That means that in a typical group of 1,000 youth ages 12–17, 84 experienced nonfatal violent victimizations, compared with 32 per 1,000 persons ages 18 and older.

The victimization rate from 1993 to 2003 was higher among juveniles than adults for each nonfatal violent crime. Compared with adults, youth ages 12–17 were twice as likely to

The large decline in the serious violent victimization rate between 1993 and 2003 was experienced by youth ages 12–14 and 15–17, male and female youth, and white and black youth



- From 1980 through 2003, the serious violent crime victimization rate for youth ages 15–17 averaged about 25% more than the rate for youth ages 12–14, the average rate for juvenile males was more than double the female rate, and the rate for black juveniles averaged 67% above the white rate.

Notes: **Serious violent crimes** include aggravated assault, rape, robbery, and homicide. Aggravated assault, rape, and robbery data are from NCVS and homicide data are from the FBI's Uniform Crime Reporting Program.

Source: Federal Interagency Forum on Child and Family Statistics' *America's Children: Key National Indicators of Well-Being, 2005*.

be robbery or aggravated assault victims, 2.5 times as likely to be victims of a rape or sexual assault, and almost 3 times as likely to be victims of a simple assault.

Between 1993 and 2003, most offenders whose victims were youth ages 12–14 and ages 15–17 were acquaintances or others well known to the victim (61% and 47%, respectively). For these two age groups, a small proportion of offenders were family members or intimates (5% and 10%, respectively). Youth ages 12–14 were less likely than youth ages 15–17 to experience nonfatal violent victimizations in which the offender was a stranger (34% vs. 43%).

Between 1993 and 2003, a weapon (e.g., firearm, knife, or club) was involved in 23% of violent crimes with victims ages 12–17, with the proportion being greater for youth ages 15–17 (27%) than youth ages 12–14 (18%). Older youth were 3 times as likely as younger youth to be victims of crimes involving firearms (9% vs. 3%). In 28% of the violent victimizations of both younger and older youth, an injury (mostly minor) occurred. Serious injuries (including rape injury) occurred in 2.5% of violent crimes with younger victims and 4.5% of crimes with victims ages 15–17.

School was the most common setting for violent victimizations: 53% of the victimizations of youth ages 12–14 and 32% of victimizations of youth ages 15–17 occurred at or in school. The NCVS data also showed that the riskiest period for youth ages 12–17 was after school (between 3 p.m. and 6 p.m.). Finally, between 1993 and 2003, 57% of the offenders of victims ages 12–14 and 40% of the offenders of victims ages 15–17 were the victims' schoolmates.

From 1993 to 2003, about one quarter of all nonfatal violent victimizations against youth ages 12–14 were reported to law enforcement. About one-third of similar victimizations against youth ages 15–17 were reported

Victimization rates are higher for juvenile males and urban youth

From 1993 through 2003, the nonfatal violent victimization rate for males ages 12–17 (100.4) was about 50% greater than that for females (66.4). Over this 11-year period, urban youth ages 12–17 had a significantly higher nonfatal violent victimization rate (98.5) than did suburban (83.4) and rural (65.9) youth.

Over the 1993–2003 period, the nonfatal violent victimization rates of non-Hispanic white (86.7) and non-Hispanic black (87.0) youth ages 12–17 were similar, and these rates were somewhat higher than the Hispanic rate (76.9). However, when the crime of simple assault was excluded from the victimization rate (a statistic that BJS labels the serious violent victimization rate), the rate for black youth was more than 50% greater than the rate for white youth.

Declines in violent victimizations were similar for juveniles and adults

To study trends in juvenile violent victimization over the 1993–2003 period, BJS compared the average rate for 1993–1995 to the average for 2001–2003. The rate of nonfatal violent victimization for youth ages 12–17 decreased about 55%, similar to the decline experienced by adults (52%). More specifically, the declines over the 1993–2003 period in robbery and simple assault victimization rates were similar for juveniles and adults; in contrast, the aggravated assault victimization rate declined more for juveniles than for adults. Between 1993 and 2003, the rape/sexual assault victimization rate for youth ages 12–17 fell 46%. The percent change in the overall adult rape/sexual assault victimization rate was not specifically reported, but the declines in the rates for persons ages 18–24 (42%) and for older adults (55%) imply that the overall decline in the adult rate was similar to that for youth ages 12–17.

Percent change in victimization rate from 1993–1995 to 2001–2003:

Type of crime	Ages 12–17	Ages 18 and older
Nonfatal violence	–55%	–52%
Rape/sex assault	–46	NA
Robbery	–59	–59
Aggravated assault	–64	–55
Simple assault	–52	–50

Declines in the nonfatal violent victimization rates were also similar for juveniles and adults within subpopulations (i.e., male, female, white, black, Hispanic, urban, suburban, rural).

The nonfatal violent victimization rate from 1993 through 2003 declined more for youth ages 12–14 (59%) than for youth ages 15–17 (50%), a pattern replicated in robbery, aggravated assault, and simple assault victimizations.

Percent change in victimization rate from 1993–1995 to 2001–2003:

Type of crime	Ages 12–14	Ages 15–17
Nonfatal violence	–59%	–50%
Robbery	–66	–53
Aggravated assault	–69	–61
Simple assault	–57	–46

Note: NCVS samples were too small to produce reliable estimates of rape/sexual assault trends for these two age groups.

In 2001, students were safer in school and on their way to and from school than they were in 1992

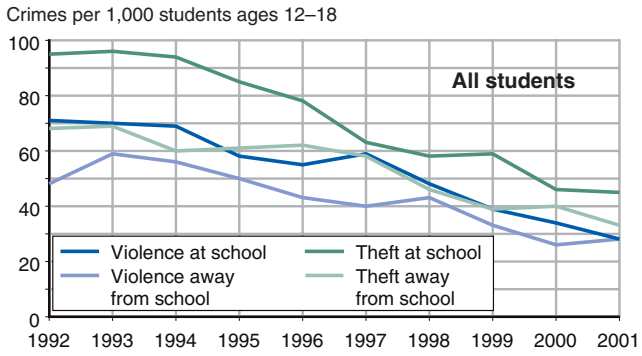
Crimes against juveniles fell substantially between 1992 and 2001 both in and out of school

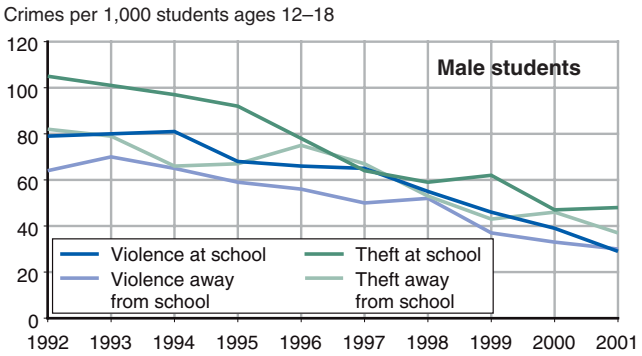
For several years, a joint effort by the National Center for Education Statistics and the Bureau of Justice Statistics has monitored the amount of nonfatal crime that students ages 12–18 experience when they are in (or on their way to and from) school and when they are away from school. Findings indicate that between 1992 and 2001, the rates of violent crime and theft each declined substantially both in and away from school.

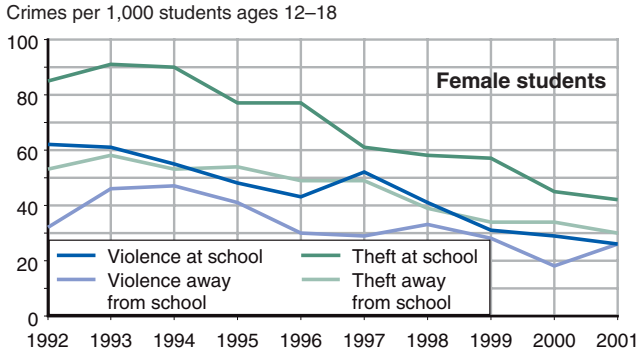
From 1992 to 2001, the rate of nonfatal crimes against students ages 12–18 occurring away from school fell about 60%, while the violent crime rate in school fell about 40%. In 2001, these youth experienced roughly equal numbers of violent crimes in and out of school. From 1992 to 2001, the rate of theft against students ages 12–18 fell about 50% both in and out of school. During this period, about 3 in 5 thefts occurred in school.

In 2001, the violent victimization rate in school did not differ significantly for males and females; for whites, blacks, and Hispanics; or for students living in urban, suburban, and rural areas. In comparison, while the violent victimization rate out of school was again similar for males and females, it was greater for students living in urban areas than for those living in other areas and greater for black students than for white students. In 2001, white students experienced significantly more theft in school than did black or Hispanic students, while male and urban students experienced more theft out of school.

Both male and female students ages 12–18 experienced far fewer crimes of violence and theft in their schools in 2001 than in 1992







- Male and female students also experienced large declines in victimizations outside of school over the same period.
- In 2001, about half of all violent crimes experienced by male students and by female students (and almost 3 of every 5 thefts) occurred in school or on the way to and from school.
- Serious violence accounted for about 20% of all violent victimization as measured by NCVS. In 2001, 35% of all serious violent crimes experienced by male and female students occurred in school or on the way to and from school.

Source: Authors' adaptation of the Bureau of Justice Statistics' *National Crime Victimization Survey* for the years 1992 through 2001.

A youth's risk of being a violent crime victim is tied to family and community characteristics, not race

Factors related to the risk of juvenile victimization are difficult to disentangle

Research has shown that a juvenile's risk of becoming a victim of a violent crime is potentially related to many factors. In general, factors can be grouped under three categories: individual characteristics (e.g., age, gender, race, lifestyle, and friendship patterns); family characteristics (e.g., family structure, income, and level of supervision); and community characteristics (e.g., crime and poverty levels and the age profile of the community's population). Even though researchers know these factors predict victimization, it has been difficult to determine their relative importance. For example, when juveniles report higher levels of violent victimization, is it mostly due to their individual factors, to their family factors, or to their community factors? To assess the relative impact of these various factors, research must capture information on the factors simultaneously, and this has been hard to do. But if it could be done, some factors (such as race) might be shown to be no longer predictive once other factors are taken into account.

New research documents the large influence of community characteristics on victimization

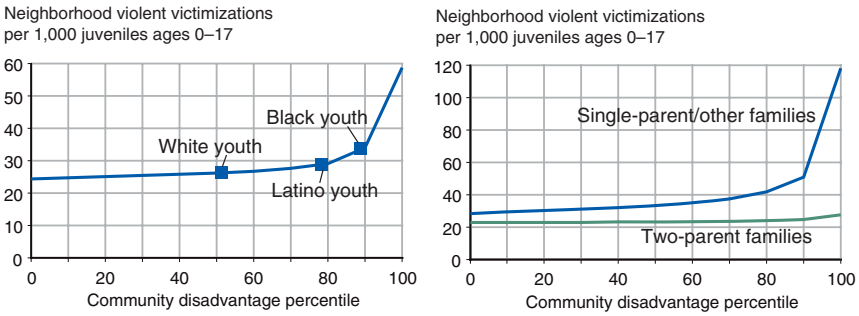
A recent study by Lauritsen has succeeded in looking at individual, family, and community factors simultaneously. With expanded access to the 1995 National Crime Victimization Survey data, the researcher linked self-reports of youth ages 12–17 and their family information with data on the communities in which the youth lived.

The study found that youth in single-parent families experienced a 50% greater risk of violence than youth in two-parent families. Youth were also more likely to be the victim of a violent crime if they lived in disadvantaged communities (i.e., high percentages of persons living in poverty, single-parent families with children, unemployment, and households receiving public assistance). The research found that youth were at greater risk if they lived in communities with a high concentration of single-parent families and young persons and when they lived in families who had recently moved into the community.

Most importantly, the study found that after controlling for family and community influences, there were no racial or ethnic differences in the risk of violent victimization. Also, income was not related to victimization risk. This is important because it suggests that youth in single-parent families are not at greater risk because they are poor.

These findings indicate that prevention programs should be located on the basis of areas' family and age composition rather than racial, ethnic, or economic factors. Youth are at greater risk when they have lower levels of supervision, live in a community with high proportions of young people, and have not yet learned the neighborhood's rules and problem areas because they are new to the community.

Living in a disadvantaged community strongly influences a youth's risk of victimization only if the community is severely disadvantaged



- The different types of communities in which youth live can explain racial and ethnic differences in juvenile victimization.
- Unlike youth from single-parent families, youth living in two-parent families appear to be much better protected from the negative consequences of living in the most disadvantaged areas.

Note: Community disadvantage is an index that captures the relative level of socioeconomic disadvantage in an area. The average community disadvantage index for white youth, black youth, and Latino youth is indicated.

Source: Authors' adaptation of Lauritsen's How families and communities influence youth victimization, *OJJDP Juvenile Justice Bulletin*.

1 in 4 violent crime victims known to law enforcement is a juvenile, and most juvenile victims are female

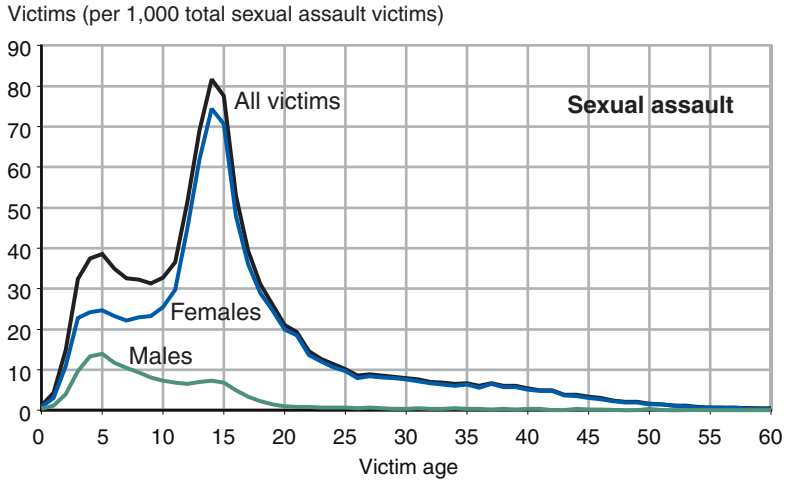
Juvenile victims are common in violent crimes handled by law enforcement

Not all crimes committed are reported to law enforcement. Those that are reported can be used to produce the portrait of crime as seen by the nation's justice system. As noted earlier, based on the FBI's Supplementary Homicide Reports, 10% of all persons murdered in 2002 were under age 18 and 36% of these murdered juveniles were female. No other data source with comparable population coverage characterizes the victims of other violent crimes reported to law enforcement. However, data from the National Incident-Based Reporting System (NIBRS) covering incidents in 2000 and 2001 capture information on more than 418,000 violent crime victims known to law enforcement in 22 states. From these data, an arguably representative description of violent crime victims can be developed.

Sexual assaults accounted for just over half of the juvenile victims of violent crime known to law enforcement

Defining violent crime to include murder, violent sexual assault, robbery, and aggravated assault, NIBRS indicates that 26% of the victims of violent crime reported to law enforcement agencies in 2000 and 2001 were juveniles—persons under age 18. More specifically, juveniles were the victims in 10% of murders, 70% of sexual assaults, 11% of robberies, and 17% of aggravated assaults reported to law enforcement. Of all juvenile victims of violent crime known to law enforcement, fewer than one-half of 1% were murder victims, 8% were robbery victims, 39% were victims of aggravated assault, and 52% were victims of sexual assault.

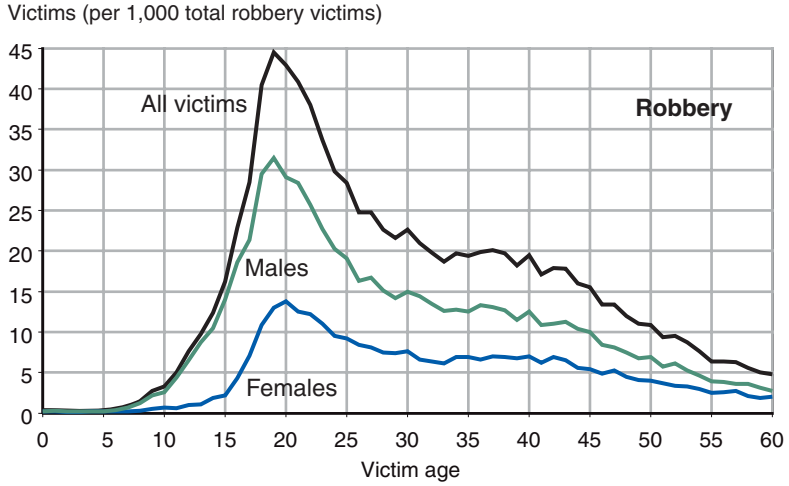
In sexual assaults reported to law enforcement, 67% of female victims and 88% of male victims were under age 18



- The modal age for sexual assault victims was age 14 for female victims but age 5 for male victims.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master files* for the years 2000 and 2001 [machine-readable data files].

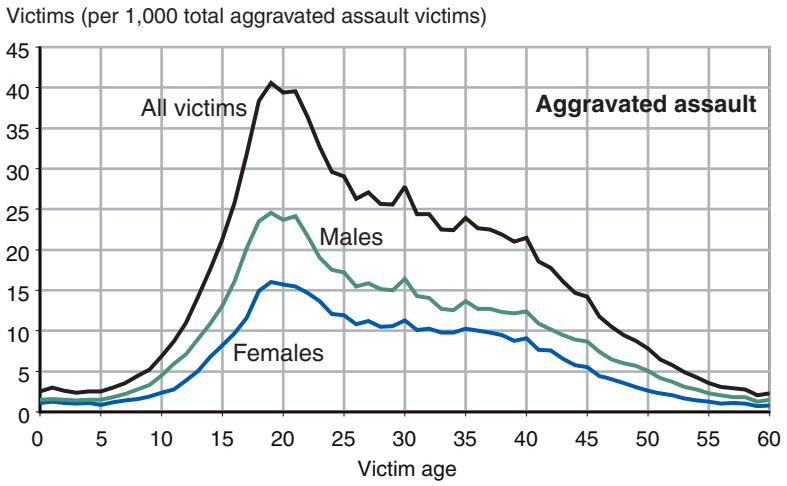
The number of robbery victims known to law enforcement increased with age through the juvenile years, peaking at age 19



- Persons under age 18 accounted for 14% of all male robbery victims and 6% of all female robbery victims.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master files* for the years 2000 and 2001 [machine-readable data files].

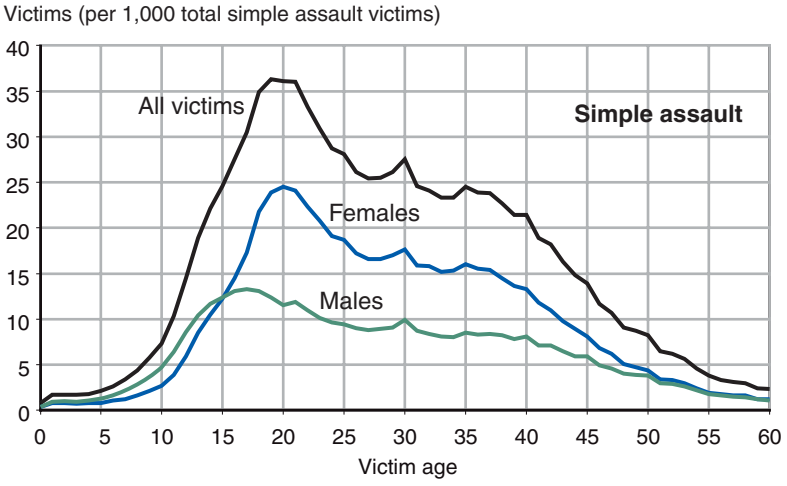
In aggravated assaults reported to law enforcement, 18% of male victims and 16% of female victims were under age 18



- Unlike the pattern for simple assaults, more males than females were victims of aggravated assault at each victim age.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master files* for the years 2000 and 2001 [machine-readable data files].

In simple assaults reported to law enforcement, a greater proportion of male victims than female victims were under age 18 (24% vs. 14%)



- Until age 16, more simple assault victims were male; at age 20, twice as many females as males were simple assault victims, a pattern that continued until at least age 50.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master files* for the years 2000 and 2001 [machine-readable data files].

Sexual assault accounted for 3 in 4 female juvenile victims and 1 in 4 male juvenile victims of violent crime

The majority (59%) of the juvenile victims of violent crimes known to law enforcement in 2000 and 2001 were female. Victims under age 18 accounted for 32% of all female victims of violent crime known to law enforcement but only 21% of all male victims. The types of violent crimes committed against male and female juvenile victims differed. For juvenile female victims, 72% of the crimes known to law enforcement were sexual assaults, 25% were aggravated assaults, and just 3% were robberies. In contrast, for juvenile male victims, 59% of crimes were aggravated assaults, 16% were robberies, and 24% were sexual assaults.

More than one-third of the juvenile victims of violent crime were under age 12

The age profile of juvenile victims became clearer with the introduction of NIBRS. Other sources of information on victims had to limit their focus to persons old enough to respond reliably to the questions of interviewers or items on survey instruments. NIBRS data for 2000 and 2001 show that 17% of the juvenile victims of violent crimes known to law enforcement were younger than age 6, 20% were ages 6–11, 27% were ages 12–14, and 36% were ages 15–17. Victims under age 12 represented half (50%) of all juvenile murder victims, 47% of juvenile sexual assault victims, 14% of juvenile robbery victims, and 28% of juvenile victims of aggravated assault.

As juveniles age, offenders who violently victimize them are less likely to be family members

Offenders in juvenile victimizations are likely to be adults

Analyses of the 2000 and 2001 NIBRS data files provide an understanding of the offenders who victimize juveniles in violent crime incidents known to law enforcement. Although these data may not be nationally representative, the NIBRS sample, which includes incidents involving more than 328,000 juvenile victims of violent crime (including simple assault), is large enough to give credence to patterns derived from NIBRS data.

Based on NIBRS data, an adult (i.e., a person over age 17) was the primary offender against 60% of all juvenile victims of violent crime (i.e., murder, kidnapping, sexual assault, robbery, aggravated assault, and simple assault) known to law enforcement in 2000 and 2001. Adult offenders were more common in juvenile kidnappings (90%), murders (86%), and sexual assaults (63%) and less common in juvenile aggravated assaults (53%), robberies (51%), and simple assaults (48%).

The proportion of adult offenders in juvenile victimizations varied with the juvenile's age. In general, the proportion was greater for the youngest juveniles (under age 6) and the oldest juveniles (ages 15–17) than for those between ages 6 and 14. This pattern held for juvenile murder, aggravated assault, simple assault, and robbery (although robbery of the youngest juveniles was very rare). The pattern was different for sexual assaults of juveniles (the proportion of adult offenders generally increased with victim age) and for kidnapping (the proportion declined consistently with victim age). Due in part to these age and offense variations, female juvenile violent crime victims were more likely than male victims to have an adult offender.

Who are the offenders of juvenile violent crime victims?

Percent of all offenders

Victim-offender relationship by offense	All juvenile victims	Victim age 0–5	6–11	12–14	15–17	Juvenile victim gender Female	Male
Violent crime	100%	100%	100%	100%	100%	100%	100%
Family	31	59	43	23	17	33	27
Acquaintance	57	37	49	66	65	59	56
Stranger	12	5	8	11	17	8	17
Sexual assault	100%	100%	100%	100%	100%	100%	100%
Family	35	56	47	24	19	34	41
Acquaintance	60	42	49	71	74	61	55
Stranger	5	2	3	5	7	5	3
Robbery	100%	100%	100%	100%	100%	100%	100%
Family	1	*	1	1	1	1	0
Acquaintance	35	*	34	40	34	29	37
Stranger	64	*	66	59	66	70	63
Aggravated asslt.	100%	100%	100%	100%	100%	100%	100%
Family	27	59	33	24	20	33	23
Acquaintance	61	31	58	65	66	58	63
Stranger	12	10	9	11	15	9	14
Simple assault	100%	100%	100%	100%	100%	100%	100%
Family	27	65	30	22	25	31	24
Acquaintance	65	30	63	70	67	64	66
Stranger	7	4	7	7	8	6	9

Percent of juvenile offenders

Offense	All juvenile victims	Victim age 0–5	6–11	12–14	15–17	Juvenile victim gender Female	Male
Violent crime	40%	34%	45%	46%	33%	34%	49%
Sexual assault	37	47	43	35	22	33	51
Robbery	49	*	76	68	35	30	53
Aggravated asslt.	47	12	53	62	42	41	50
Simple assault	52	14	56	68	45	47	57

- Although relatively uncommon overall, the proportion of juvenile victims victimized by strangers is greater in robberies than in other violent crimes.
- Aggravated and simple assaults of juvenile females are more likely to involve a family member than are assaults of juvenile males.
- In crimes reported to law enforcement, the youngest juveniles (those under age 6) are far more likely than the oldest juveniles (those ages 15–17) to be assaulted by a family member: sexual assault (56% vs. 19%), aggravated assault (59% vs. 20%), and simple assault (65% vs. 25%).

* Too few victims in sample (fewer than 100) to obtain reliable percentage.

Source: Author's analyses of the FBI's *National Incident-Based Reporting System master files* for the years 2000 and 2001 [machine-readable data files].

Some violent crimes with juvenile victims are most common after school, others around 9 p.m.

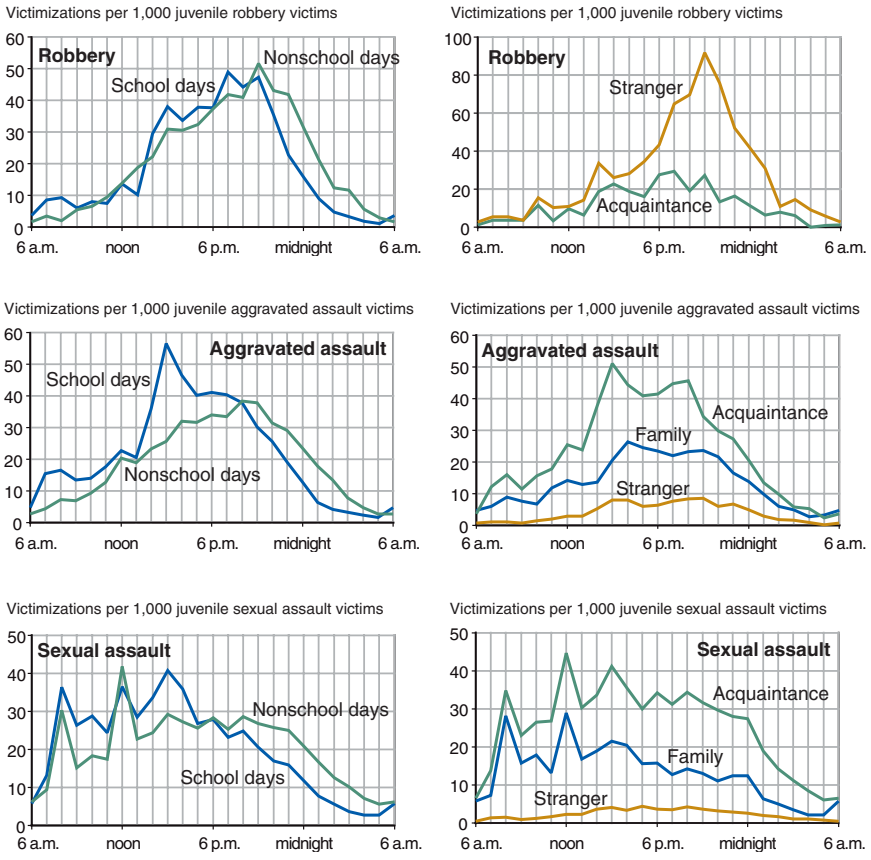
Juveniles' risk of victimization varies over a 24-hour period

To understand the nature of juvenile victimization, it helps to study when different types of crimes occur. To this end, the authors analyzed the FBI's NIBRS data for the years 2000 and 2001 to study the date and time of day that crimes known to law enforcement occurred. Confirming prior analyses, the daily timing of violent crimes differed for juvenile and adult victims. In general, the number of violent crimes with adult victims increased hourly from morning through the evening hours, peaking between 9 p.m. and midnight. In contrast, violent crimes with juvenile victims peaked between 3 and 4 p.m., fell to a lower level in the early evening hours, and declined substantially after 9 p.m.

The 3 p.m. peak reflected a unique situational characteristic of juvenile violence and was similar for both male and female victims. This situational component was clarified when the hourly patterns of violent crimes on school and nonschool days were compared. For adult victims, the school- and nonschool-day patterns were the same. On nonschool days, the juvenile victimization pattern mirrored the general adult pattern, with a peak in the late evening hours. But on school days, the number of juvenile violent crime victimizations peaked in the afterschool hours between 3 and 4 p.m.

Based on violent crimes reported to law enforcement, juveniles were 140% more likely to be victimized between 3 and 4 p.m. on school days than in the same time period on nonschool days (i.e., weekends and the summer months). On school days, juveniles were over 90% more likely to be violently victimized in the 4 hours between 3

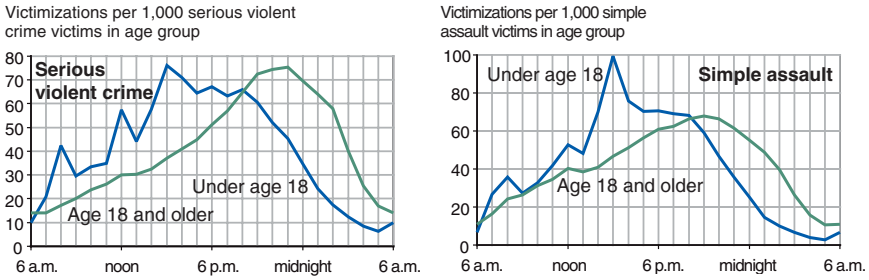
The timing of violent crimes with juvenile victims differs on school and nonschool days and varies with the victim's relationship to the offender



- Sexual assaults with juvenile victims are more frequent in the late evening hours on nonschool days than on school days. Sexual assaults of juveniles have mealtime peaks on both school and nonschool days and a marked peak at 3 p.m. on school days.
- Time-of-day patterns of robberies with juvenile victims are the same for school and nonschool days and do not exhibit an afterschool peak.
- Unlike robbery offenders, sexual assault and aggravated assault offenders who are strangers to their juvenile victims are far less common than offenders who are acquaintances or family members.
- Sexual assaults by acquaintances or family members are most common at 8 a.m. and noon (i.e., mealtimes) and in the hour after school.
- For all violent crimes against juveniles, crimes by acquaintances peak in the hour after school, while crimes by strangers peak around 9 p.m.

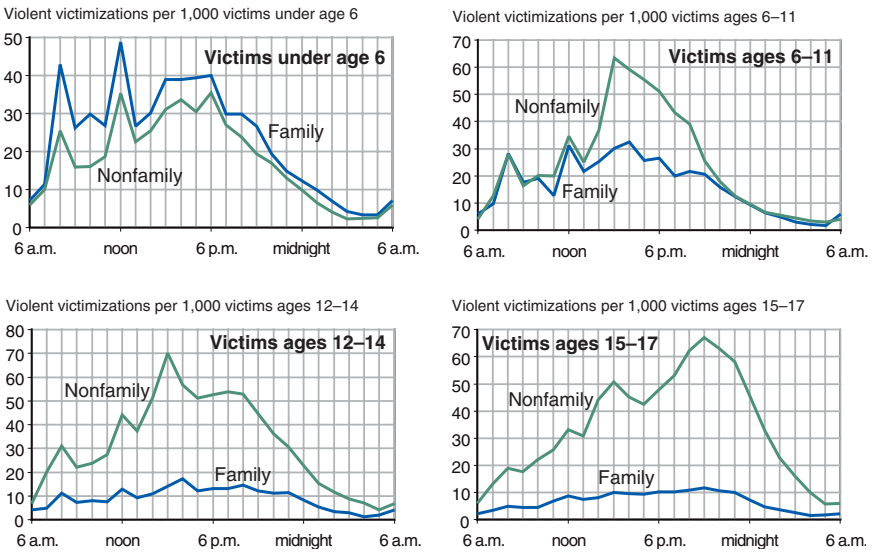
Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master files* for the years 2000 and 2001 [machine-readable data files].

The timing of crimes with juvenile victims differs from that of crimes with adult victims



- The afterschool peak in juvenile victimizations is found in serious violent crimes as well as simple assaults.

Children under age 6 are at high risk of violent victimization at mealtimes (i.e., 8 a.m., noon, and 6 p.m.) by both family and nonfamily offenders.



- The afterschool peak in victimizations for juveniles ages 6–14 is a result of crimes committed by nonfamily members.
- The timing of violent crimes with juvenile victims ages 15–17 reflects a transition between the pattern of younger teens (with the afterschool peak) and adults (with the 9 p.m. peak).

Note: Serious violent crimes include murder, sexual assault, robbery, and aggravated assault. Violent crimes include serious violent crimes and simple assault.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master files* for the years 2000 and 2001 [machine-readable data files].

and 7 p.m. than they were in the 4 hours between 8 p.m. and midnight. Similarly, the risk of violent juvenile victimization was 60% greater in the 4 hours after school than in the 8 p.m.-to-midnight period on non-school days.

Peak hours for juvenile victimization varied with victim age. The hour of the day that violent crimes against older juveniles (ages 15–17) were most common was 9 p.m., with a slight peak in the afterschool hour of 3 p.m. Violent crimes against juvenile victims ages 6–14 showed a clear peak in the afterschool hour. For younger victims, the peaks were at mealtimes (8 a.m., noon, and 6 p.m.).

The timing of juvenile violence is linked to offender characteristics

It is informative to consider when various types of offenders victimize juveniles. When the offenders of juvenile victims are divided into three classes (i.e., family members, acquaintances, and strangers), different timing patterns emerge. Most violent offenders were acquaintances of their juvenile victims. The timing of crimes by acquaintances reflected the afterschool peak, indicating the importance this time period (and probably unsupervised interactions with other juveniles) has for these types of crimes. Crimes by family members were most frequent at noon and in the hours between 3 and 7 p.m., although, unlike acquaintance crime, there was no conspicuous peak at 3 p.m. Violent crimes committed by strangers against juvenile victims peaked at 9 p.m. but were relatively frequent throughout the 3–11 p.m. period.

About two-thirds of violent crimes with juvenile victims occur in a residence

Where juvenile violence occurs varies with crime and victim age

A portrait of violence against juveniles requires an understanding of where these crimes occur. The NIBRS data capture locations of crimes reported to law enforcement agencies. The 2000 and 2001 data show that the location of violent crime against juveniles varies with the nature of the crime and the age of the victim.

Overall, 64% of violent crimes (i.e., murders, sexual assaults, robberies, and aggravated assaults) with a juvenile victim occurred in a residence, 19% occurred outdoors, 10% in a commercial area, and 6% in a school. Most sexual and aggravated assaults occurred in a residence (81% and 51%, respectively) and most robberies occurred outdoors (51%).

Location	Sexual assault	Robbery	Aggravated assault
Total	100%	100%	100%
Residence	81	17	51
Outdoors	6	51	30
Commercial	7	27	11
School	6	4	8

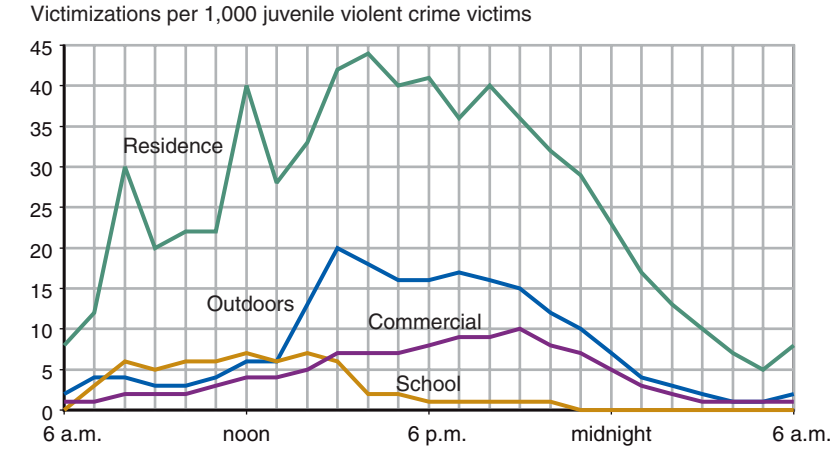
Note: Detail may not total 100% because of rounding.

The location of juvenile violence varied with victim age. For example, 88% of violence with victims under age 6 occurred in residences, compared with 50% of crimes with victims ages 15–17. Compared with other juveniles, victims ages 12–14 had the largest proportion of crimes committed in schools.

Location	Under age 6	Ages 6–11	Ages 12–14	Ages 15–17
Total	100%	100%	100%	100%
Residence	88	75	59	50
Outdoors	6	15	21	26
Commercial	5	5	9	17
School	2	4	10	7

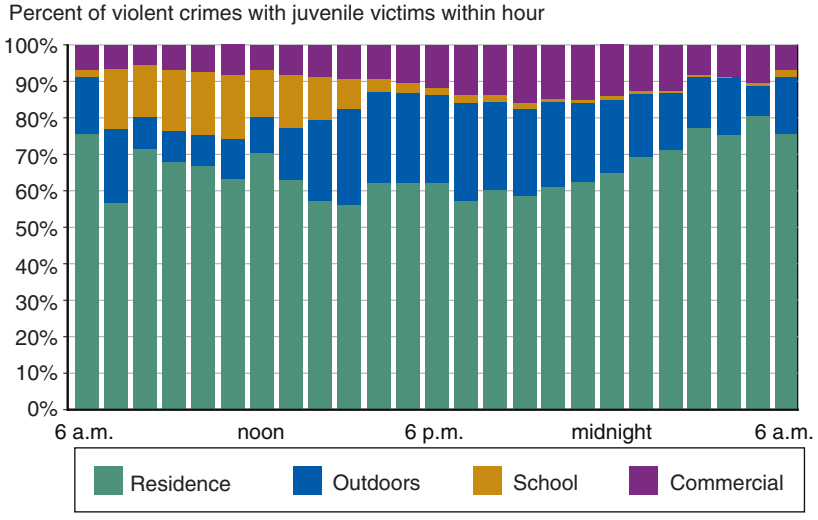
Note: Detail may not total 100% because of rounding.

Violent crime with juvenile victims peaked in residences in the afterschool hours



- Violent victimization of juveniles outdoors also peaked between 3 and 4 p.m.
- Violent victimization of juveniles in commercial areas peaked between 9 and 10 p.m.

The proportion of juvenile victimizations occurring outdoors remained relatively constant between 3 and 10 p.m.



Note: The detailed NIBRS coding structure of location can be simplified for analyses into four general locations: a residence (that may be the victim's, the offender's, or someone else's); the outdoors (streets, highways, roads, woods, fields, etc.); schools (including colleges); and commercial areas (such as parking lots, restaurants, government buildings, office buildings, motels, and stores).

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master files* for the years 2000 and 2001 [machine-readable data files].

Few statutory rapes reported to law enforcement involve both juvenile victims and juvenile offenders

Statutory rape victims are considered incapable of giving informed consent

Statutory rape occurs when individuals have voluntary and consensual sexual relations and one is either too young or otherwise unable (e.g., mentally retarded) to legally consent to the behavior. The victims of statutory rape are primarily juveniles, and the crime has some attributes of child abuse.

A recent study exploring the victim and offender characteristics in statutory rapes known to law enforcement analyzed the 1996 through 2000 data from the FBI's NIBRS. In that work, the FBI's definition of statutory rape was used: nonforcible sexual intercourse with a person who is under the statutory age of consent.

To develop a rough idea of the annual number of statutory rapes in the U.S., the researchers counted the number of statutory rapes and the number of forcible rapes with juvenile victims in the NIBRS data. They found 1 statutory rape for every 3 forcible rapes. If this ratio holds nationally, then an estimated 15,700 statutory rapes were reported to law enforcement in 2000.

The majority of victims were females ages 14 or 15

Although a small proportion (5%) of statutory rape victims were male, most were female. Fifty-nine percent (59%) of female victims and 56% of male victims were either age 14 or age 15, with roughly equal proportions in each age group.

Some of the attributes of statutory rape incidents and forcible rape incidents are similar. For example, the vast majority of forcible rapes (83%) and statutory rapes (85%) took place in a residence. (From the data, it is impossible to tell if the residence is that of the victim, an offender, or someone else.) Locations of the other statutory rapes (from most frequent to least frequent) were hotels/motels, fields/woods, streets/highways, parking lots, and schools.

Male offenders were much older than their female victims

In the NIBRS data for 1996 through 2000, almost all (over 99%) of the offenders of female statutory rape victims were male, while 94% of the offenders of male victims were female.

Numerous incidents undoubtedly involve underage juveniles having consensual sexual relations with persons close to their ages, but these are not the typical statutory rape incidents reported to law enforcement. Overall, 82% of the offenders of female victims were age 18 or older (i.e., adults). The offender was an adult in 99% of the incidents involving a 17-year-old female victim. The proportion of adult offenders declined as the victim's age declined: age 16 (98%), age 15 (87%), and age 14 (86%). Even for the youngest female victims (under age 14), two-thirds (68%) of the offenders in statutory rape incidents were adults.

Not only were most offenders adults, most were substantially older than their victims. Almost half (48%) of the offenders of 17-year-old females were over age 24—at least a 7-year difference in age. About 4 of every 10 (42%) of the offenders of 16-year-old female victims were age 24 or older, as were 1 in 4 (25%) of the offenders of 15-year-old victims. In general, about half of the male offenders of female victims in statutory rapes reported to law enforcement were at least 6 years older than their victims. For male victims, the difference was even larger; in these incidents, half of the female offenders were at least 9 years older than their victims.

The probability of arrest increased with offender age

In the NIBRS data used in this study, an arrest occurred in 35% of forcible rape incidents and 42% of statutory rape incidents. The probability of arrest in statutory rape incidents was related to several factors. First, the younger the victim, the more likely the offender was arrested. For example, arrests occurred in 30% of incidents with 17-year-old victims and 42% of incidents with 14-year-old victims. The probability of arrest increased with offender age. For example, 37% of offenders ages 15–17 were arrested, compared with 45% of offenders over age 20.

Arrest was also related to the nature of the relationship between the victim and the offender. In statutory rape incidents, law enforcement coded the victim/offender relationship as boyfriend/girlfriend in 3 of every 10 (29%) of the incidents, as acquaintances in 6 of every 10 (62%), and as a family member in about 1 of every 10 (7%). Incidents involving boyfriends and girlfriends were less likely to result in arrest than were those involving acquaintances or family members (37%, 44%, and 47%, respectively).

Many youth are subjected to inappropriate and potentially dangerous experiences on the Internet

Study highlights several different types of online victimization

In 1999, the Youth Internet Safety Survey collected information about incidents of possible online victimization. The survey conducted telephone interviews with a national sample of 1,500 youth ages 10–17 who used the Internet at least once a month for the prior 6 months. More than three-quarters of the respondents said they had used the Internet in the past week. About half of the respondents were male (53%); most were non-Hispanic whites (73%), 10% were black, and 2% were Hispanic. The survey addressed three main issues: sexual solicitations and approaches, unwanted exposure to sexual material, and harassment.

Unwanted or inappropriate online sexual solicitations of youth were relatively common

Although nearly 1 in 5 Internet users ages 10–17 surveyed said they had received an unwanted sexual solicitation in the past year, none of the solicitations led to an actual sexual contact or assault. Most of the youth who were solicited appeared to brush off the encounter, treating it as a minor annoyance. A small proportion (5%) of the surveyed youth said they received a solicitation that made them feel very or extremely upset or afraid. A smaller proportion (3%) were solicited by someone who asked to meet them somewhere, called them on the telephone, or regularly sent them something (mail, money, or gifts). Females were twice as likely as males to be solicited; females accounted for 2 in 3 youth solicited. Most of those who were solicited were teens 14–17 years old (76%), but younger youth (ages 10–13) were more likely to be upset by the solicitation.

The majority of these unwanted solicitations happened when the youth was using a computer at home (70%), and most of the remaining 30% happened at someone else's home. Chat rooms accounted for the bulk of solicitations (66%), and 24% were received through instant messages (e-mail messages sent and received in real time).

Solicitors often did not fit the stereotype of an older male predator

Youth reported that most of the solicitors were strangers (97%). Because identities are easy to disguise on the Internet, the solicitors may not have been the age or gender they claimed to be. According to the youth, adults (age 18 or older) made 24% of all solicitations and 34% of aggressive solicitations. Juveniles made 48% of all solicitations and 48% of aggressive solicitations. The age of the solicitor was unknown in the remaining incidents. Two-thirds of all solicitations came from males. One-quarter of aggressive solicitations came from females.

Youth often did not tell anyone about unwanted solicitations

In almost half of incidents (49%), the youth did not tell anyone about the solicitation. In 29% of incidents, the youth told a friend or sibling, and in 24% the youth told a parent. In most incidents, the youth ended the solicitations, using strategies like logging off, leaving the site, or blocking the person. Only 10% were reported to an authority such as a teacher, an Internet service provider, or a law enforcement agency. Even with aggressive episodes, youth did not tell anyone in 36% of incidents and only 18% were reported to an authority.

What is online victimization?

People can be victimized online in many ways. The Youth Internet Safety Survey asked respondents about three kinds of victimization that have been prominent in discussions of youth and the Internet: sexual solicitation and approaches, unwanted exposure to sexual material, and harassment.

Sexual solicitations and approaches: Requests to engage in sexual activities or sexual talk or give personal sexual information that were unwanted or, whether wanted or not, made by an adult.

Aggressive sexual solicitation: Sexual solicitations involving offline contact with the perpetrator through regular mail, by telephone, or in person or attempts at or requests for offline contact.

Unwanted exposure to sexual material: When doing online searches, surfing the Web, or opening e-mail or e-mail links, and without seeking or expecting sexual material, being exposed to pictures of naked people or people having sex.

Harassment: Threats or other offensive behavior (not sexual solicitation) sent online to the youth or posted online about the youth for others to see.

Not all such incidents were distressing to the youth who experienced them. **Distressing incidents** were episodes in which youth rated themselves as very or extremely upset or afraid as a result of the incident.

Unwanted exposure to sexual material via the Internet was more common than unwanted solicitation

One-quarter of the surveyed youth said they had been exposed to sexually explicit pictures online in the past year without seeking or expecting it. Most of these exposures occurred while the youth was searching or surfing the Internet (71%), and 28% happened while the youth was opening e-mail or clicking on links in e-mail or instant messages. More than 60% of the unwanted exposures happened to youth age 15 or older. Seven percent (7%) happened to 11- and 12-year-old youth. None of the 10-year-olds reported unwanted exposures to sexual images.

Approximately one-quarter of both boys and girls were exposed to unwanted sexual material. To what sorts of images were youth exposed?

- 94% of the images were of naked persons.
- 38% showed people having sex.
- 8% involved violence, in addition to nudity and/or sex.
- 23% of the incidents of unwanted exposure were described as very or extremely upsetting; however, most incidents were not reported to be distressing.

In 67% of the incidents, youth were at home when the unwanted exposure occurred; in 15%, they were at school; in 13%, they were at someone else's home; and in 3%, they were at a library. Youth reported 39% of episodes to parents; 44% of incidents were undisclosed.

Most families did not use filtering or blocking software

At the time of the survey, most of the families with youth who used the Internet regularly did not use filtering or blocking software. Thirty-eight percent (38%) had used such software at some time in the past year, but 5% had discontinued its use.

Some youth experienced online harassment

A small proportion of the survey respondents (6%) reported harassment incidents (threats, rumors, or other offensive behavior) during the past year. Two percent (2%) of the surveyed youth reported episodes of distressing harassment (i.e., the incident made them feel very or extremely upset or afraid).

The harassment took the form of instant messages (33%), chat room exchanges (32%), and e-mails (19%); 76% of incidents occurred when the youth was logged on at home. Boys and girls were about equally likely to say they were harassed (51% and 48%). Seven in 10 episodes happened to youth age 14 or older; fewer than 2 in 10 targeted youth were age 12 or younger. Most harassment perpetrators were reported to be male (54%), but 20% were reportedly female. In 26% of instances, the gender was unknown.

Nearly two-thirds (63%) of harassment perpetrators were other juveniles. Almost a quarter (24%) of harassment perpetrators lived near the youth (within an hour's drive). In distressing episodes, 35% of perpetrators lived near the youth. In contrast to the sexual solicitation episodes, where only 3% of perpetrators were known to the youth offline, 28% of the harassment episodes involved known perpetrators. Of the harassment episodes involving perpetrators who were not face-to-face acquaintances of the youth, 12% included an actual or attempted contact by telephone, regular mail, or in person.

Parents were told about harassment episodes half the time. Slightly more than a third of youth told friends. More than one-quarter of the episodes were reported to Internet service providers, teachers, or a law enforcement agency, but one-quarter were undisclosed. It is noteworthy that, compared to sexual solicitations and unwanted exposures, a larger proportion of the harassment episodes were reported to parents and authorities. As with solicitation, in most incidents, the harassment ended when the youth used strategies like logging off, leaving the site, or blocking the person.

One-third of all kidnap victims known to law enforcement are under age 18

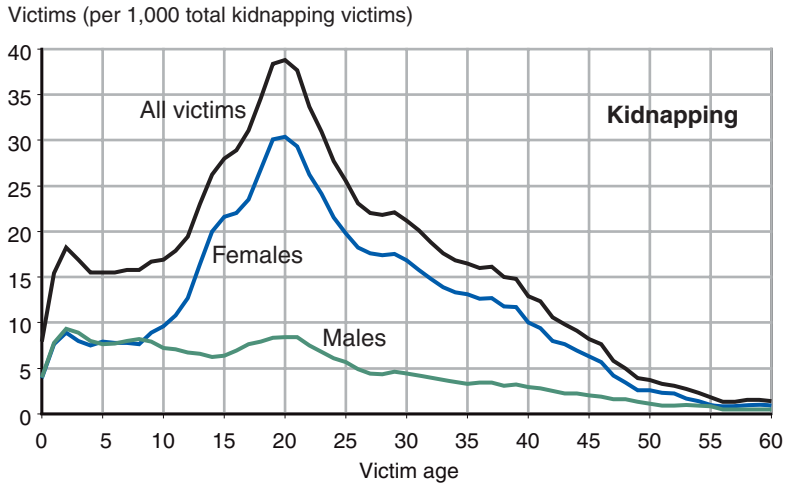
NIBRS provides insight in kidnappings

The FBI defines kidnapping as the unlawful seizure, transportation, and/or detention of a person against his or her will. For minors (who are legally too young to provide consent), kidnapping includes situations in which a minor is transported without the consent of the custodial parent(s) or legal guardian. Although there is no accepted annual estimate of kidnappings reported to law enforcement, NIBRS can depict the characteristics of a large number of these crimes and provide a rough national estimate of them (see box on next page). (A national study of missing children discussed later in this chapter provides even more insight into the prevalence and characteristics of kidnapping cases.)

In the 2000 and 2001 NIBRS data on kidnapping incidents, it was the only offense in about half of the incidents. In the remaining incidents, the kidnapping occurred along with other crimes, such as sexual assault, robbery, aggravated assault, and simple assault. About 3 of every 4 kidnap victims (72%) were female, but this ratio varied with victim age. Among kidnap victims under age 6 known to law enforcement, the numbers of male and female victims were essentially equal. For victims ages 12 to 17, the ratio was almost three female victims for each male victim. For victims ages 25–34, the ratio was almost 4 to 1.

One of every 5 kidnap victims known to law enforcement (19%) was under age 12, and 1 of every 3 (35%) was under age 18—a juvenile. A greater proportion of male than female kidnap victims were under age 18. Almost half (47%) of male kidnap victims known to law enforcement were juveniles, compared with 30% of female kidnap victims.

The risk of kidnapping increased substantially for juvenile females after age 9; the risk for males remained essentially constant



■ The risk of kidnapping peaked at age 20 for females and at age 2 for males.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master files* for the years 2000 and 2001 [machine-readable data files].

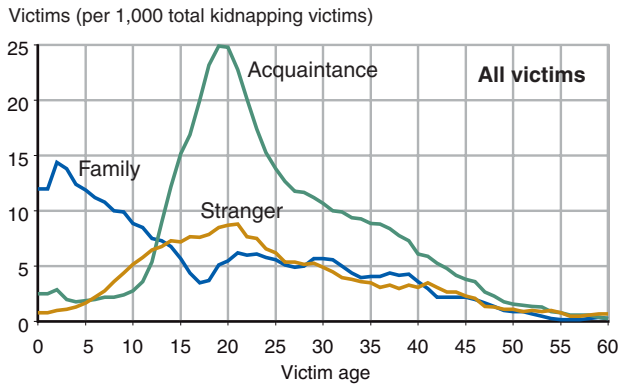
Characteristics of kidnappings vary with victim age

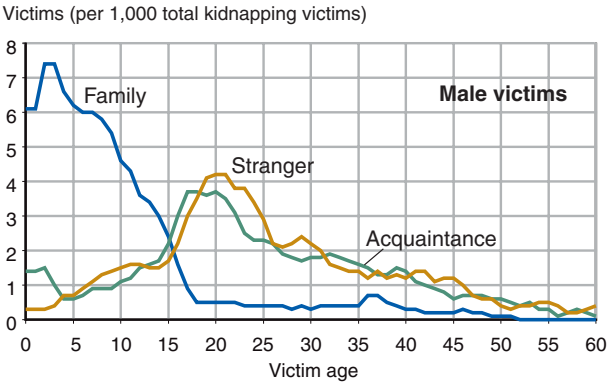
In more than half (55%) of adult kidnappings known to law enforcement, the offender was an acquaintance. Twenty-two percent (22%) of adult victims were kidnapped by a family member and 23% by a stranger. In 97% of adult kidnappings, the offender was also over age 17. In 67% of adult kidnappings, another crime occurred; in 24% the offender possessed a firearm; and in 41% the adult victim was injured. Finally, 47% of offenders in adult kidnappings were arrested.

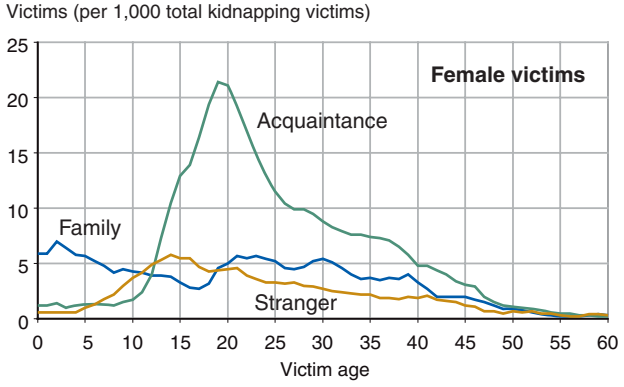
In contrast, most kidnappings of juvenile victims were committed by a family member (50%). Thirty percent (30%) were kidnapped by an acquaintance and 20% by a stranger. In 90% of juvenile kidnappings, the offender was over age 17. In just 23% of juvenile kidnappings, another crime occurred; in 8% the offender possessed a firearm; and in 12% the juvenile victim was injured. Finally, 26% of offenders in juvenile kidnappings were arrested.

The attributes of the kidnappings of younger and older juveniles differed. Compared with kidnappings of victims ages 12–17, kidnappings of victims under age 12 were less likely to involve another crime (9% vs. 41%), more likely to involve an adult offender (95% vs. 84%), more likely to involve an offender who was a family member (70% vs. 22%), and less likely to involve an offender who was a stranger (15% vs. 28%). Younger juvenile victims were less likely to be injured (5% vs. 21%), and their victimizations were less likely to involve a firearm (4% vs. 12%). Finally, offenders in the kidnappings of younger juveniles were less likely to be arrested (21% vs. 31%).

The kidnappings of persons under age 12 were most likely to be committed by a family member—primarily a parent







- About two-thirds of female victims ages 15–17 were kidnapped by an acquaintance, and one-quarter by a stranger.
- The kidnappings of males and females under age 6 are similar in both volume and offender type.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master files* for the years 2000 and 2001 [machine-readable data files].

NIBRS can provide a rough estimate of juvenile kidnappings

The NIBRS data for the years 2000 and 2001 can be used to develop an estimate of kidnappings reported to law enforcement in the U.S. once an assumption is made. The assumption is this: the ratio of the estimated number of reported crimes in the FBI's *Crime in the United States* (*CIUS*) report to the number of crimes in the NIBRS data is similar for all offenses.

This assumption can be tested by first calculating the ratio of the FBI's estimate of reported aggravated assaults in 2001 to the number reported in the 2001 NIBRS data. This ratio is 6.5—meaning for every 1 aggravated assault reported in the 2001 NIBRS file, the FBI estimated there were 6.5 aggravated assaults in the U.S. When this same ratio is calculated for forcible rape, it is 5.5. The two ratios are not equal, but they are close enough to indicate the ratio has some value for developing a "rough estimate" of kidnappings.

Based on an average 2001 *CIUS*-to-NIBRS ratio of 6 to 1, and the 8,700 kidnappings reported in the 2001 NIBRS file, a rough estimate of kidnappings reported to law enforcement in the U.S. in 2001 is about 50,000. NIBRS data show that about 35% of all kidnappings involve juvenile victims. Therefore, roughly 17,000 kidnappings of persons under age 18 were reported to law enforcement in the U.S. in 2001.

Only a small fraction of missing children are abducted—most by family members

A child can be "missing" because of a range of circumstances

The stereotypical missing child scenario involves a nonfamily abduction where the child is transported at least 50 miles away, held overnight or for ransom, abducted with the intent to keep the child permanently, or killed. This scenario is a parent's worst nightmare and attracts much media attention, but it represents an extremely small proportion of all missing children.

The most recent National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children (NISMART–2) provided national estimates of missing children based on surveys of households, law enforcement agencies, and juvenile residential facilities. In conceptualizing the missing child problem, NISMART–2 researchers noted that, "fundamentally, whether a child is 'missing' depends on the knowledge and state of mind of the child's caretaker, rather than the child's actual condition or circumstance." They counted two basic categories of missing children:

Caretaker missing. The child's whereabouts were unknown to the primary caretaker and the caretaker was alarmed for at least 1 hour and tried to locate the child.

Reported missing. The child's whereabouts were unknown to the primary caretaker and the caretaker contacted police or a missing children's agency to locate the child.

NISMART–2 researchers considered several different types of episodes that might cause a child to become missing: nonfamily abductions (including stereotypical kidnappings); family abductions; runaway/thrownaway; missing involuntary, lost, or injured; and missing benign explanation. (See box.)

The types of missing-child episodes that were counted in NISMART–2 ranged from abduction-homicides to benign situations involving caretaker-child miscommunication

Nonfamily abduction. A nonfamily abduction occurs when a nonfamily perpetrator takes a child by the use of physical force or threat of bodily harm or detains a child for at least one hour in an isolated place by the use of physical force or threat of bodily harm without lawful authority or parental permission; or when a child who is younger than 15 years old or is mentally incompetent, without lawful authority or parental permission, is taken or detained by or voluntarily accompanies a nonfamily perpetrator who conceals the child's whereabouts, demands ransom, or expresses the intention to keep the child permanently.

Stereotypical kidnapping. A stereotypical kidnapping occurs when a stranger or slight acquaintance perpetrates a nonfamily abduction in which the child is detained overnight, transported at least 50 miles, held for ransom, abducted with intent to keep the child permanently, or killed.

Family abduction. A family abduction occurs when, in violation of a custody order, a decree, or other legitimate custodial rights, a member of the child's family, or someone acting on behalf of a family member, takes or fails to return a child, and the child is concealed or transported out of state with the intent to prevent contact or deprive the caretaker of custodial rights indefinitely or permanently. (For a child 15 or older, unless mentally incompetent, there must be evidence that the perpetrator used physical force or threat of bodily harm to take or detain the child.)

Runaway/thrownaway. A runaway incident occurs when a child leaves home without permission and stays away overnight; or a child 14 years old or younger (or older and mentally incompetent) who is away from home chooses not to return when supposed to and stays away overnight; or a child 15 years old or older who is away from home chooses not to return and stays away two nights. A thrownaway incident occurs when a child is asked or told to leave home by a parent or another household adult, no adequate alternative care is arranged for the child by a household adult, and the child is out of the household overnight; or a child who is away from home is prevented from returning home by a parent or another household adult, no adequate alternative care is arranged for the child by a household adult, and the child is out of the household overnight.

Missing involuntary, lost, or injured. A missing involuntary, lost, or injured episode occurs when a child's whereabouts are unknown to the child's caretaker and this causes the caretaker to be alarmed for at least one hour and try to locate the child, under one of two conditions: (1) the child was trying to get home or make contact with the caretaker but was unable to do so because the child was lost, stranded, or injured; or (2) the child was too young to know how to return home or make contact with the caretaker.

Missing benign explanation. A missing benign explanation episode occurs when a child's whereabouts are unknown to the child's caretaker and this causes the caretaker to (1) be alarmed, (2) try to locate the child, and (3) contact the police about the episode for any reason, as long as the child was not lost, injured, abducted, victimized, or classified as runaway/thrownaway.

Source: Sedlak et al.'s National estimates of missing children: An overview.

In 1999, the annual missing child rate was 19 per 1,000 children ages 0–17 in the general population

According to NISMART–2, in 1999, an estimated 1.3 million children were missing from their caretakers. This figure includes those who were reported missing and those who were not. It represents a rate of 19 per 1,000 children ages 0–17. An estimated 797,500 children were reported missing (11 per 1,000). Thus, about 60% of children missing from caretakers were reported missing to police or a missing children's agency.

According to NISMART–2 researchers, "only a fraction of 1 percent of the children who were reported missing had not been recovered by the time they entered the study data. Thus, … although the number of caretaker missing children is fairly large and a majority come to the attention of law enforcement or missing children's agencies, all but a very small percentage are recovered fairly quickly."

Children may not be where they are supposed to be, but may not be considered "missing"

For example, NISMART–2 estimated that there were 1,682,900 runaway or thrownaway children in 1999, but only 37% were counted as caretaker missing and 21% were reported missing. The others may have run away, but either their caretakers did not realize they were gone, knew they were away from home but knew where they were, or were not alarmed or did not try to find them.

Runaway/thrownaway episodes were the most common type of missing children episode, accounting for almost half of cases

Episode type	National estimate	95% confidence interval*	Percent	Rate per 1,000
Caretaker missing	1,315,600	1,131,100–1,500,100	100%	19
Runaway/thrownaway	628,900	481,000–776,900	48	9
Missing benign explanation	374,700	289,900–459,500	28	5
Missing involuntary, lost, or injured	204,500	131,300–277,800	15	3
Family abduction	117,200	79,000–155,400	9	2
Nonfamily abduction**	33,000	2,000–64,000	3	<1
Reported missing	797,500	645,400–949,500	100%	11
Runaway/thrownaway	357,600	238,000–477,200	45	5
Missing benign explanation	340,500	256,000–425,000	43	5
Missing involuntary, lost, or injured	68,100	24,800–111,300	8	1
Family abduction	56,500	22,600–90,400	7	1
Nonfamily abduction**	12,100	<100–31,000	2	<1

- 48% of caretaker missing children and 45% of reported missing children were missing because of a runaway/thrownaway episode.
- The second most common category was children who became missing because of benign explanation circumstances (28% of caretaker missing and 43% of reported missing).
- Children abducted by family members were less than 10% of missing children (9% of caretaker missing and 7% of reported missing children).
- The least common category was children abducted by nonfamily members. Nonfamily abductions accounted for just 3% of caretaker missing children and 2% of reported missing children.

Note: Estimates are rounded to the nearest 100. Detail sums to more than totals because children could experience more than one episode type.

*The 95% confidence interval indicates that if the study were repeated 100 times, 95 of the replications would produce estimates within the ranges noted.

**Estimates of nonfamily abductions are based on an extremely small sample of cases; therefore, their precision and confidence intervals are unreliable.

Source: Authors' adaptation of Sedlak et al.'s National estimates of missing children: An overview; and Sedlak et al.'s National estimates of children missing involuntarily or for benign reasons.

NISMART–2 profiles family abduction episodes

NISMART–2 estimated that family members abducted 203,900 children during 1999. Of these, 117,200 were considered missing by their caretakers; 56,500 of them were reported to authorities. The remaining children abducted by family members (86,700) were not considered missing because their caretakers knew of their whereabouts but were unable to recover them.

NISMART–2 family abduction caretaker screening questions

- Was there any time when anyone tried to take the child away from you against your wishes?
- In the past 12 months, did any family member outside your household, such as a spouse, an ex-spouse, an ex-partner, brother, sister, parent, in-law, or any other person you consider a family member or someone acting for them, do any of the following things:
  - Take or try to take the child in violation of a custody order, an agreement, or other child living arrangement?
  - Keep or try to keep the child from you when you were supposed to have him/her even if for just a day or weekend?
  - Conceal the child or try to prevent you from having contact with him/her?
  - Kidnap or try to kidnap the child?

Source: Authors' adaptation of Hammer et al.'s Children abducted by family members: National estimates and characteristics.

Most children abducted by family members were taken by a perpetrator acting alone (61%), in most cases their biological father (53%). Many family-abducted children were younger than 6 (44%); substantially fewer were age 12 or older (21%). Nearly half were gone less than 1 week (46%), and very few had not been returned by the time of the survey.

Characteristics of family abductions	Percent
Total (*n*=203,900)	100%
Age of child	
0–2	21
3–5	23
6–11	35
12–17	21
Gender of child	
Male	49
Female	51
Race/ethnicity of child	
White, not Hispanic	59
Black	12
Hispanic	20
Other/no information	10
Perpetrators	
One	61
Two or more	35
No information	4
Relationship to child	
Father	53
Mother (or her boyfriend)	27
Grandparent	14
Stepparent/other relative	7
Child's prior location	
Own home/yard	36
Other home/yard	37
Other location	28
Duration of episode	
Less than 1 day	23
1–6 days	23
1 week–1 month	24
1 month or more	21
Located, but not returned	6
No information	3

Note: Detail may not total 100% because of rounding.

Source: Authors' adaptation of Hammer et al.'s Children abducted by family members: National estimates and characteristics.

Stereotypical kidnappings of children are extremely rare

NISMART–2 researchers caution that nonfamily abductions are so rare that "the estimates of the number of caretaker missing and reported missing children abducted by a nonfamily perpetrator are not very reliable and have very large confidence intervals." As noted earlier, the stereotypical kidnapping is the type of nonfamily abduction that receives the most public attention; however, these kidnappings account for a tiny proportion of all missing children. Most nonfamily child abductions do not include the elements of the extremely alarming kind of crime that comes to mind when we think about kidnapping by strangers. According to NISMART–2, an estimated 115 of the children abducted by nonfamily members were stereotypical kidnappings (with the true figure somewhere between 60 and 170) and 90 of those were reported missing (with the true figure somewhere between 35 and 140). (Even stereotypical kidnappings might not be reported if no one notices the child is missing or if the discovery of the child's body is the first evidence of the episode.)

Contrary to public perceptions, NISMART–2 found that the majority of victims of stereotypical and other nonfamily abductions were teens—not younger children—and most were kidnapped by someone they knew somewhat—not by strangers or slight acquaintances. The NISMART–2 researchers point out the implications these findings have for prevention efforts, which have tended to focus on "stranger danger" and have targeted young children.

An estimated 1.7 million youth had a runaway or thrownaway episode; fewer than 4 in 10 were "missing"

Most runaway/thrownaway youth were older teens

Teens ages 15–17 accounted for 68% of the estimated 1.7 million youth in 1999 who were gone from their homes either because they had run away or because their caretakers threw them out. Males and females were equally represented. Most runaway/thrownaway youth were non-Hispanic whites (57%).

Characteristics of runaways/thrownaways	Percent
Total (*n*=1,682,900)	100%
Age of child	
7–11	4
12–14	28
15–17	68
Gender of child	
Male	50
Female	50
Race/ethnicity of child	
White, not Hispanic	57
Black	17
Hispanic	15
Other/no information	11
Season	
Summer	39
Fall	20
Winter	20
Spring	20
Police contact	32
Miles traveled	
Not more than 1	8
More than 1 to 10	30
More than 10 to 50	31
More than 50 to 100	10
More than 100	13
No information	9
Duration of episode	
Less than 1 day	19
1–6 days	58
1 week to less than 1 month	15
1 month or more	7
Located, but not returned	<1
Not located	<1

Note: Detail may not total 100% because of rounding.

Source: Authors' adaptation of Hammer et al.'s Children abducted by family members: National estimates and characteristics.

The most common time of year for youth to run away was the summer (39%). Less than one-quarter of runaways/thrownaways traveled 50 miles or more from home; 9% left their home state. The vast majority of youth who ran away or were thrown away were gone less than 1 week (77%).

Runaway/thrownaway episodes vary greatly in their seriousness or dangerousness

The stereotype of a runaway is a youth roaming the streets of a large, unfamiliar city alone or in the company of drug dealers or pimps. NISMART–2 data show that not all runaway/thrownaway youth experience episodes filled with such dangers. Some youth stay with friends or relatives who care for them.

For 21% of the 1.7 million runaway/thrownaway youth, their episode involved abuse (physical or sexual) at home prior to their leaving or fear of abuse upon their return. For these youth, being returned home may increase rather than decrease their risk of harm.

Substantial numbers of youth were considered endangered during their episode because they reported that they were substance dependent (19%), were in the company of someone known to abuse drugs (18%), or were using hard drugs (17%). Youth were also considered endangered if they spent time in a place where criminal activity was known to occur (12%) or engaged in criminal activity during the course of the episode (11%). Runaway/ thrownaway youth may also be at risk of physical assault—7% were with a violent person, 4% were victims of assault (actual or attempted). Four percent (4%) of youth had previously attempted suicide, which also put them at risk of harm. A substantial number of runaway/thrownaway youth missed at least 5 days of school (70,500 or 4%).

Fewer than 1% of youth reported that they exchanged sex for money, drugs, food, or shelter. One percent (1%) of runaway/thrownaway youth reported that they were victims of sexual assault (actual or attempted) and 2% were with a sexually exploitative person. NISMART–2 estimated that 38,600 youth were at risk of some form of sexual endangerment or exploitation because they were runaways/thrownaways.

NISMART–2 runaway/ thrownaway caretaker screening questions

In the last year, did the child leave home without permission and stay away for at least a few hours?

Did the child stay away for at least one night?

Did the child choose not to come home from somewhere when he/she was supposed to, and stay away for at least two nights?

Did you or any adult member of your household force or tell the child to leave home, or decide not to allow him/her back in the home?

Did the child leave for at least one night?

Was there any time when having the child in your home became a lot of trouble and he/she left?

Other than anything you have already told me about, has there been any time, either currently or during the past 12 months, when you did not know where the child was living?

Source: Authors' adaptation of Hammer et al.'s Runaway/thrownaway children: National estimates and characteristics.

Comparisons of NISMART–1 and –2 find no evidence of an increase in the incidence of missing children

NISMART–2 enabled comparisons of missing children for 1988–1999

NISMART–1 provided estimates of children reported missing for 1988. NISMART–2 provided estimates for 1999. Although researchers changed definitions and methodology for the second study based on what was learned in the first study, they also conducted analyses using the original definitions to permit comparisons between 1988 and 1999 for family abductions, runaways, and lost, injured, or otherwise missing children. Nonfamily abductions and thrownaway children were excluded from the trend analyses because differences between the NISMART–2 and NISMART–1 definitions of these categories of missing children and the methods used to develop incidence estimates could not be reconciled.

Incidence rates for broadly defined family abductions and lost, injured, or otherwise missing children declined

The incidence rate for children who experienced broadly defined family abductions went from 5.62 per 1,000 children ages 0–17 in 1988 to 4.18 in 1999—a statistically significant decline. For the broadly defined category of lost, injured, or otherwise missing, the incidence rate drop from 1988 to 1999 was also statistically significant (from 6.95 per 1,000 children to 3.40).

Although the incidence rate for broadly defined runaways in 1999 (5.28) was lower than the rate for 1988 (7.09), the difference was not statistically significant. The observed difference in estimated rates may have resulted merely from chance (or sampling error) and not from a decline in the actual rate.

None of the incidence rates for more serious types of family abductions, runaways, and lost, injured, or otherwise missing children showed a statistically significant change from 1988 to 1999.

NISMART–1 definitions used in trend analysis distinguished two levels of seriousness for several types of missing child episodes

Broadly defined:	Defined as serious:
Parental/family abduction A family member took a child or failed to return a child at the end of an agreed-upon visit in violation of a custody agreement/decree, with the child away at least overnight.	A family member took the child out of state or attempted to conceal/prevent contact with the child, or an abductor intended to keep the child or permanently change custodial privileges.
Runaway A child who left home without permission and stayed away at least overnight or who was already away and refused to return home.	A runaway who during a runaway episode was without a secure and familiar place to stay.
Otherwise missing Children missing for varying periods depending on age, disability, and whether the absence was due to injury.	An otherwise missing child case where police were called.

Source: Authors' adaptation of Finkelhor, Hotaling, and Sedlak's *Missing, Abducted, Runaway, and Thrownaway Children in America. First Report: Numbers and Characteristics, National Incidence Studies*.

The NISMART trends are encouraging, but …

The authors of the NISMART–2 trends bulletin comment that, "The period between 1988 and 1999 saw a significant mobilization on behalf of missing children. Law enforcement officers received special training, and public awareness grew as a result of media coverage and educational programs disseminated to schools and families . . . Although the findings reported [here] are encouraging, they are no cause for complacency. The . . . estimates for 1999 . . . reveal large numbers of children and youth still caught up in circumstances of crisis and vulnerability. The family and community problems these statistics reflect are unlikely to disappear anytime soon."

Source: Authors' adaptation of Hammer et al.'s National estimates of missing children: Selected trends, 1988–1999.

Most abuse and neglect cases enter the child welfare system through child protective services agencies

What are child protective services?

The term "child protective services" generally refers to services provided by an agency authorized to act on behalf of a child when parents are unable or unwilling to do so. In all states, laws require these agencies to conduct assessments or investigations of reports of child abuse and neglect and to offer rehabilitative services to families where maltreatment has occurred or is likely to occur.

Although the primary responsibility for responding to reports of child maltreatment rests with state and local child protective services (CPS) agencies, prevention and treatment of abuse and neglect can involve professionals from many disciplines and organizations.

States vary in the way child maltreatment cases are handled and in the terminology that is used to describe that processing. Although variations exist among jurisdictions, community responses to child maltreatment generally share a common set of decision points and can thus be described in a general way.

State laws require many professions to notify CPS of suspected maltreatment

Individuals likely to identify maltreatment are often those in a position to observe families and children on an ongoing basis. This may include educators, law enforcement personnel, social services personnel, medical professionals, probation officers, daycare workers, mental health professionals, and the clergy, in addition to family members, friends, and neighbors.

Professionals who come into contact with children as part of their jobs, such as medical and mental health professionals, educators, childcare providers, social services providers, law enforcement personnel, and clergy, are required by law to notify CPS agencies of suspicions of child maltreatment. Some states require reporting by any person having knowledge of child maltreatment.

CPS or law enforcement agencies usually receive the initial referral alleging abuse or neglect, which may include the identity of the child, information about the nature and extent of maltreatment, and information about the parent or other person responsible for the child. The initial report may also contain information identifying the individual suspected of causing the alleged maltreatment, the setting in which maltreatment occurred, and the person making the report.

CPS agencies "screen in" most referrals as reports to be investigated or assessed

Protective services staff must determine whether the referral constitutes an allegation of abuse or neglect and how urgently a response is needed. If the intake worker determines that the referral does not constitute an allegation of abuse or neglect, the case may be closed. If there is substantial risk of serious physical or emotional harm, severe neglect, or lack of supervision, a child may be removed from the home under provisions of state law. Most states require that a court hearing be held shortly after the removal to approve temporary custody by the CPS agency. In some states, removal from the home requires a court order.

Some referrals are out-of-scope for CPS and may be referred to other agencies. Other referrals lack sufficient information to enable followup. Agency workload and resources may also influence screening decisions. For these and other reasons, CPS agencies "screen out" about a third of all referrals.

Once a referral is accepted or "screened in," CPS must determine whether the child was maltreated. CPS may initiate an investigation or assessment of the alleged incident, or it may pursue an alternate response. Whether the agency investigates or seeks another response, it must decide if action is required to protect the child. The CPS agency also determines if the child and family are in need of services and which services are appropriate.

The initial investigation involves gathering and analyzing objective information from and about the child and family to determine if the allegations are substantiated. Protective services agencies may work with law enforcement and other agencies during this period. Caseworkers generally respond to reports of abuse and neglect within 2 to 3 days. A more immediate response may be required if it is determined that a child is at imminent risk of injury or impairment.

Following the initial investigation, the protective services agency decides whether the evidence substantiates the allegations. Should sufficient evidence not exist to support an allegation of maltreatment, additional services may still be provided if it is believed there is risk of abuse or neglect in the future. In a few states, the agency may determine that maltreatment or the risk of maltreatment is indicated even if sufficient evidence to conclude or substantiate the allegation does not exist. Some states use an alternative response system that provides for

responses other than substantiated, indicated, and unsubstantiated. In these states, children may or may not be determined to be maltreatment victims.

CPS agencies assess child and family needs before developing case plans

Protective services staff attempt to identify the factors that contributed to the maltreatment and determine what services would address the most critical treatment needs.

CPS staff then develop case plans in conjunction with other treatment providers and the family in an attempt to alter the conditions and/or behaviors resulting in child abuse or neglect. Together with other treatment providers, CPS staff then implement the treatment plan for the family. If the family is uncooperative, the case may be referred for court action.

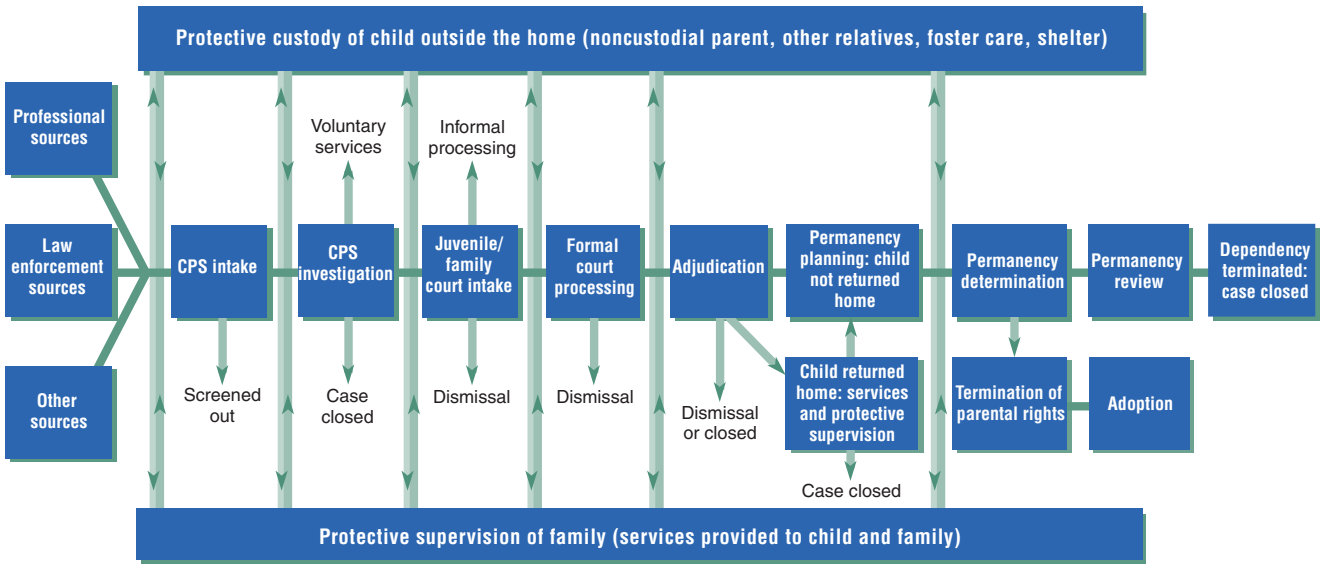
Protective services agencies are also responsible for evaluating and monitoring family progress

After the treatment plan has been implemented, protective services and other treatment providers evaluate and measure changes in family behavior and the conditions that led to child abuse or neglect, assess changes in the risk of maltreatment, and determine when services are no longer necessary. Case managers often coordinate the information from several service providers when assessing a case's progress.

CPS agencies provide both preventive and remedial services

Preventive services are targeted toward families with children at risk of maltreatment and are designed to improve caregivers' child-rearing competencies. Types of preventive services include such things as respite care, parenting education, substance abuse treatment, home visits, counseling, daycare, and homemaker help. CPS agencies offer postinvestigation (remedial) services on a voluntary basis. Courts may also order services to ensure children's safety. Postinvestigation services are designed to address the child's safety and are typically based on an assessment of the family's strengths, weaknesses, and needs. These services might include counseling, in-home family

What are the stages of child maltreatment case processing through the child protective services and juvenile/family court systems?



Note: This chart gives a simplified view of caseflow through these systems. Procedures vary among jurisdictions.

preservation services, foster care services, or other family-based or court services.

Some cases are closed because, although the family resists intervention efforts, the child is considered to be at low risk of harm. Other cases are closed when it has been determined that the risk of abuse or neglect has been eliminated or sufficiently reduced to a point where the family can protect the child from maltreatment without further intervention.

If it is determined that the family will not be able to protect the child, the child may be removed from the home and placed in foster care. If the child cannot be returned home to a protective environment within a reasonable timeframe, parental rights may be terminated so that a permanent alternative for the child can be found.

One option available to child protective services is referral to juvenile court

Substantiated reports of abuse and neglect may not lead to court involvement if the family is willing to participate in the CPS agency's treatment plan. The agency may, however, file a complaint in juvenile court if it thinks the child is at serious and imminent risk of harm and an emergency removal (without parental consent) is warranted or if the parents are otherwise uncooperative.

Emergency removals require the scheduling of a shelter care hearing typically 1 to 3 working days before removal. If an emergency removal is not requested, the timing of court proceedings is more relaxed—often 10 days or more after the filing of court documents alleging child maltreatment. The juvenile court holds a preliminary hearing to ensure that the child and parent(s) are represented by counsel and determine whether probable cause exists, whether the child should be placed or remain in protective custody, the conditions under which the child can return home while the trial is pending, and the types of services (including visitation) that should be provided in the interim. At this stage, the parents may decide to cooperate, and the court may agree to handle the case informally.

Adjudicatory hearings focus primarily on the validity of the allegations—dispositional hearings address the case plan

If sufficient probable cause exists, the petition is accepted. The court will hold an adjudicatory hearing or trial to determine whether the evidence supports the maltreatment allegations and the child should be declared a dependent of the court.

If petition allegations are sustained, the court proceeds to the disposition stage and determines who will have custody of the child and under what conditions. The disposition hearing may immediately follow adjudication or may be scheduled within a short time period (typically no longer than 30 days). Although adjudication and disposition should be separate and distinct decisions, the court can consider both at the same hearing. Preferred practice in many jurisdictions is to hold a bifurcated hearing where dispositional issues are addressed immediately after adjudication.

If the court finds that the child is abused or neglected, typical dispositional options include both short-term and long-term aspects and address the basic issue of whether the child should be returned home and if not, where the child should be placed:

- Reunification or protective services provided by protective services agencies are designed to enable the child to return home safely—subject to specific conditions including ongoing case involvement and/or supervision by the agency.
- Custody may be granted to the state child protective agency, the noncustodial parent or other relative, or foster care if the court decides that returning the child home could be dangerous.

At the disposition hearing, the agency presents its written case plan, which addresses all aspects of the agency's involvement with the family. In many states, statutes require the court to approve, disapprove, or modify provisions contained in the plan. These include changes in parental behavior that must be achieved, services to be provided to help achieve these changes, services to be provided to meet the special needs of the child, terms and conditions of visitation, and the timelines and responsibilities of each party in achieving individual case plan objectives.

Juvenile courts often maintain case oversight responsibility beyond the disposition hearing

Although not all abuse and neglect cases come before the court, the juvenile court is playing an increasingly significant role in determining case outcomes. In the vast majority of instances, the court will keep continuing jurisdiction of the case after disposition and monitor efforts by the agency to reunify the family.

The Federal Adoption Assistance and Child Welfare Act of 1980 (Public Law 96–272) required greater judicial oversight of CPS agency performance. This legislation was passed in an attempt to keep children from being needlessly placed in foster care or left in foster care indefinitely. The goal of the legislation was to enable the child to have a permanent living arrangement (e.g., return to family, adoption, or placement with other relatives) as soon as possible. More recently, the Federal Adoption and Safe Families Act (ASFA) of 1997 (Public Law 103–89) amended the federal foster care law to make safety and permanency the primary focus of the law. ASFA was enacted to remedy chronic problems with the child welfare system. The regulations went into effect in March 2000.

Courts routinely conduct review hearings to revisit removal decisions and assess progress with agency case plans both before and after a permanency plan has been developed. The court must also decide whether to terminate parental rights in cases involving children unable to return home. Courts maintain ongoing involvement until the child either is returned home; placed in a permanent, adoptive home; or reaches the age of majority.

Federal law establishes permanency preferences

After the initial disposition (placement of the child, supervision of the child and family, and services delivered to the child and family), the court holds review hearings to assess the case service plan and determine if the case is progressing. After 12 months, during which time the child and family receive services and the family must comply with conditions set forth by the court, the court must make a permanency determination. The court considers five basic permanency choices in the following hierarchy:

1. Reunification with the family is the preferred choice.
2. Adoption is considered when family reunification is not viable (termination of parental rights is required).
3. Permanent legal guardianship (a judicially created relationship that includes certain parental rights) is considered when neither reunification nor adoption is possible .
4. Permanent placement with a fit and willing relative is considered if reunification, adoption, and guardianship are not feasible.
5. An alternative planned permanent living arrangement (APPLA) may be found, but the agency must document "compelling reasons" why the other four choices are not in the best interests of the child.

APPLA placements may be independent living arrangements that include the child's emancipation. Although ASFA doesn't define these types of placements, they are nevertheless intended to be permanent arrangements for the child. APPLA placements are not foster care placements that can be extended indefinitely.

In many states, the juvenile court will continue to conduct post-permanency review hearings at periodic intervals to ensure that the permanency plan remains satisfactory and that the child is safe and secure. This is in addition to any termination of parental rights, guardianship, and/or adoption finalization hearings that may be required to accomplish the selected permanency goal. The final action the court makes is to terminate the child's status as a dependent and close the case.

The Adoption and Safe Families Act (ASFA) establishes deadlines courts must meet in handling dependency cases

ASFA requirement	Deadline	Start date
Case plan	60 days	Actual removal
Reasonable effort to prevent child's removal from the home	60 days	Actual removal
6-month periodic review	6 months	Foster care entry*
Permanency determination	12 months	Foster care entry*
Reasonable efforts to finalize permanency plan	12 months	Foster care entry*
Mandatory filing of a termination of parental rights petition	15 months†	Foster care entry*

* Foster care entry is the earlier of the date the court found the child abused or neglected or 60 days after the child's actual removal from the home.

† A termination of parental rights petition must be filed when a child accrues 15 months in foster care within a 22-month period. Time when the child is on a trial home visit (or during a runaway episode) does not count toward the 15-month limit.

Source: Authors' adaptation of Ratterman et al.'s *Making Sense of the ASFA Regulations: A Roadmap for Effective Implementation*.

Child protective services agencies receive 50,000 maltreatment referrals weekly—18% are substantiated

The National Child Abuse and Neglect Data System monitors the child protective services caseloads

In response to the 1988 amendments to the Child Abuse Prevention and Treatment Act, the Children's Bureau in the U.S. Department of Health and Human Services developed the National Child Abuse and Neglect Data System (NCANDS) to collect child maltreatment data from state child protective services (CPS) agencies. The Children's Bureau annually collects and analyzes both summary and case-level data collected under NCANDS. For 2003, 43 states and the District of Columbia reported case-level data on all children who received an investigation or assessment by a CPS agency. These states accounted for 79% of the U.S. population younger than 18. The case-level data provide descriptive information on cases referred to CPS agencies during the year, including:

- Characteristics of the referral of abuse or neglect made to CPS.
- Characteristics of the victims.
- Alleged maltreatments.
- Disposition (or findings).
- Risk factors of the child and the caregivers.
- Services provided.
- Characteristics of the perpetrators.

The remaining seven states that are unable to provide case-level data submit aggregate counts of key indicators that are used with the case-level data to develop national estimates.

In 2003, referrals were made to CPS agencies at a rate of 39 per 1,000 children

In 2003, CPS agencies in the U.S. received an estimated 2.9 million referrals alleging that children were abused or neglected. An estimated 5.5 million children were included in these referrals. This translates into a rate of 39 referrals for every 1,000 children younger than 18 in the U.S. population. The referral rate for 2003 was up slightly from the 2002 referral rate of 36 per 1,000.

The National Child Abuse and Neglect Data System counts several different aspects of child maltreatment

Referral: Notification to the CPS agency of suspected child maltreatment. This can include one or more children. It is a measure of "flow" into the CPS system.

Report: A referral of child maltreatment that was accepted for an investigation or assessment by a CPS agency.

Investigation: The gathering and assessment of objective information to determine if a child has been or is at risk of being maltreated. It results in a disposition as to whether the alleged report is substantiated.

Assessment: The process by which CPS determines if a child or other person involved in a report of alleged maltreatment needs services.

Alleged victim: Child about whom a report regarding child maltreatment has been made to a CPS agency.

Victim: Child having a maltreatment disposition of substantiated, indicated, or alternate response.

Substantiated: Investigation disposition that concludes that the allegation of maltreatment (or risk of maltreatment) was supported by or founded on state law or state policy. This is the highest level of finding by a CPS agency.

Indicated: Investigation disposition that concludes that maltreatment cannot be substantiated under state law or policy, but there is reason to suspect that the child may have been maltreated or was at risk of maltreatment. Only a few states distinguish between substantiated and indicated dispositions.

Alternate response system: A maltreatment disposition system used in some states that provides for responses other than substantiated, indicated, and unsubstantiated. In these systems, children may or may not be determined to be maltreatment victims. These systems are also referred to as "diversified" or "in need of services" systems.

Unsubstantiated: Investigation disposition that determines that there is not sufficient evidence under state law to conclude or suspect that the child has been maltreated or is at risk of maltreatment. Included in this category are intentionally false allegations.

Court action: Legal action initiated by the CPS agency on behalf of the child. This includes authorization to place the child in foster care, filing for temporary custody or dependency, or termination of parental rights. As used here, it does not include criminal proceedings against a perpetrator.

Alleged perpetrator: Person who is alleged to have caused or knowingly allowed the maltreatment of a child.

Perpetrator: Person who has been determined to have caused or knowingly allowed the maltreatment of a child.

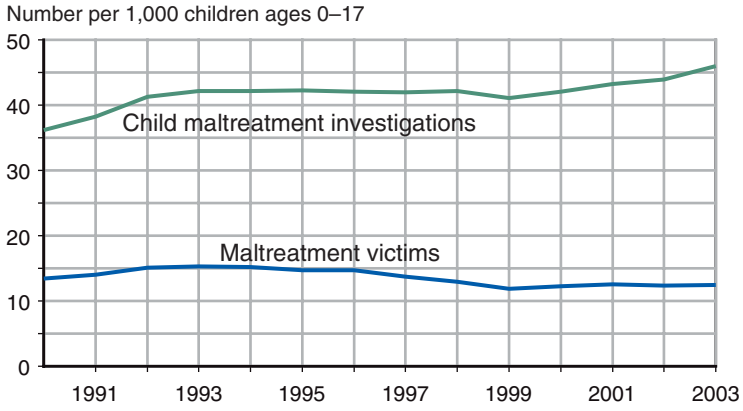
Professionals were the most common source of maltreatment reports

Professionals who come in contact with children as a part of their occupation (e.g., teachers, police officers, doctors, childcare providers) are required by law in most states to notify CPS agencies of suspected maltreatment. Thus, professionals are the most common source of maltreatment reports (57%). Sources other than professionals account for the remaining 43% of reports.

Source	Percent of total
Professional	57%
Educator	16
Law enforcement	16
Social services	12
Medical	8
Mental health	3
Child daycare provider	1
Foster care provider	1
Family and community	43%
Relative—not parent	8
Parent	7
Friend or neighbor	6
Anonymous	9
Other*	13

*Includes alleged victims, alleged perpetrators, and sources not otherwise identified.

The child maltreatment investigation rate increased 27% from 1990 to 2003, but the child maltreatment victimization rate declined 7%



- In 2003, CPS agencies conducted investigations or assessments involving 3,353,000 children. This translates to an investigation rate of 45.9 per 1,000 children ages 0–17.
- An estimated 906,000 children were found to be victims—about 26% of all children who received an investigation or assessment in 2003 (or about 18% of initial referrals).
- In 2003, the national rate of maltreatment victimization was 12.4 victims per 1,000 children ages 0–17.

Note: A child was counted as a victim each time he or she was found to be a victim of maltreatment.

Source: Authors' adaptation of Walter R. McDonald and Associates' *Child Maltreatment 2003*.

CPS response times vary, but average 3 days

CPS agencies receive referrals of varying degrees of urgency; therefore, the time from referral to investigation varies widely. State response time standards also vary. Some states set a single standard and others set different standards depending on the priority or urgency of the case. Many specify a high-priority response as within 24 hours; some specify 1 hour. Lower priority responses range from 24 hours to 14 days. In 2003, the average response time for states that reported this information was 3 days.

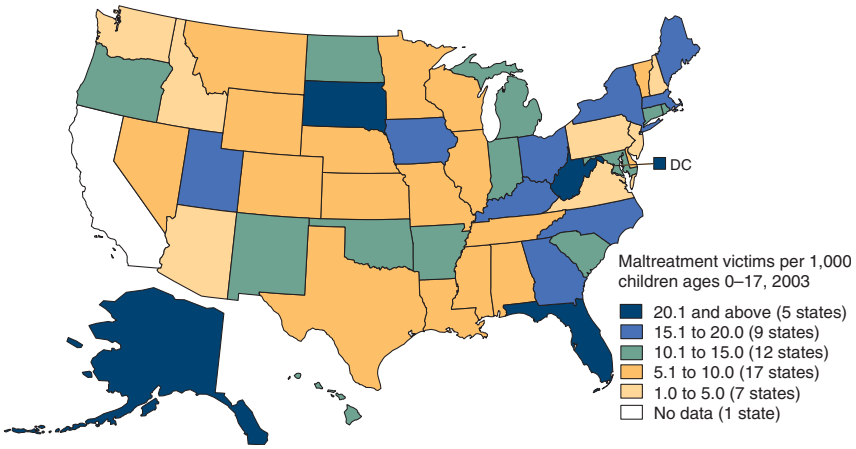
CPS agencies investigate more than two-thirds of referrals

In 2003, CPS agencies screened in 68% of all referrals received. Thus, CPS agencies conducted investigations or assessments in an estimated 1.9 million reports in 2003 involving more than 3.3 million children.

Once a report is investigated or assessed and a determination is made as to the likelihood that maltreatment occurred or that the child is at risk of maltreatment, CPS assigns a finding to the report—known as a disposition. States' dispositions and terminology vary but can be summarized into the following categories: substantiated, indicated, alternate response (victim and nonvictim), and unsubstantiated (terms defined in box on previous page).

Nationally, 26% of investigated reports were substantiated, 4% were

State child maltreatment victimization rates varied substantially in 2003



- Child maltreatment victimization rates ranged from a low of 1.6 to a high of 42.2 per 1,000 children ages 0–17.
- Half of states had child maltreatment victimization rates lower than 10.4 per 1,000 children ages 0–17.

Note: A child was counted as a victim each time he or she was found to be a victim of maltreatment.

Source: Authors' adaptation of Walter R. McDonald and Associates' *Child Maltreatment 2003*.

indicated, and 57% were unsubstantiated. Dispositions of alternate response victim accounted for less than 1% and dispositions of alternate response nonvictim were 6% of investigated reports.

Law enforcement or other legal/justice personnel were the referral source for 27% of substantiated reports and 11% of unsubstantiated reports. Educators accounted for 14% of substantiated and 18% of unsubstantiated reports.

The average CPS investigator handled about 63 investigations in 2003

In most sizable jurisdictions, different CPS personnel perform screening and investigation functions. In smaller agencies, one staff person may perform both functions. In 2003, the average yearly number of investigations or assessments per investigation worker was 63. Among states with specialized screening and investigation workers, the investigation workers outnumbered the screening workers nearly 7 to 1. Even in locations with specialized personnel, CPS staff typically perform numerous other activities and some CPS workers may be responsible for more than one function.

Neglect was the most common form of maltreatment for victims in 2003

Many children were the victims of more than one type of maltreatment, but if categories of maltreatment are considered independently, 61% of victims experienced neglect (including medical neglect), 19% were physically abused, 10% were sexually abused, 5% were emotionally or psychologically maltreated, and 17% experienced other forms of maltreatment such as threats of harm, abandonment, and congenital drug addiction. The rates of most types of abuse remained relatively stable from 1998 through 2003.

Different types of maltreatment have different source-of-referral patterns

Nearly half of all physical abuse victims were reported by education (22%) or law enforcement/justice system (21%) personnel. Law enforcement/justice system personnel also accounted for substantial proportions of victims reported to CPS for neglect (26%), sexual abuse (26%), and psychological maltreatment (30%). Medical personnel reported 27% of medical neglect victims.

Rates of child maltreatment victimization varied across demographic groups

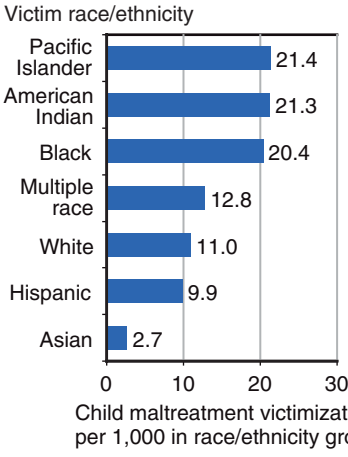
Girls' victimization rate was higher than the rate for boys

In 2003, girls made up a slightly greater share of maltreatment victims than did boys (52% vs. 48%). The victimization rate for girls was 13.1 per 1,000 girls younger than age 18, and the rate for boys was 11.6 per 1,000 boys younger than age 18.

More than half of all victims of child maltreatment were white

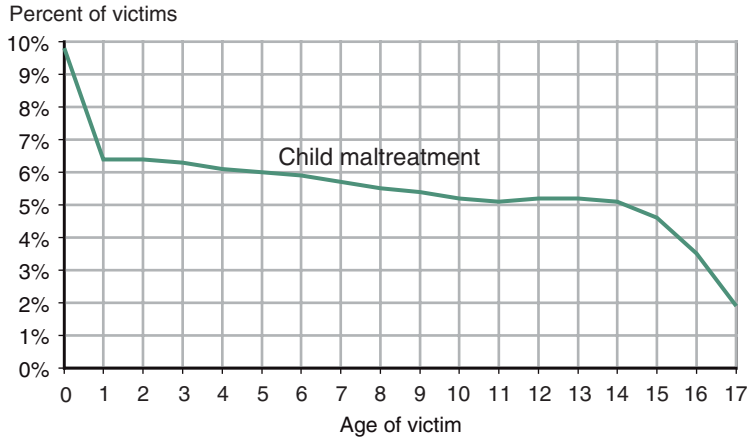
In 2003, white children made up the largest share of child maltreatment victims (54%), followed by black children (26%) and Hispanic children (12%). American Indian/Alaska native children (2%) and Asian/Pacific Islander children (1%) made up substantially smaller proportions of maltreatment victims.

Although they accounted for a small share of victims, Pacific Islanders and American Indians had higher child maltreatment victimization rates than other race/ethnicity groups—nearly double the rate for white children. Similarly, the rate for black children was well above the rate for white children.



Note: Children of Hispanic ethnicity may be of any race.

The rate of maltreatment victimization was inversely related to age—the youngest children had the highest rate



- Infants younger than 1 accounted for 1 in 10 victims of maltreatment in 2003. One-year-olds accounted for 6% of victims, as did each age through age 7—about the proportion expected if victimization were spread evenly over all ages. The proportion of victims dropped off sharply for older teens; 17-year-olds accounted for just 2% of victims.
- Infants and toddlers were victimized at a rate of 16.4 per 1,000 children age 3 or younger. The victimization rate decreased steadily with age: 13.8 for ages 4–7, 11.7 for ages 8–11, 10.7 for ages 12–15, and 5.9 for ages 16–17.

Note: A child was counted as a victim each time he or she was found to be a victim of maltreatment.

Source: Authors' adaptation of Walter R. McDonald and Associates' *Child Maltreatment 2003*.

The overwhelming majority of child maltreatment perpetrators are parents of the victims

Women are overrepresented among both caregivers and maltreatment perpetrators

Child maltreatment is by definition an act or omission by a parent or other caregiver that results in harm or serious risk of harm to a child. Incidents where children are harmed by individuals who are not their parents or caregivers would generally not come to the attention of child protective services agencies, but rather would be handled by law enforcement.

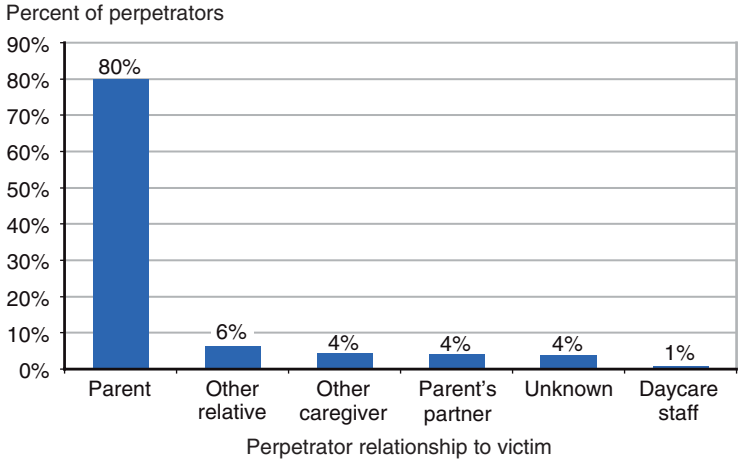
Compared to their share of the population (51%), women are overrepresented among child caregivers. Within families, mothers usually are the primary caregivers, and women far outnumber men in caregiver occupations. Women account for more than 90% of childcare providers and early childhood teachers, more than 80% of nonphysician healthcare workers, and more than 70% of recreation workers and teachers below college level. In 2003, females made up more than half of maltreatment perpetrators (58%). This proportion is lower than their proportion among child caregivers

Among perpetrators, females tended to be younger than males. Half of all female perpetrators were younger than 31 years old; half of all male perpetrators were older than 34. A higher proportion of female than male perpetrators were in their 20s.

Perpetrator age profile:

	Perpetrator		
Age	Total	Male	Female
Total	100%	100%	100%
Younger than 20	5	6	4
Ages 20–29	34	27	40
Ages 30–39	39	38	39
Ages 40–49	17	22	14
Older than 49	5	7	4
Median age	32	34	31

The vast majority of perpetrators were parents (80%), including birth parents, adoptive parents, and stepparents



- Nonparental relatives, unmarried partners of parents, and daycare providers each made up small proportions of child maltreatment perpetrators in 2003. Foster parents, residential facility staff, and legal guardians each made up less than 1% of all maltreatment perpetrators.

Notes: A child was counted as a victim each time he or she was found to be a victim of maltreatment. A victim can have more than one perpetrator. "Other caregivers" are camp counselors, school employees, hospital staff, etc.

Source: Authors' adaptation of Walter R. McDonald and Associates' *Child Maltreatment 2003*.

Parents were less likely to commit sexual abuse than were other types of perpetrators

	Perpetrator relationship to victim						
Types of maltreatment	Total	Parent	Parent's partner	Other relative	Foster parent	Daycare	Facility staff
Total	100%	100%	100%	100%	100%	100%	100%
Neglect	57	62	38	38	50	48	46
Physical abuse	11	11	17	10	17	13	19
Sexual abuse	7	3	11	30	6	23	11
Psychological or other abuse	9	9	14	6	7	2	8
Multiple types	16	15	20	16	20	13	15

- Perpetrators who were nonparental relatives had the highest proportion of sexual abuse maltreatment (30%) and parents the lowest (3%).

Notes: A child was counted as a victim each time he or she was found to be a victim of maltreatment. A victim can have more than one perpetrator and can suffer more than one type of maltreatment. Total includes relationships not detailed. Detail may not total 100% because of rounding.

Source: Authors' adaptation of Walter R. McDonald and Associates' *Child Maltreatment 2003*.

Reported child maltreatment fatalities typically involve infants and toddlers and result from neglect

The youngest children are the most vulnerable child maltreatment victims

Although children younger than 1 year old were just 10% of all maltreatment victims in 2003, they accounted for 44% of maltreatment fatalities. Similarly, children younger than 4 were 28% of all victims but 79% of maltreatment fatalities.

Maltreatment victim age profile:

Victim age	Fatalities	All victims
Total	100%	100%
Younger than 1	44	10
1	16	6
2	13	6
3	7	6
4–7	10	24
8–11	5	21
12–17	6	25

Note: Detail may not total 100% because of rounding.

Several factors make infants and toddlers younger than 4 particularly vulnerable, including their dependency, small size, and inability to defend themselves.

Infant boys had the highest maltreatment fatality rate in 2003

Boys younger than 1 year old had a maltreatment fatality rate of 17.7 deaths per 100,000 boys of the same age in the population. For infant girls, the rate was 14.1 per 100,000. For both males and females, fatality rates declined with children's age.

Maltreatment fatality rate per 100,000 children in age/gender group:

Victim age	Male	Female
Total	2.2	1.9
Younger than 1	17.7	14.1
1	5.8	5.7
2	5.2	4.0
3	2.4	2.9
4–7	1.1	0.9
8–11	0.6	0.4
12–17	0.4	0.3

Mothers were the most common perpetrators in child maltreatment fatalities

Nearly 4 in 10 maltreatment fatalities resulted from neglect alone. Physical abuse accounted for 3 in 10 fatalities, and about the same proportion resulted from multiple forms of maltreatment in combination.

Mothers were involved in 59% of maltreatment fatalities. Fathers were involved in 39% of maltreatment fatalities.

Fatality perpetrators	Percent
Total	100%
Mother alone	30
Mother and other than father	8
Mother and father	20
Father alone	18
Father and other than mother	1
Nonparent	18
Unknown	4

Note: Detail may not total 100% because of rounding.

Most maltreatment fatality victims were previously unknown to the CPS agency

Most child maltreatment fatalities involved families without a recent history with CPS. Of all child maltreatment fatalities, 11% involved children whose families had received family preservation services from a CPS agency in the previous 5 years and 3% involved children who had been in foster care and reunited with their families in the previous 5 years.

Is the child maltreatment fatality rate increasing?

The rate of child maltreatment fatalities increased from 1.85 per 100,000 in 2000 to 2.00 in 2003. Estimates of maltreatment fatalities are based on data reported by CPS agencies and data from other sources such as health departments and child fatality review boards. Child maltreatment fatalities, particularly those resulting from neglect, are thought to be underreported. Some studies have estimated that as many as 50% of maltreatment deaths are not recorded. Some child fatalities recorded as "child homicides," accidents, or Sudden Infant Death Syndrome (SIDS) might be attributed to maltreatment if more comprehensive investigations were conducted and if coding of maltreatment on death certificates were more uniform.

An estimated 1,500 children died from abuse or neglect in 2003. In 2000, the figure was 1,300. It is not clear whether this increase represents an actual increase in maltreatment fatalities or is the result of improved reporting.

Increases in children exiting foster care led to a drop in the foster care rolls between 1998 and 2003

AFCARS data track trends in foster care and adoption

Foster care is defined in federal regulations as 24-hour substitute care for children outside their own homes. Foster care settings include, but are not limited to, family foster homes, relative foster homes (whether payments are being made or not), group homes, emergency shelters, residential facilities, child-care institutions, and preadoptive homes.

Under federal regulation, states are required to submit data to the Adoption and Foster Care Analysis and Reporting System (AFCARS), which collects case-level information on all children in foster care for whom state child welfare agencies have responsibility and on children who are adopted under the auspices of state public child welfare agencies. AFCARS also includes information on foster and adoptive parents. Data are reported for 12 months as of September 30th of each year.

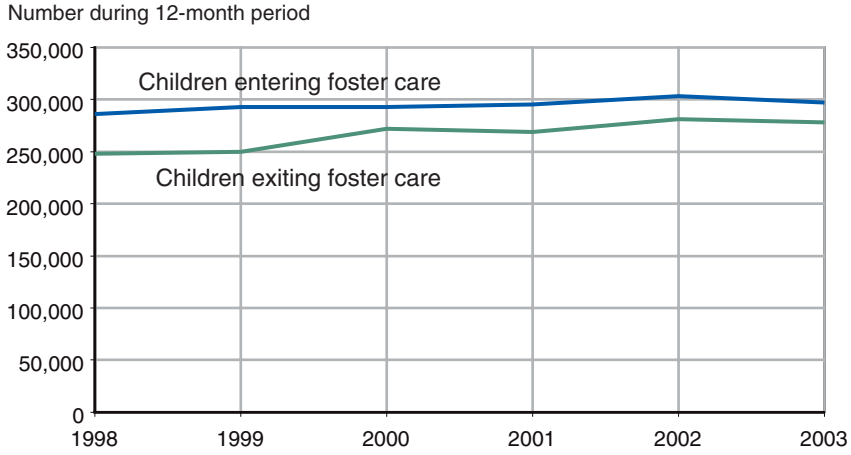
Children ages 11–15 make up the largest share of foster care entries

The median age of children who entered foster care in 2002 was 8.6 years. Logically, the average age of the standing foster care population is greater than the average age of children entering foster care. The average age of children in foster care in 2002 was 10.8 years.

Age profile of children entering foster care:

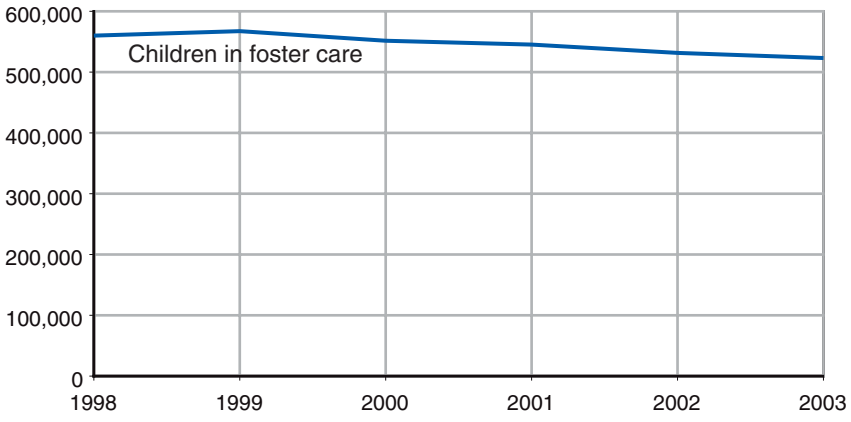
Age	1998	2002
Total	100%	100%
Younger than 1	13	14
1–5	25	26
6–10	22	20
11–15	29	29
16–18	11	11

Between 1998 and 2003, entries into foster care remained relatively stable and exits increased slightly



- An estimated 297,000 children entered foster care in 2003. Between 1998 and 2003, foster care entries remained stable—around 300,000 per year. The number of children exiting foster care annually increased from an estimated 248,000 to roughly 278,000.

The number of children in foster care has decreased steadily since 1999



- An estimated 523,000 children were in foster care on September 30, 2003, down 7% from the 1998 figure.
- Despite the drop in the number of children in foster care, child welfare agencies reported little change in the number of children served during the year. For every two children in foster care, three children received services. In 2003, child welfare agencies served an estimated 800,000 children.

Source: Authors' adaptation of the Children's Bureau's *National adoption and foster care statistics*.

Minority youth are overrepresented in foster care

In 2002, minority youth were 22% of the U.S. population ages 0–17. In comparison, 60% of children in foster care in 2002 were minority youth.

Race/ethnicity profile of children in foster care:

Race/ethnicity	1998	2002
Total	100%	100%
White	36	40
Minority	64	60
Black	45	38
Hispanic	16	17
American Indian	2	2
Asian/Pacific Islander	1	1
Two or more races	NA	3

NA = data not available

Note: Youth of Hispanic ethnicity can be of any race.

Half of children in foster care on September 30, 2002, entered foster care before April 2001

On September 30, 2002, half of children in foster care had been in foster care for 18 months. On September 30, 1998, the median time in foster care was 21 months.

Profile of children in foster care on September 30th:

Median time in foster care	1998	2002
Total	100%	100%
Less than 1 month	4	5
1–5 months	15	18
6–11 months	15	16
12–17 months	11	12
18–23 months	9	8
24–29 months	7	7
30–35 months	5	5
3–4 years	16	13
5 years or more	18	16

For children who exited foster care during 2002, the median time in foster care was 12 months. The figure for those who exited in 1998 was 11 months.

Reunification was the permanency goal for 45% of children in foster care in 2002

	Profile of children in foster care				
Permanency goal	1998	1999	2000	2001	2002
Total	100%	100%	100%	100%	100%
Reunify with parent(s)	40	42	43	44	45
Adoption	20	19	20	22	21
Guardianship	3	3	3	3	3
Live with other relative(s)	3	5	5	5	5
Long-term foster care	7	8	9	8	9
Emancipation	5	6	6	6	6
Goal not yet established	23	18	15	11	10

- Reunification with parents was the most common permanency goal (45% in 2002); adoption was the second most common goal (21% in 2002). Other permanency goals together accounted for less than one-quarter of children in foster care in 2002.
- The proportion of children in the "goal not yet established" category changed substantially from 1998 to 2002. In 1998, children without permanency goals were 23% of those in foster care. By 2002, the figure had dropped to 10%.

The most common placement setting for children in foster care in 2002 was the home of an unrelated foster family

	Profile of children in foster care				
Placement setting	1998	1999	2000	2001	2002
Total	100%	100%	100%	100%	100%
Foster family (nonrelative)	48	47	47	48	46
Foster family (relative)	29	26	25	24	23
Institution	8	10	10	10	10
Group home	8	8	8	8	9
Preadoptive home	3	4	4	4	5
Trial home visit	3	3	3	3	4
Runaway	1	1	2	2	2
Supervised independent living	1	1	1	1	1

- Nearly half of all children in foster care on September 30, 2002, were living in the home of an unrelated foster family (46%). Relative foster families had 23% of children in foster care.
- Other placement settings were less common, each accounting for no more than 10% of children in foster care.

Note: Detail may not total 100% because of rounding.

Source: Authors' adaptation of the Children's Bureau's *National adoption and foster care statistics*.

The number of children adopted from public foster care increased 40% from 1998 to 2003

Most children adopted from foster care were adopted by their foster parents

In 2002, foster parents adopted approximately 32,500 (61%) of the children adopted from foster care. Relatives accounted for 24% of adoptions, and the remaining 15% of adoptions involved nonrelatives. The proportion of children adopted by relatives in 2002 (24%) was greater than in 1998 (15%).

Married couples adopted the majority of children adopted out of foster care (66%), although many were adopted by single females (30%). Single males and unmarried couples each accounted for about 2% of children adopted out of foster care. The family structures of adoptive families showed a similar profile in 1998.

The race profile of adoptions changed between 1998 and 2002, but the median age did not

Minority youth were about the same proportion of children adopted out of foster care (60%) as children in foster care (59%). Compared with 1998, adoptions in 2002 had a smaller proportion of black children and a larger proportion of Hispanic children. The median age of children adopted out of foster care was 6.3 years in 2002—the same as in 1998.

Race/ethnicity profile of children adopted:

Race/ethnicity	1998	2002
Total	100%	100%
White	38	41
Minority	62	59
Black	46	37
Hispanic	13	17
American Indian	1	1
Asian/Pacific Islander	1	1
Two or more races	NA	3

NA = data not available

Note: Youth of Hispanic ethnicity can be of any race.

Reunification was the most common outcome for children exiting foster care in 2002

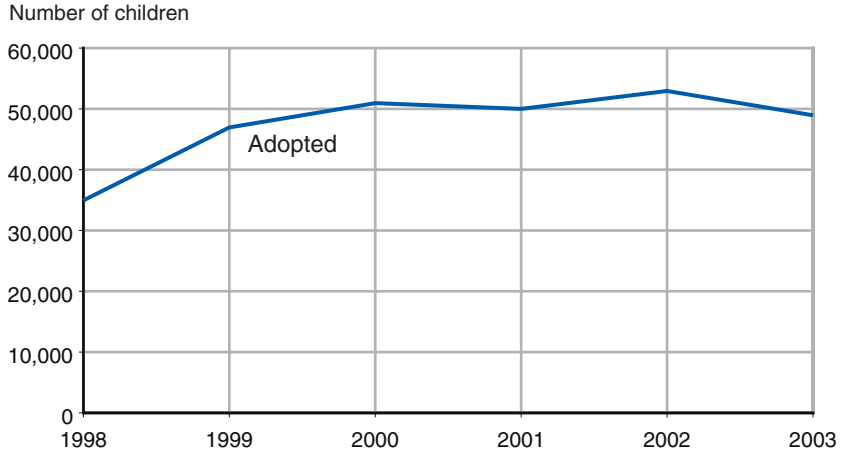
	Profile of children exiting foster care				
Outcome	1998	1999	2000	2001	2002
Total	100%	100%	100%	100%	100%
Reunify with parent(s)	62	59	57	57	56
Adoption	14	16	17	18	18
Live with other relative(s)	9	10	10	10	10
Emancipation	7	7	7	7	7
Transfer to another agency	3	3	3	3	4
Runaway	3	2	2	2	3
Guardianship	2	3	4	3	2

- In 2002, more than half (56%) of children exiting foster care were reunited with their parent(s) and 18% were adopted. Compared with 1998, a smaller proportion were reunited and a greater share were adopted in 2002.

Note: Detail may not total 100% because of rounding.

Source: Authors' adaptation of the Children's Bureau's *National adoption and foster care statistics*.

An estimated 53,000 children were adopted from the public foster care system in 2002; in 2003, the figure was 49,000



- Adoption requires termination of parental rights for the child's parents. In 2003, parental rights were terminated for the parents of an estimated 67,000 children in foster care.
- For half of all adopted children, less than 1 year passed between termination of parental rights and adoption.

Source: Authors' adaptation of the Children's Bureau's *National adoption and foster care statistics*.

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Chapter 3

Juvenile offenders

High profile—often very violent—incidents tend to shape public perceptions of juvenile offending. It is important for the public, the media, elected officials, and juvenile justice professionals to have an accurate view of (1) the crimes committed by juveniles, (2) the proportion and characteristics of youth involved in law-violating behaviors, and (3) trends in these behaviors. This understanding can come from studying victim reports, juvenile self-reports of offending behavior, and official records.

As documented in the following pages, many juveniles who commit crimes (even serious crimes) never enter the juvenile justice system. Consequently, developing a portrait of juvenile law-violating behavior from official records gives only a partial picture. This chapter presents what is known about the prevalence and incidence of juvenile offending prior to the youth entering the juvenile justice system. It relies on data developed by the Bureau of Justice Statistics' National Crime Victimization Survey, the Bureau of Labor Statistics' 1997 National Longitudinal Survey of Youth, the Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance Survey, the Federal Bureau of Investigation's Supplementary Homicide Reports and its National Incident-Based Reporting System, and the National Institute on Drug Abuse's Monitoring the Future Study. Information on gangs is drawn from the National Youth Gang Survey, supported by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). Information on the association between offending and contact with the juvenile justice system comes from one of OJJDP's Causes and Correlates Studies.

On the pages that follow, readers can learn the answers to many commonly asked questions: How many murders are committed by juveniles, and whom do they murder? What proportion of youth are involved in criminal behaviors? How many students are involved in crime at school? Is it common for youth to carry weapons to school? Are students fearful of crime at school? What is known about juveniles and gangs? How prevalent is drug and alcohol use? When are crimes committed by juveniles most likely to occur? Are there gender and racial/ethnic differences in the law-violating behaviors of juvenile offenders?

Self-reports and official records are the primary sources of information on juvenile offending

Self-report studies ask victims or offenders to report on their experiences and behaviors

There is an ongoing debate about the relative ability of self-report studies and official statistics to describe juvenile crime and victimization. Self-report studies can capture information on behavior that never comes to the attention of juvenile justice agencies. Compared with official studies, self-report studies find a much higher proportion of the juvenile population involved in delinquent behavior.

Self-report studies, however, have their own limitations. A youth's memory limits the information that can be captured. This, along with other problems associated with interviewing young children, is the reason that the National Crime Victimization Survey does not attempt to interview children below age 12. Some victims and offenders are also unwilling to disclose all law violations. Finally, it is often difficult for self-report studies to collect data from large enough samples to develop a sufficient understanding of relatively rare events, such as serious violent offending.

Official statistics describe cases handled by the justice system

Official records underrepresent juvenile delinquent behavior. Many crimes by juveniles are never reported to authorities. Many juveniles who commit offenses are never arrested or are not arrested for all of their delinquencies. As a result, official records systematically underestimate the scope of juvenile crime. In addition, to the extent that other factors may influence the types of crimes or offenders that enter the justice system, official records may distort the attributes of juvenile crime.

Official statistics are open to multiple interpretations

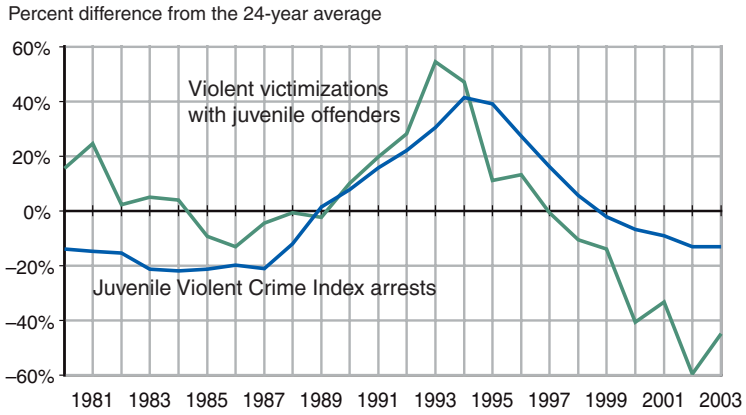
Juvenile arrest rates for drug abuse violations in recent years are substantially above those of two decades ago. One interpretation of these official statistics could be that juveniles have been breaking the drug laws more often in recent years. National self-report studies (e.g., Monitoring the Future), however, find that illicit drug use is substantially below the levels of the mid-1980s. If drug use is actually down, the higher arrest rates for drug crimes may represent a change in society's tolerance for such behavior and a greater willingness to bring these youth into the justice system for treatment or punishment.

Although official records may be inadequate measures of the level of juvenile offending, they do monitor justice system activity. Analysis of variations in official statistics across time and jurisdictions provides an understanding of justice system caseloads.

Carefully used, self-report and official statistics provide insight into crime and victimization

Delbert Elliott, Director of the Center for the Study and Prevention of Violence, has argued that to abandon either self-report or official statistics in favor of the other is "rather shortsighted; to systematically ignore the findings of either is dangerous, particularly when the two measures provide apparently contradictory findings." Elliott stated that a full understanding of the etiology and development of delinquent behavior is enhanced by using and integrating both self-report and official record research.

The growth and decline in violent crime by juveniles between 1980 and 2003 are documented by both victim reports and arrests



Violent crimes include rape, robbery, aggravated assault, and homicide. **Victimizations** are those in which the victim perceived that at least one offender was between the ages of 12 and 17.

In every year from 1980 to 2003, the number of victimizations was substantially greater than the number of arrests. To more clearly show the comparative trends in the two statistics, however, each value on the graph is the annual number's percent difference from the 24-year average of the statistic.

Source: Authors' analysis of BJS's Victim's perception of the age of the offender in serious violent crime and of the FBI's *Crime in the United States* for the years 1980 through 2003.

In 2002, the number of murders by juveniles dropped to its lowest level since 1984

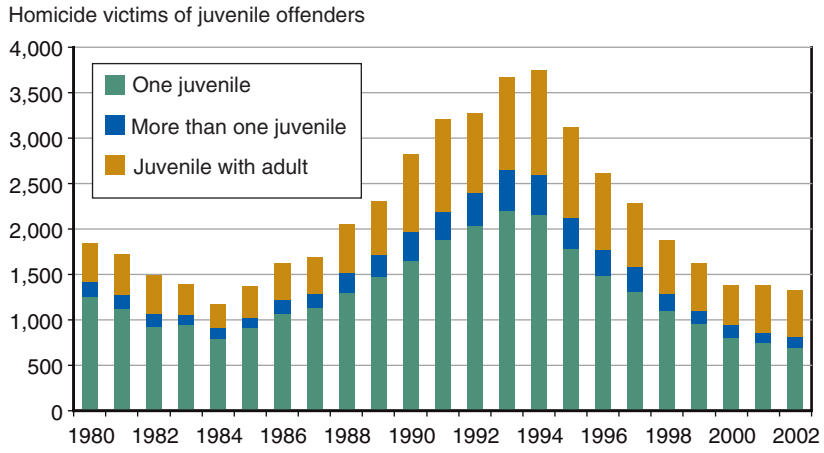
About one-third of murders in the U.S. are not solved

In 2002, the FBI reported that 16,200 persons were murdered in the U.S. In about 10,400 (64%) of these murders, the incident was cleared by arrest or by exceptional means—that is, either an offender was arrested and turned over to the court for prosecution or an offender was identified but law enforcement could not place formal charges (e.g., the offender died). In the other 5,800 murders (36%) in 2002, the offenders were not identified and their demographic characteristics are not known.

Estimating the demographic characteristics of these unknown offenders is difficult. The attributes of unknown offenders probably differ from those of known murder offenders. For example, it is likely that a greater proportion of known offenders have family ties to their victims and that a larger proportion of homicides committed by strangers go unsolved. An alternative to estimating characteristics of unknown offenders is to trend only murders with known juvenile offenders. Either approach—to trend only murders with known juvenile offenders or to estimate characteristics for unknown juvenile offenders—creates its own interpretation problems.

Acknowledging the weaknesses in the approach, the analyses of the FBI's Supplementary Homicide Reports (SHRs) presented in this Report assume that the offenders in cleared murders (known offenders) are similar to the offenders in unsolved murders (unknown offenders). This approach ensures that the number and characteristics of murder victims are consistent throughout the report.

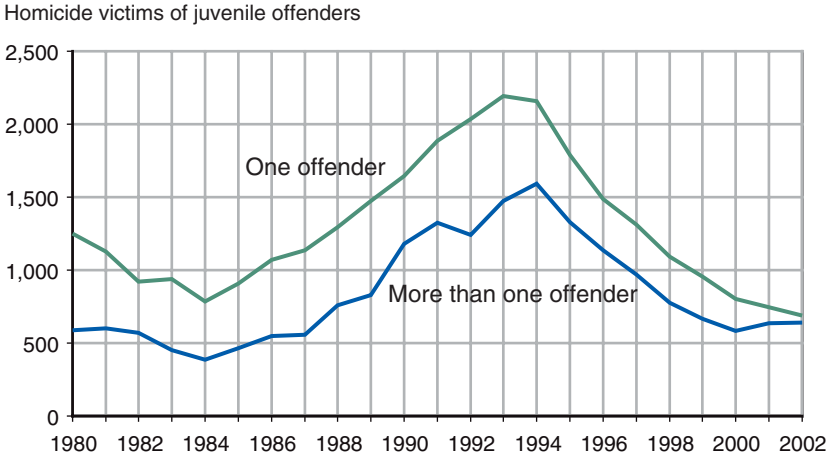
Between 1994 and 2002, the number of murders involving a juvenile offender fell 65%, to its lowest level since 1984



- In the 1980s, 25% of the murders involving a juvenile offender also involved an adult offender. This proportion grew to 31% in the 1990s and averaged 36% for the years 2000–2002.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

Murders by juveniles in 2002 were less likely to be committed by a juvenile acting alone than in any year since at least 1980



- Between 1980 and 2002, the annual proportion of murders involving a juvenile offender acting alone gradually declined, from 66% in the 1980s, to 59% in the 1990s, to 55% in the years 2000 to 2002.
- Between 1994 and 2002, murders by juveniles acting alone fell 68% and murders with multiple offenders declined 60%.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

In 2002, 1 in 12 murders involved a juvenile offender

Juvenile offenders were involved in an estimated 1,300 murders in the U.S. in 2002—8% of all murders. The juvenile offender acted alone in 52% of these murders, acted with one or more other juveniles in 9%, and acted with at least one adult offender in 39%.

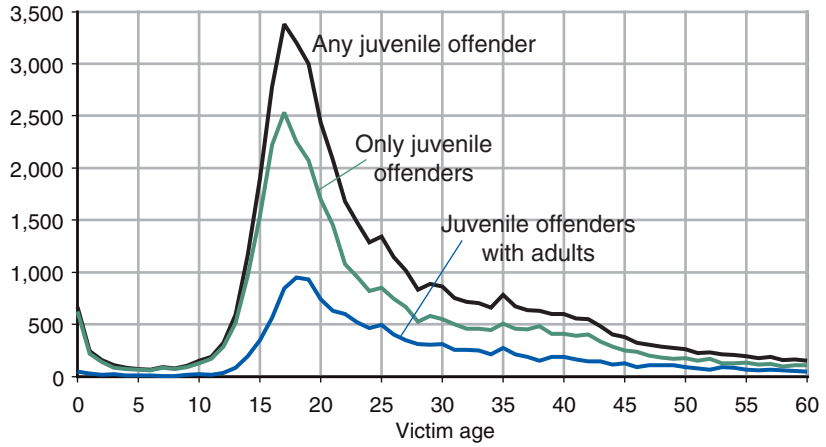
Because nearly half (48%) of the 1,300 murders with juvenile offenders involved multiple offenders, the number of offenders in these murders was greater than the number of victims. The 1,300 murders involved an estimated 1,600 juvenile offenders. Also involved in these 1,300 murders were 900 adult offenders, the vast majority (87%) of whom were under age 25.

In 2002, 82% of the victims of juvenile murderers were male, 51% were white, and 46% were black. Most (69%) were killed with a firearm. Family members accounted for 16% of the victims, acquaintances 47%, and strangers (i.e., no personal relationship to the juvenile offenders) 37%.

From 1980 through 2002, the proportion of murders with a juvenile offender that also involved multiple offenders gradually increased. In the first half of the 1980s, about one-third of all murders with juvenile offenders involved more than one offender; in 2002, this proportion was nearly half (48%). Similarly, the proportion of murders with a juvenile offender that also involved an adult gradually increased, from less than 25% in the first half of the 1980s to 39% in 2002. Throughout this period, on average, 89% of these adult offenders were under age 25.

Between 1980 and 2002, half of all murder victims killed by juveniles were ages 14–24

Homicide victims of juvenile offenders, 1980–2002



- Of all the murder victims of juvenile offenders, 25% were themselves under age 18, and 4% were over age 64.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

Between 1980 and 2002, the murder victims most likely to be killed by a juvenile offender were age 14

Percent of all murder victims in age group killed by juveniles, 1980–2002



- Among all murder victims from 1980 through 2002, the proportion killed by juvenile offenders dropped from 34% for victims age 14 to 5% for victims age 25, then remained at or near 5% for all victims older than 25.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

The drop in minority males killing minority males with firearms drove the decline in murders by juveniles

Murder trends shaped public perception of crime in the 1990s

During the 1990s, widespread concern about juvenile violence resulted in a number of changes in state laws with the intent to send more juveniles into the adult criminal justice system. The focal point of this concern was the unprecedented increase in murders by juveniles between 1984 and 1994. Then just as quickly the numbers fell: by 2002, juvenile arrests for murder were below the levels of the early 1980s. A better understanding of this rapid growth and decline is useful for juvenile justice practitioners and the public.

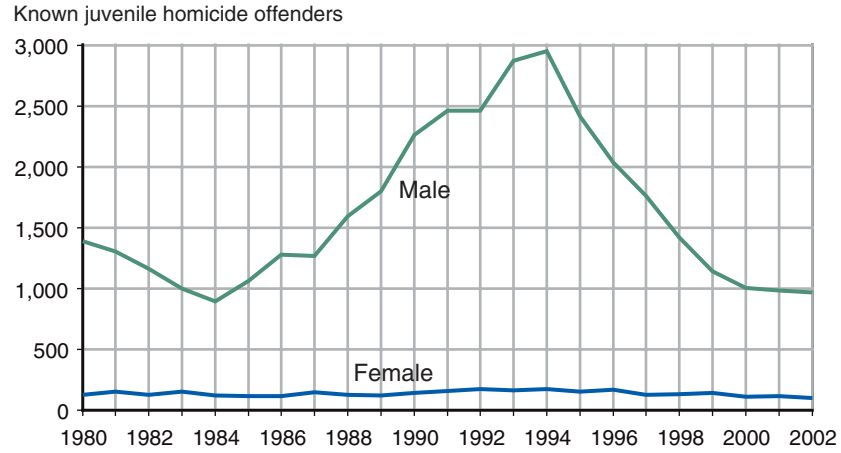
The overall trend in murders by juveniles is a composite of separate trends

Examining the FBI's SHR data to understand the characteristics of juvenile murder offenders and their crimes makes it clear that specific types of murders drove the overall trends. Between 1984 and 1994, the overall annual number of juveniles identified by law enforcement as responsible for a murder tripled. However, the number of juvenile females identified in murder investigations increased less than 40%, while the number of juvenile males increased more than 200%. Thus, the increase between 1984 and 1994 was driven by male offenders.

During the same period, the number of juveniles who committed murder with a firearm increased about 320%, while murders committed without a firearm increased about 40%. Thus, the overall increase was also linked to firearm murders.

Finally, from 1984 to 1994, the number of juveniles who killed a family member increased about 20%, while the numbers of juveniles who killed

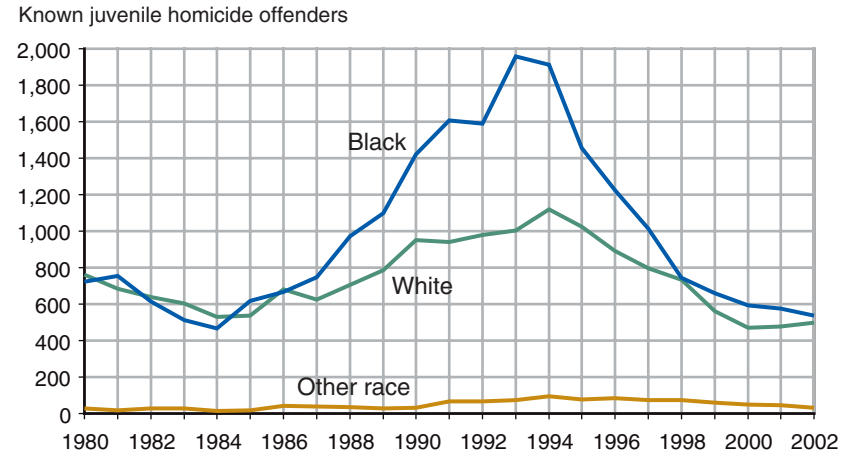
The annual number of male juvenile homicide offenders varied substantially between 1980 and 2002, unlike the number of female offenders



- The number of known male juvenile murder offenders in 2002 was lower than in any year since 1984.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

In 2002, as in 1980, equal numbers of black juveniles and white juveniles committed murders



- Between 1984 and 1994, the number of known white juvenile murder offenders doubled and the number of black offenders quadrupled.
- In 2002, the numbers of known white murder offenders and black murder offenders were near their lowest levels in a generation.

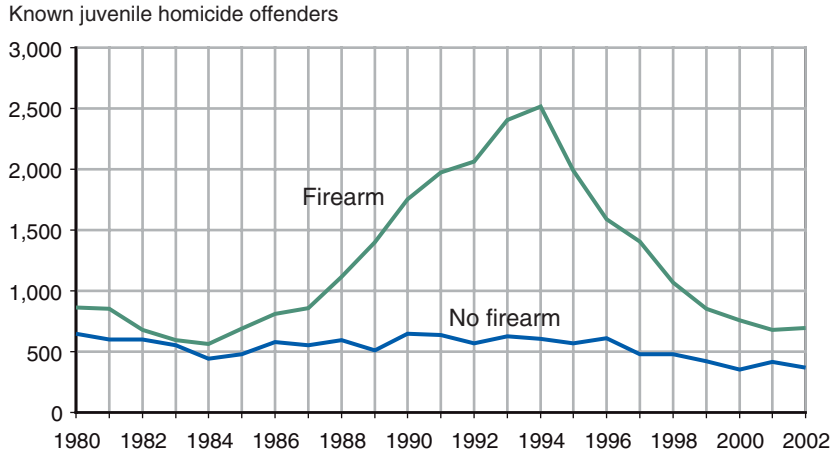
Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

an acquaintance or a stranger both increased about 240%. Therefore, during the period, murders by female juveniles, murders with weapons other than a firearm, and murders of a family member contributed little to the large increase in juvenile murders. In fact, just 10% of the increase in murders by juveniles between 1984 and 1994 can be attributed to murders with these characteristics.

So what types of murders by juveniles increased between 1984 and 1994? Ninety percent (90%) of the overall increase was murders of nonfamily members committed by males with a firearm—generally a handgun. This type of murder increased 400% between 1984 and 1994. A closer look at these crimes reveals that the increase was somewhat greater for murders of acquaintances than strangers and somewhat greater for juveniles acting with other offenders than for a juvenile offender acting alone. Nearly three-quarters of the increase was the result of crimes committed by black and other minority males—and in two-thirds of these murders, the victims were minority males.

The decline in murders by juveniles from 1994 to 2002 reversed the earlier increase. About 80% of the overall decline was attributable to the drop in murders of nonfamily members by juvenile males with a firearm; most of this decline was in murders of minority males committed by minority juvenile males.

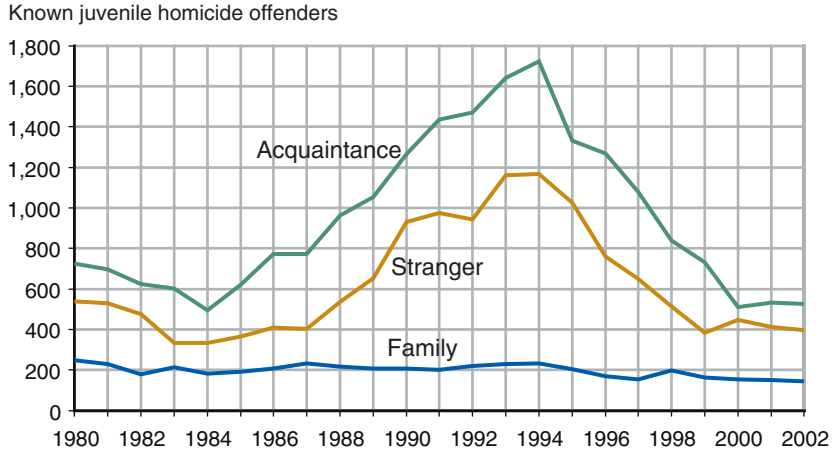
The national trend in murders by juvenile offenders reflected the growth and subsequent decline in crimes committed with firearms



- The large growth and decline in the annual number of juvenile offenders who committed their crimes with a firearm between 1980 and 2002 stands in sharp contrast to the relative stability of the nonfirearm pattern over the period.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

Between 1980 and 2002, the annual number of juvenile offenders who killed family members changed little, in stark contrast to the number of those who killed acquaintances and strangers



- In 1980, 16% of known juvenile homicide offenders killed family members. The proportion was 7% in 1994 and 13% in 2002.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2002 [machine-readable data files].

In the 10 years from 1993 through 2002, the nature of murders committed by juvenile offenders varied with the age, gender, and race of the offenders

	Known juvenile offenders, 1993–2002							
Characteristic	All	Male	Female	Younger than age 16	Age 16	Age 17	White	Black
Victim age	100%	100%	100%	100%	100%	100%	100%	100%
Under 13	5	4	23	8	4	3	6	4
13 to 17	21	22	13	24	22	19	24	19
18 to 24	30	31	22	22	30	35	29	31
Above 24	44	44	42	46	43	43	41	46
Victim gender	100%	100%	100%	100%	100%	100%	100%	100%
Male	85	87	62	81	85	87	83	86
Female	15	13	38	19	15	13	17	14
Victim race	100%	100%	100%	100%	100%	100%	100%	100%
White	50	50	51	51	50	49	90	22
Black	46	46	46	45	46	47	8	76
Other	4	4	3	4	4	4	2	2
Victim/offender relationship	100%	100%	100%	100%	100%	100%	100%	100%
Family	9	7	36	15	8	7	14	7
Acquaintance	54	55	46	50	54	57	54	54
Stranger	37	38	18	35	38	37	32	40
Firearm used	100%	100%	100%	100%	100%	100%	100%	100%
Yes	74	77	35	70	74	77	66	80
No	26	23	65	30	26	23	34	20
Number of offenders	100%	100%	100%	100%	100%	100%	100%	100%
One	46	45	55	47	45	46	44	48
More than one	54	55	45	53	55	54	56	52

- Between 1993 and 2002, a greater percentage of the victims of male juvenile murder offenders were adults than were the victims of female offenders (75% vs. 64%). The juvenile victims of female offenders tended to be younger than the juvenile victims of male offenders.
- Adults were the victims of 70% of white juvenile murder offenders and 77% of black juvenile murder offenders.
- Although 76% of the victims of black juvenile murder offenders were black, black murder offenders were much more likely than white offenders to have victims of another race (24% vs. 10%). In contrast, juvenile murder offenders' age and gender were unrelated to the race of the victim.
- Female juvenile murder offenders were much more likely than male juvenile murder offenders to have female victims (38% vs. 13%) and to have victims who were family members (36% vs. 7%).
- Firearms were more likely to be involved in murders by male offenders than female offenders (77% vs. 35%) and in murders by black offenders than white offenders (80% vs. 66%).
- Female juvenile murder offenders were more likely than male offenders to commit their crimes alone (55% vs. 45%). In contrast, juvenile murder offenders' age was unrelated to the proportion of crimes committed with co-offenders, and offenders' race was only weakly related to this aspect of the incident.

Note: Detail may not total 100% because of rounding.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1993 through 2002 [machine-readable data files].

8% of 17-year-olds reported ever belonging to a gang, 16% sold drugs, and 16% carried a handgun

Survey provides a portrait of law-violating behavior of youth

Most juvenile crime does not come to the attention of the juvenile justice system. To understand the amount of violent crime committed by juveniles, one could ask their victims. However, to understand the proportion of youth who commit various types of crimes (i.e., violent and nonviolent crime), one must ask the youth themselves.

To provide this and other information about youth, in 1997 the Bureau of Labor Statistics mounted the National Longitudinal Survey of Youth (NLSY97). Between 1997 and 2001, the NLSY97 annually interviewed a nationally representative sample of nearly 9,000 youth who were ages 12–16 on December 31, 1996, asking them about many aspects of their lives—including law-violating behaviors. Results from the first five waves of interviews (through 2001) provide a detailed portrait of the law-violating behaviors of youth ages 12–17 at the beginning of the 21st century.

For most law-violating behaviors studied, males were significantly more likely than females to report engaging in the behavior by age 17. The one exception was running away from home. The differences among white, black, and Hispanic youth were not as consistent. For some behaviors (i.e., running away and carrying guns) there were no differences among the three racial groups. White youth were significantly more likely than black or Hispanic youth to report committing vandalism. Black youth were significantly more likely than white or Hispanic youth to report committing an assault. Black youth at age 17 were significantly less likely than white or Hispanic youth to report having sold drugs.

The prevalence of problem behavior among juveniles differs by gender, race, and age

	Proportion of youth reporting ever engaging in the behavior by age 17					
Behavior	All youth	Male	Female	White	Black	Hispanic
Suspended from school	33%	42%	24%	28%	56%	38%
Ran away from home	18	17	20	18	21	17
Belonged to a gang	8	11	6	7	12	12
Vandalized	37	47	27	39	33	34
Theft less than $50	43	47	38	44	38	41
Theft more than $50	13	16	10	12	15	14
Assaulted with intent to seriously hurt	27	33	21	25	36	28
Sold drugs	16	19	12	17	13	16
Carried a handgun	16	25	6	16	15	15

	Proportion of youth reporting behavior at specific ages					
Behavior	Age 12	Age 13	Age 14	Age 15	Age 16	Age 17
Suspended from school	6%	9%	14%	13%	12%	10%
Ran away from home	na	na	5	6	7	6
Belonged to a gang	2	2	2	2	2	2
Vandalized	14	17	16	14	13	9
Theft less than $50	0	13	14	13	12	11
Theft more than $50	3	3	4	5	5	4
Assaulted with intent to seriously hurt	9	10	11	11	11	9
Sold drugs	1	2	5	6	8	8
Carried a handgun	5	4	5	6	5	4

- By age 17, 33% of all youth said they had been suspended from school at least once, 18% had run away from home (i.e., had at least once left home and stayed away overnight without a parent's prior knowledge or permission), and 8% had belonged to a gang.
- By age 17, a greater proportion of juveniles reported that they had committed an assault with the intent of seriously hurting the person than reported ever having run away from home, sold drugs, carried a handgun, stolen something worth more than $50, or belonged to a gang.
- Males were significantly more likely than females to report ever being suspended from school (42% vs. 24%) or ever belonging to a gang (11% vs. 6%) and were 4 times more likely to report ever carrying a handgun (25% vs. 6%).
- White youth were significantly less likely than black or Hispanic youth to report ever belonging to a gang.
- With the exception of selling drugs, the proportions of youth who reported committing the above behaviors at age 17 are either the same or less than the proportions reporting the same behaviors at earlier ages.

Note: As a general rule, the confidence interval around the above percentages is about plus or minus 2 percentage points. Readers should consider figures to differ only when their confidence intervals do not overlap (i.e., a difference of at least 4 percentage points).

Source: Authors' adaptation of McCurley's Self-reported law-violating behavior from adolescence to early adulthood in a modern cohort.

About one-quarter of juveniles who offended at ages 16–17 also offended as adults at ages 18–19

Many juvenile offenders do not continue their law-violating behaviors into adulthood

Some persons commit crimes when they are juveniles and continue to do so into their adult years. Others commit crimes only as juveniles, while others begin their offending careers as adults. The analysis that follows summarizes the National Longitudinal Survey of Youth data for all youth who were interviewed at ages 16, 17, 18, and 19 during the first five waves of data collection (1997–2001) to study the continuity in offending from the juvenile years (ages 16–17) to the early adult years (ages 18–19).

Although the details vary somewhat with the type of offending behavior, the general pattern is consistent. For example, when interviewers asked youth at ages 16, 17, 18, and 19 if they had assaulted someone since the last interview with the intent of seriously hurting them, most (78%) reported never committing such a crime. Among the other 22% of youth who reported an assault in at least one of the four interviews, most (74%) reported the behavior at ages 16–17 and fewer (54%) reported assaulting someone at ages 18–19; about one-quarter (27%) reported the behavior at least once in both the juvenile period (ages 16–17) and the adult period (ages 18–19). This means that most of the youth who reported committing an assault in the later juvenile years stopped the behavior, reporting none in the early adult years. It also implies that half of the respondents who reported committing an assault as young adults did not do so as older juveniles. (The accompanying table provides similar details on other types of offenses and for subgroups of offenders.)

About two-thirds of juveniles who reported committing specific offenses at ages 16 or 17 did not report doing so at ages 18 or 19

Behavior/ demographic	Of all youth reporting the behavior at ages 16–19, the percent reporting: Only at ages 16–17	In both age groups	Only at ages 18–19
Vandalized	57%	24%	20%
Male	55	27	18
Female	59	17	24
White	60	21	19
Black	45	30	25
Hispanic	57	21	22
Theft less than $50	58	23	19
Male	55	25	20
Female	62	20	18
White	61	23	16
Black	50	22	29
Hispanic	53	21	26
Theft more than $50	57	14	29
Male	57	14	29
Female	58	14	29
White	59	14	27
Black	49	14	37
Hispanic	60	12	28

Behavior/ demographic	Of all youth reporting the behavior at ages 16–19, the percent reporting: Only at ages 16–17	In both age groups	Only at ages 18–19
Assaulted to seriously hurt	46%	27%	26%
Male	44	28	29
Female	51	27	23
White	47	29	24
Black	39	28	33
Hispanic	45	27	27
Sold drugs	40	29	31
Male	37	31	32
Female	46	26	27
White	42	30	28
Black	29	28	44
Hispanic	35	27	37
Carried a handgun	46	24	30
Male	44	27	29
Female	56	6	37
White	52	27	21
Black	33	14	53
Hispanic	28	26	46

- Among black youth ages 16–19 who reported assaulting someone with the intent to seriously injure, 39% reported the behavior only in the older juvenile years (ages 16–17), 33% only in the young adult years (ages 18–19), and 28% in both the older juvenile and young adult years. Among the 67% of black offenders who reported assaulting someone as older juveniles, less than half (28%) also reported assaulting someone as young adults.

Note: Detail may not total 100% because of rounding.

Source: Authors' analyses of the Bureau of Labor Statistics' *National Longitudinal Survey of Youth 1997 cohort, 1997–2001 (rounds 1–5)* [machine-readable data files].

Juvenile law-violating behavior is linked to family structure and to school/work involvement

Juveniles' self-reported law-violating behavior is related to their family structure

A recent study using data from NLSY97 explored the factors associated with a youth's self-reported law-violating behaviors. One significant factor was a youth's family structure. In general, the research showed that juveniles who lived with both biological parents had lower lifetime prevalence of law-violating behaviors than did juveniles who lived in other family types.

For example, the study found that 5% of youth age 17 who lived with both biological parents reported ever being in a gang, compared with 12% of youth who lived in other family arrangements. Similarly, youth at age 17 living with both biological parents reported a lower lifetime prevalence, compared with youth living in other types of families, for a wide range of problem behaviors: marijuana use (30% vs. 40%), hard drug use (9% vs. 13%), drug selling (13% vs. 19%), running away from home (13% vs. 25%), vandalism (34% vs. 41%), theft of something worth more than $50 (19% vs. 17%), assault with the intent to seriously injure (20% vs. 35%).

Family structure is correlated with a youth's race and ethnicity; that is, white non-Hispanic youth are more likely to live in families with two biological parents than are black or Hispanic youth. Therefore, patterns that indicate racial or ethnic differences in self-reported behavior may in reality be reflecting differences in family structure.

Many other factors influence a youth's involvement in law-violating behaviors

The study also found other factors related to juveniles' self-reported involvement in law-violating behaviors. The most closely related factor was the presence of friends or family members in gangs. For example, compared with juveniles who did not have friends or families in gangs, those who did were at least 3 times more likely to report having engaged in vandalism, a major theft, a serious assault, carrying a handgun, and selling drugs. They were also about 3 times more likely to use hard drugs and to run away from home.

Connectedness to school and/or work also was related to juveniles' self-reported law-violating behavior. Juveniles who were neither in school nor working had a significantly greater risk of engaging in a wide range of problem behaviors—using marijuana and hard drugs, running away from home, belonging to a gang, committing a major theft or a serious assault, selling drugs, and carrying a handgun.

Some problem behaviors cluster

Analyses of NLSY97 data also found that involvement in some problem behaviors predicted elevated involvement in other problem behaviors. For example, juveniles who reported belonging to a gang were twice as likely as other juveniles to have committed a major theft, 3 times more likely to have sold drugs, 4 times more likely to have committed a serious assault, and 5 times more likely to have carried a handgun.

Family structure is linked to problem behavior similarly for females and males

	Female respondents			Male respondents		
Experience	All	Both biological parents	All other families	All	Both biological parents	All other families
Suspended ever	17%	9%	26%	33%	23%	45%
Runaway ever*	12	7	17	11	7	15
Sex in past year*	28	20	35	30	22	40
Smoke in past month*	21	17	25	20	17	23
Drink in past month*†	23	21	26	23	23	24
Marijuana in past month*	9	6	11	10	8	13
Vandalize in past year†	10	8	13	19	18	21
Petty theft ever	30	25	34	38	33	43
Major theft in past year	3	2	4	6	4	8
Assault in past year	8	5	12	14	11	18
Gang in past year	1	1	2	3	2	4
Handgun in past year‡	2	1	2	9	9	10
Sell drugs in past year	4	3	5	7	5	9
Arrested in past year	4	2	5	7	4	10

* Not significantly different at the 95% level of confidence for comparisons of females and males.

† Not significantly different at the 95% level of confidence for comparisons of the two types of family structures for males.

‡ Not significantly different at the 95% level of confidence for comparisons of the two types of family structures for females or males.

Source: Authors' adaptation of McCurley and Snyder's Risk, protection, and family structure.

School crime was common in 2003—1 in 8 students were in fights, 1 in 3 had property stolen or damaged

National survey monitors youth health risk behaviors

The Centers for Disease Control and Prevention's Youth Risk Behavior Survey (YRBS) monitors health risk behaviors that contribute to the leading causes of death, injury, and social problems among youth in the U.S. Every 2 years, YRBS provides data representative of 9th–12th graders in public and private schools nationwide. The 2003 survey included responses from 15,214 students from 32 states and 18 large cities.

Fewer than 4 in 10 high school students were in a physical fight—4 in 100 were injured

According to the 2003 survey, 33% of high school students said they had been in one or more physical fights during the past 12 months, down from 43% in 1993. Regardless of grade level or race/ethnicity, males were more likely than females to engage in fighting. Fighting was more common among black and Hispanic students than white students.

Percent who were in a physical fight in the past year:

	Total	Male	Female
Total	33.0%	40.5%	25.1%
9th grade	38.6	44.8	31.9
10th grade	33.5	41.8	25.0
11th grade	30.9	38.5	23.0
12th grade	26.5	35.0	17.7
White	30.5	38.4	22.1
Black	39.7	45.6	34.0
Hispanic	36.1	42.6	29.5

Although physical fighting was fairly common among high school students, the proportion of students injured and treated by a doctor or nurse was relatively small (4%). Males were more likely than females to have been injured in a fight. Black and Hispanic students were more likely than white students to suffer fight injuries.

Percent who were injured in a physical fight in the past year:

	Total	Male	Female
Total	4.2%	5.7%	2.6%
9th grade	5.0	6.4	3.6
10th grade	4.2	6.2	2.2
11th grade	3.6	4.9	2.4
12th grade	3.1	4.3	1.8
White	2.9	4.0	1.7
Black	5.5	7.3	3.7
Hispanic	5.2	6.5	3.9

Nationwide, 13% of high school students had been in a physical fight on school property one or more times in the 12 months preceding the survey, down from 16% in 1993. Male students were substantially more likely to fight at school than female students at all grade levels and across racial/ethnic groups. Hispanic and black students were more likely than white students to fight at school. Fighting at school decreased as grade level increased.

Percent who were in a physical fight at school in the past year:

	Total	Male	Female
Total	12.8%	17.1%	8.0%
9th grade	18.0	23.3	12.2
10th grade	12.8	18.1	7.3
11th grade	10.4	14.2	6.4
12th grade	7.3	9.6	4.7
White	10.0	14.3	5.3
Black	17.1	21.5	12.6
Hispanic	16.7	19.3	13.8

About 3 in 10 high school students had property stolen or vandalized at school

High school students were more likely to experience property crime than fights at school. Nationally, 30% said they had property such as a car, clothing, or books stolen or deliberately damaged on school property one or more times during the past 12 months. A greater proportion of male than female students experienced such property crimes at school, regardless of grade level or race/ethnicity. Students' reports of school property crime decreased as grade level increased.

Percent who had property stolen or deliberately damaged at school in the past year:

	Total	Male	Female
Total	29.8%	33.1%	26.2%
9th grade	34.8	37.4	31.9
10th grade	30.5	34.3	26.6
11th grade	27.2	30.5	23.9
12th grade	24.2	27.9	20.2
White	28.2	30.6	25.6
Black	30.4	33.9	27.0
Hispanic	32.3	37.0	27.6

Fear of school-related crime kept 5 in 100 high schoolers home at least once in the past month

Nationwide in 2003, 5% of high school students missed at least 1 day of school in the past 30 days because they felt unsafe at school or when traveling to or from school, up from 4% in 1993. Hispanic and black students were more likely than white students to have missed school because they felt unsafe. Freshmen were more likely than other high school students to miss school because of safety concerns.

Percent who felt too unsafe to go to school in the past 30 days:

	Total	Male	Female
Total	5.4%	5.5%	5.3%
9th grade	6.9	7.1	6.6
10th grade	5.2	5.3	5.1
11th grade	4.5	4.3	4.6
12th grade	3.8	3.8	3.9
White	3.1	3.3	2.9
Black	8.4	7.9	9.0
Hispanic	9.4	8.9	10.0

The proportion of high school students who said they had avoided school because of safety concerns ranged from 3% to 9% across states.

The proportion of high school students who carried a weapon to school dropped to 6% in 2003

One-third of students who carried a weapon took it to school

The 2003 Youth Risk Behavior Survey found that 6% of high school students said they had carried a weapon (e.g., gun, knife, or club) on school property in the past 30 days—down from 12% in 1993. Males were more likely than females to say they carried a weapon at school. The proportion who carried a weapon to school was about one-third of those who said they had carried a weapon anywhere in the past month (17%). In addition, 6% of high schoolers reported carrying a gun (anywhere) in the past month, down from 8% in 1993.

Percent who carried a weapon on school property in the past 30 days:

	Total	Male	Female
Total	6.1%	8.9%	3.1%
9th grade	5.3	6.6	3.8
10th grade	6.0	8.9	3.0
11th grade	6.6	10.3	2.7
12th grade	6.4	10.2	2.5
White	5.5	8.5	2.2
Black	6.9	8.4	5.5
Hispanic	6.0	7.7	4.2

In 2003, 9% of high school students were threatened or injured with a weapon at school

The overall proportion of students reporting weapon-related threats or injuries at school during the year did not change from 1993.

Percent threatened or injured with a weapon at school in the past year:

	Total	Male	Female
Total	9.2%	11.6%	6.5%
9th grade	12.1	15.4	8.3
10th grade	9.2	11.3	7.0
11th grade	7.3	9.2	5.4
12th grade	6.3	8.5	3.9
White	7.8	9.6	5.8
Black	10.9	14.3	7.5
Hispanic	9.4	11.9	6.9

Across reporting states, the proportion of high school students carrying weapons to school in 2003 ranged from 3% to 10%

	Percent reporting they carried a weapon on school property in the past 30 days			Percent reporting they were threatened or injured with a weapon on school property in the past year		
Reporting states	Total	Male	Female	Total	Male	Female
U.S. total	6.1%	8.9%	3.1%	9.2%	11.6%	6.5%
Alabama	7.3	11.7	2.8	7.2	9.0	5.2
Alaska	7.1	11.8	1.7	8.1	10.9	4.9
Arizona	4.9	7.5	2.5	9.2	12.6	5.8
Delaware	5.0	6.6	2.9	7.7	9.7	5.5
Florida	5.3	7.7	2.8	8.4	10.5	6.2
Georgia	5.0	7.7	2.3	8.2	9.8	6.4
Idaho	7.7	11.1	3.9	9.4	12.0	6.5
Indiana	6.2	9.7	2.7	6.7	8.4	4.9
Kentucky	7.4	11.5	3.0	5.2	7.7	2.3
Maine	6.6	11.0	1.8	8.5	10.6	5.7
Massachusetts	5.0	7.6	2.2	6.3	8.2	4.2
Michigan	5.1	6.8	3.4	9.7	12.6	6.5
Mississippi	5.2	8.6	1.8	6.6	8.1	5.2
Missouri	5.5	8.5	2.2	7.5	9.3	5.6
Montana	7.2	10.6	3.2	7.1	9.0	4.8
Nebraska	5.0	8.3	1.5	8.8	12.0	5.5
Nevada	6.3	9.0	3.5	6.0	7.0	5.0
New Hampshire	5.8	8.9	2.4	7.5	9.5	5.3
New York	5.2	7.5	2.8	7.2	9.7	4.6
North Carolina	6.3	8.3	4.3	7.2	8.2	6.1
North Dakota	5.7	9.6	1.4	5.9	7.1	4.6
Ohio	3.6	5.2	2.0	7.7	8.9	6.3
Oklahoma	8.0	13.5	2.5	7.4	7.9	6.6
Rhode Island	5.9	8.6	3.0	8.2	10.8	5.2
South Dakota	7.1	12.4	1.5	6.5	8.6	4.4
Tennessee	5.4	8.4	2.5	8.4	10.7	6.1
Texas*	5.8	9.1	2.3	7.7	9.5	5.6
Utah	5.6	8.8	2.1	7.3	9.9	4.6
Vermont	8.3	12.8	3.3	7.3	9.5	4.9
West Virginia	6.6	9.5	3.5	8.5	10.3	6.7
Wisconsin	3.2	4.2	2.2	5.5	5.9	4.8
Wyoming	10.1	16.0	3.9	9.7	13.3	5.9
Median	5.8	8.8	2.5	7.5	9.5	5.4

* Survey did not include students from one of the state's large school districts.

Source: Authors' adaptation of the Centers for Disease Control and Prevention's Youth risk behavior surveillance—United States, 2003.

More than half of high school seniors have used an illicit drug at least once—more have used alcohol

The Monitoring the Future Study tracks the drug use of secondary school students

Each year, the Monitoring the Future (MTF) Study asks a nationally representative sample of nearly 50,000 secondary school students in approximately 400 public and private schools to describe their drug use patterns through self-administered questionnaires. Surveying seniors annually since 1975, the study expanded in 1991 to include 8th and 10th graders. By design, MTF excludes dropouts and institutionalized, homeless, and runaway youth.

Half of seniors in 2003 said they had used illicit drugs

In 2003, 51% of all seniors said they had at least tried illicit drugs. The figure was 41% for 10th graders and 23% for 8th graders. Marijuana is by far the most commonly used illicit drug. In 2003, 46% of high school seniors said they had tried marijuana. About half of those in each grade who said they had used marijuana said they had not used any other illicit drug.

Put another way, more than half of the 8th and 12th graders and nearly half of the 10th graders who have ever used an illicit drug have used something in addition to, or other than, marijuana. About 3 in 10 seniors (28%) (slightly more than half of seniors who used any illicit drugs) used an illicit drug other than marijuana. Almost half of high school seniors had used marijuana at least once, 35% used it in the past year, and 21% used it in the previous month. MTF also asked students if they had used marijuana on 20 or more occasions in the previous 30 days. In 2003, 6% of high school seniors said they used marijuana that frequently.

In 2003, 14% of high school seniors reported using amphetamines at least once, making amphetamines the second most prevalent illicit drug after marijuana. Amphetamines also ranked second to marijuana in terms of current (past month) use. Specifically, 6% of seniors had used methamphetamine at least once and 4% had used ice (crystal methamphetamine). Narcotics other than heroin were the next most prevalent drug after amphetamines: 13% of seniors reported using a narcotic such as Vicodin, Percocet, or Oxycontin.

In 2003, 8% of seniors said they had used cocaine at least once in their life. More than half of this group (5% of all seniors) said they used it in the previous year, and about one-quarter of users (2% of seniors) had used it in the preceding 30 days. About 1 in 28 seniors reported previous use of crack cocaine: about 1 in 45 in the previous year, and about 1 in 110 in the previous month. Heroin was the least commonly used illicit drug, with less than 2% of seniors reporting they had used it at least once. Nearly half of seniors who reported heroin use said they only used it without a needle.

Alcohol and tobacco use is widespread at all grade levels

In 2003, more than 3 in 4 high school seniors said they had tried alcohol at least once; nearly 2 in 4 said they used it in the previous month. Even among 8th graders, the

More high school seniors use marijuana on a daily basis than drink alcohol daily

	Proportion of seniors in 2003 who used			
	in lifetime	in last year	in last month	daily*
Alcohol	76.6%	70.1%	47.5%	3.2%
Been drunk	58.1	48.0	30.9	1.6
Cigarettes	53.7	–	24.4	15.8
Marijuana/hashish	46.1	34.9	21.2	6.0
Amphetamines	14.4	9.9	5.0	0.5
Narcotics, not heroin	13.2	9.3	4.1	0.2
Inhalants	12.2	4.5	2.3	0.4
Tranquilizers	10.2	6.7	2.8	0.2
Sedatives	9.1	6.2	3.0	0.2
MDMA (ecstasy)	8.3	4.5	1.3	0.1
Cocaine, not crack	6.7	4.2	1.8	0.1
Methamphetamine	6.2	3.2	1.7	0.2
LSD	5.9	1.9	0.6	<0.1
Crystal methamphetamine	3.9	2.0	0.8	0.1
Crack cocaine	3.6	2.2	0.9	0.1
Steroids	3.5	2.1	1.3	0.2
PCP	2.5	1.3	0.6	0.2
Heroin	1.5	0.8	0.4	0.1

■ Three out of 10 seniors said they were drunk at least once in the past month.

* Used on 20 or more occasions in the last 30 days.

– Not included in survey.

Source: Authors' adaptation of Johnston et al.'s Monitoring the Future: National survey on drug use, 1975–2003.

use of alcohol was common: two-thirds had tried alcohol, and almost one-fifth used it in the month prior to the survey.

Perhaps of greater concern are the juveniles who indicated heavy drinking (defined as five or more drinks in a row) in the preceding 2 weeks. Recent heavy drinking was reported by 28% of seniors, 22% of 10th graders, and 12% of 8th graders.

Tobacco use was less prevalent than alcohol use, but it was the most likely substance to be used on a daily basis. In 2003, 54% of 12th graders, 43% of 10th graders, and 28% of 8th graders had tried cigarettes, and 24% of seniors, 17% of 10th graders, and 10% of 8th graders smoked in the preceding month. In addition, 16% of seniors, 9% of 10th graders, and 5% of 8th graders reported currently smoking cigarettes on a daily basis. Overall, based on various measures, tobacco use is down compared with use levels in the early to mid-1990s.

Higher proportions of males than females were involved in drug and alcohol use, especially heavy use

In 2003, males were more likely than females to drink alcohol at all and to drink heavily. Among seniors, 52% of males and 44% of females reported alcohol use in the past 30 days, and 34% of males and 22% of females said they had five or more drinks in a row in the previous 2 weeks. One in 20 senior males reported daily alcohol use compared with 1 in 50 females.

Males were more likely than females to have used marijuana in the previous year (38% vs. 32%), in the previous month (25% vs. 17%), and daily during the previous month (8% vs. 3%). The proportions of male and female high school seniors reporting overall use of illicit drugs other than marijuana in the previous year were more similar (21% and 18%), but there were variations across drugs. Males had higher annual use rates for cocaine, inhalants, steroids, LSD, and heroin. Males and females had similar use rates for amphetamines.

Blacks had lower drug, alcohol, and tobacco use rates than whites or Hispanics

In 2003, 10% of black seniors said they had smoked cigarettes in the past 30 days, compared with 29% of whites and 19% of Hispanics. Fewer than one-third of black seniors reported alcohol use in the past 30 days, compared with more than one-half of white seniors and nearly one-half of Hispanic seniors. Whites were 3 times more likely than blacks to have been drunk in the past month (36% vs. 12%). The figure for Hispanics was 24%.

The same general pattern held for illicit drugs. The proportion of seniors who reported using marijuana in the past year was lower among blacks (26%) than whites (38%) or Hispanics (31%). Whites were nearly 5 times more likely than blacks to have used cocaine in the previous year. Hispanics were nearly 4 times more likely.

Fewer than 1 in 10 high school students used alcohol or marijuana at school

According to the Centers for Disease Control and Prevention's 2003 Youth Risk Behavior Survey, 6% of high school students said they had

Drug use was more common among males than females and among whites than blacks

	Proportion of seniors who used in previous year				
	Male	Female	White	Black	Hispanic
Alcohol*	51.7%	43.8%	52.3%	29.9%	46.4%
Been drunk*	34.9	26.9	35.6	11.7	23.9
Cigarettes*	26.2	22.1	29.4	10.0	19.0
Marijuana/hashish	37.8	31.6	37.9	26.3	31.1
Narcotics, not heroin	10.7	7.8	10.2	2.1	5.2
Amphetamines	9.8	9.6	12.4	2.8	6.8
Tranquilizers	6.9	6.3	8.7	1.3	4.5
Sedatives	6.7	5.4	7.6	1.7	4.1
Cocaine, not crack	5.4	2.9	4.9	1.0	3.9
Inhalants	5.2	2.9	4.9	1.5	2.7
MDMA (ecstasy)	4.8	4.0	6.4	1.4	5.3
Steroids	3.2	1.1	2.4	1.1	1.8
LSD	2.5	1.2	3.0	0.8	1.8
Crack cocaine	2.3	1.9	2.2	1.2	2.9
Heroin	0.8	0.5	0.8	0.7	0.8

Note: Male and female proportions are for 2003. Race proportions include data for 2002 and 2003, to increase subgroup sample size and provide more stable estimates.

*Alcohol and cigarette proportions are for use in the past 30 days.

Source: Authors' adaptation of Johnston et al.'s Monitoring the Future: National survey on drug use, 1975–2003.

at least one drink of alcohol on school property in the past month. Similarly, 6% said they used marijuana on school property during the same time period.

Overall, males were more likely than females to drink alcohol or use marijuana at school. This was true for most grades and racial/ethnic groups. Females showed more variation across grade levels than males, with a greater proportion of 9th graders drinking alcohol or using marijuana at school than 12th graders. Hispanic students were more likely than non-Hispanic white students to drink alcohol or use marijuana at school.

Percent who used on school property in the past 30 days:

	Total	Male	Female
Alcohol			
Total	5.2%	6.0%	4.2%
9th grade	5.1	5.1	5.2
10th grade	5.6	6.1	5.0
11th grade	5.0	6.4	3.5
12th grade	4.5	6.5	2.6
White	3.9	4.5	3.2
Black	5.8	7.9	3.8
Hispanic	7.6	7.4	7.9
Marijuana			
Total	5.8%	7.6%	3.7%
9th grade	6.6	8.1	5.1
10th grade	5.2	7.2	3.0
11th grade	5.6	7.9	3.3
12th grade	5.0	7.1	2.6
White	4.5	5.8	3.1
Black	6.6	9.7	3.6
Hispanic	8.2	10.4	6.0

In 2003, fewer than 1 in 3 high school students said they were offered, sold, or given drugs at school in the past year

Nationally, 29% of high school students said they were offered, sold, or given an illegal drug on school property at least once during the past 12 months. The proportion was higher for males than for females, especially among black and Hispanic students and among seniors. Hispanic students were more likely than white or black students to report being offered, sold, or given illegal drugs at school. Among females, seniors were less likely than 9th, 10th, and 11th graders to say they were offered, sold, or given an illegal drug on school property.

Percent who were offered, sold, or given an illegal drug on school property in past 12 months:

	Total	Male	Female
Total	28.7%	31.9%	25.0%
9th grade	29.5	32.1	26.7
10th grade	29.2	31.9	26.5
11th grade	29.9	33.5	26.1
12th grade	24.9	29.7	19.6
White	27.5	30.2	24.5
Black	23.1	27.7	18.3
Hispanic	36.5	40.6	32.5

High school students were nearly 3 times more likely to use alcohol than marijuana before age 13

	Percent who had used before age 13					
	Alcohol			Marijuana		
	Total	Male	Female	Total	Male	Female
Total	27.8%	32.0%	23.3%	9.9%	12.6%	6.9%
9th grade	36.4	39.4	33.3	11.7	13.6	9.7
10th grade	28.5	33.3	23.5	10.8	14.3	7.3
11th grade	23.0	27.6	18.2	8.1	10.9	5.2
12th grade	20.3	25.1	15.2	7.8	11.0	4.3
White	25.7	30.0	21.2	8.7	10.5	6.8
Black	31.2	35.7	26.8	12.1	18.5	5.8
Hispanic	30.2	34.1	26.3	10.7	13.0	8.5

- Fewer than 1 in 3 high school students said they had drunk alcohol (more than just a few sips) before they turned 13; 1 in 10 high school students reported trying marijuana before age 13.
- Females were less likely than males to have used alcohol or marijuana before age 13, and whites were less likely than blacks.
- Juniors and seniors were generally less likely to say they used alcohol or marijuana before age 13 than were freshmen and sophomores.

Source: Authors' adaptation of the Centers for Disease Control and Prevention's Youth risk behavior surveillance—United States, 2003.

Drinking and driving is a high-risk teen behavior

Motor vehicle crashes are the leading cause of death for high school students, accounting for 77% of all deaths in 2002 among teens ages 14–17. According to the 2003 Youth Risk Behavior Surveillance Survey, 3 in 10 high school students said that in the past month they rode in a vehicle with a driver who had been drinking. The proportion varied across states, ranging from 18% to 43%.

In addition, 3 in 25 high school students said that in the past month they drove a vehicle after drinking alcohol. The proportion was lower for freshmen (who typically are not yet of driving age) than for other high school students. Across states, the proportion ranged from 7% to 27%.

Across states, the proportion of high school students who were offered, sold, or given an illegal drug on school property during the past year ranged from 18% to 35%

	Percent who used alcohol on school property in the past 30 days			Percent who used marijuana on school property in the past 30 days			Percent who were offered, sold,or given an illegal drug on school property in the past year		
Reporting states	Total	Male	Female	Total	Male	Female	Total	Male	Female
U.S. total	5.2%	6.0%	4.2%	5.8%	7.6%	3.7%	28.7%	31.9%	25.0%
Alabama	4.1	5.4	2.7	2.6	3.5	1.7	26.0	28.1	23.8
Alaska	4.9	5.4	4.0	6.5	7.9	4.9	28.4	30.8	25.8
Arizona	6.6	9.3	4.1	5.6	7.4	3.9	28.1	31.2	25.2
Delaware	4.8	5.5	3.9	6.0	7.4	4.4	27.9	33.4	22.1
Florida	5.1	6.6	3.6	4.9	6.8	2.9	25.7	29.9	21.3
Georgia	3.7	4.3	3.1	3.2	4.4	2.0	33.3	38.4	28.3
Idaho	3.8	4.5	3.0	2.7	3.7	1.5	19.6	21.3	17.6
Indiana	3.9	4.2	3.6	3.8	4.9	2.7	28.3	32.3	23.9
Kentucky	4.8	5.4	4.1	4.3	5.8	2.6	30.4	31.7	28.9
Maine	3.7	4.9	2.1	6.3	9.1	3.3	32.6	38.5	26.4
Massachusetts	5.3	6.8	3.7	6.3	8.6	3.9	31.9	36.5	27.2
Michigan	4.6	4.9	4.3	7.0	8.4	5.5	31.3	34.6	28.0
Mississippi	4.9	6.0	3.8	4.4	7.3	1.5	22.3	27.6	16.6
Missouri	2.6	3.3	1.8	3.0	4.0	1.9	21.6	25.2	18.0
Montana	6.7	8.0	5.3	6.4	8.6	3.8	26.9	29.2	24.7
Nebraska	4.6	5.9	3.3	3.9	5.4	2.3	23.3	27.6	18.6
Nevada	7.4	7.7	7.1	5.3	5.5	5.1	34.5	35.5	33.4
New Hampshire	4.0	4.1	3.9	6.6	8.6	4.2	28.2	31.7	24.2
New York	5.2	6.5	3.9	4.5	6.0	3.0	23.0	27.5	18.4
North Carolina	3.6	3.8	3.4	3.5	4.9	2.0	31.9	34.2	29.6
North Dakota	5.1	7.5	2.6	6.3	7.9	4.4	21.3	25.5	16.8
Ohio	3.9	4.6	3.1	4.2	5.0	3.4	31.1	35.7	26.2
Oklahoma	3.2	3.4	2.7	4.3	5.6	3.1	22.2	25.2	19.1
Rhode Island	4.6	5.9	3.2	7.4	10.3	4.5	26.0	28.3	23.6
South Dakota	5.4	7.8	3.0	4.5	5.6	3.4	22.1	25.9	18.1
Tennessee	4.2	5.3	2.9	4.1	6.3	1.9	24.3	29.2	19.5
Texas*	4.6	5.7	3.4	4.8	6.8	2.7	27.3	28.1	26.5
Utah	3.8	5.0	2.7	3.7	5.9	1.3	24.7	29.5	19.8
Vermont	5.3	6.4	4.1	8.0	10.0	5.7	29.4	33.5	24.8
West Virginia	4.1	4.5	3.7	4.5	6.6	2.3	26.5	27.7	25.2
Wisconsin	–	–	–	–	–	–	26.3	28.4	23.9
Wyoming	6.2	6.3	6.1	5.1	6.4	3.8	18.1	20.1	16.0
Median	4.6	5.4	3.6	4.5	6.4	3.1	26.7	29.3	23.9

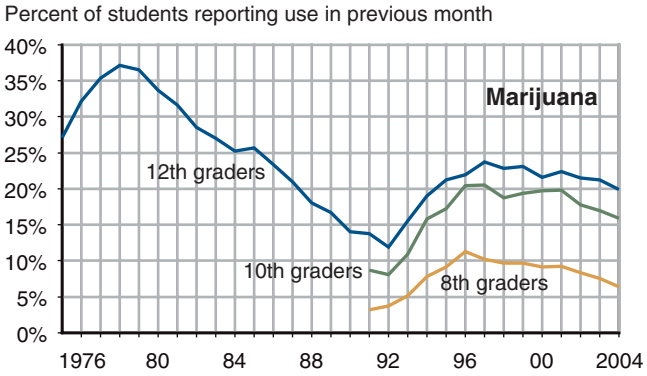
* Survey did not include students from one of the state's large school districts.

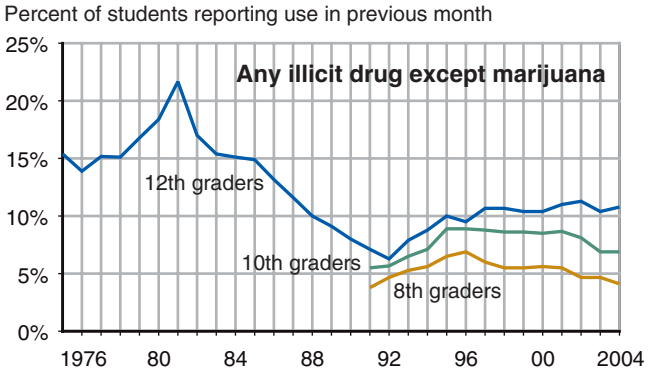
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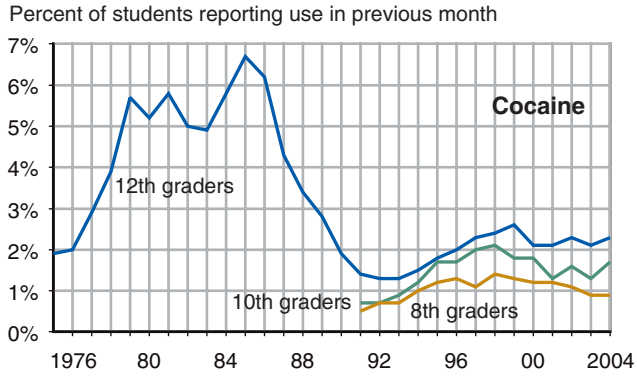
Source: Authors' adaptation of the Centers for Disease Control and Prevention's Youth risk behavior surveillance—United States, 2003.

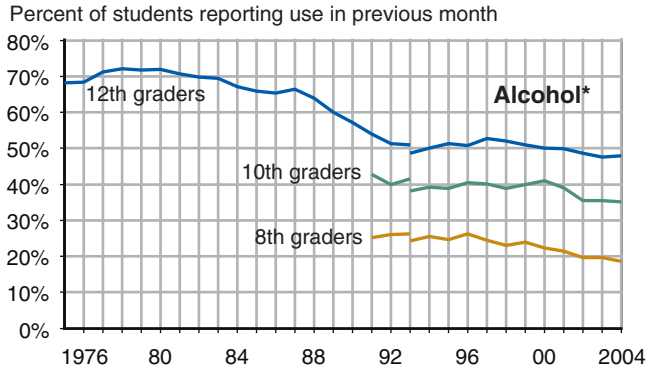
Juvenile illicit drug use has been relatively constant since the mid-1990s after declining during the 1980s

In 2004, the proportion of high school seniors who reported using illicit drugs in the previous month was above levels of the early 1990s but well below levels of the early 1980s









- After years of continuous decline, reported drug use by high school seniors grew in several categories after 1992. Similar increases in drug use were reported by 8th and 10th graders, although their levels of use were below those of 12th graders.
- In recent years, the proportion of students reporting use of illicit drugs during the 30 days prior to the survey appears to have stabilized or declined for many categories of drug use. For marijuana, the most widely used illicit drug, use declined from 1997 to 2004 for 12th graders (–16%), 10th graders (–22%), and 8th graders (–37%).
- In 2004, the proportion of seniors who said they used marijuana in the past month was nearly double the proportion who reported past-month use of illicit drugs other than marijuana (20% vs. 11%) but less than half the proportion who reported past-month alcohol use (48%).
- Past-month cocaine use among seniors peaked in 1985 at nearly 7%. Although use levels for cocaine increased between 1992 and 1999 (100% for seniors), levels have stabilized recently (at around 2% for seniors).
- For all three grades, past-month alcohol use in 2004 was at or near its lowest levels since the mid-1970s—48% for 12th graders, 35% for 10th graders, and 19% for 8th graders.

* The survey question on alcohol use was revised in 1993 to indicate that a "drink" meant "more than a few sips." In 1993, half the sample responded to the original question and half to the revised question. Beginning in 1994, all respondents were asked the revised question.

Source: Authors' adaptation of Johnston et al.'s Overall teen drug use continues gradual decline; but use of inhalants rises. *Monitoring the Future press release*.

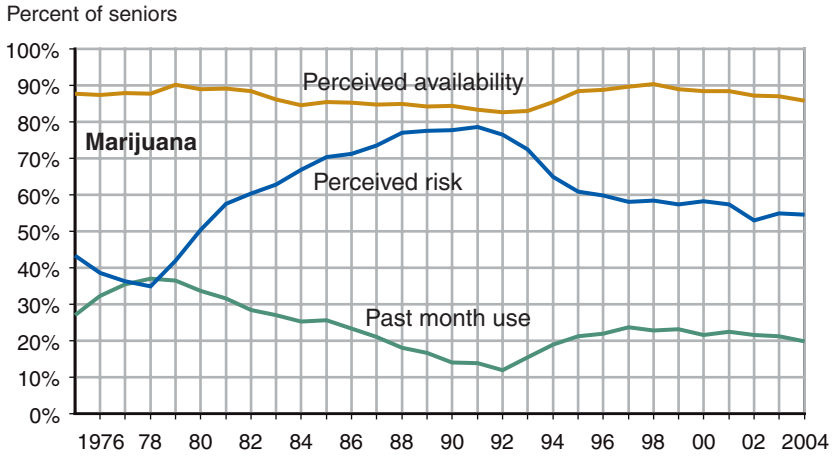
Change in students' use of marijuana and alcohol is tied to their perception of possible harm from use

The annual Monitoring the Future Study, in addition to collecting information about students' use of illicit drugs, alcohol, and tobacco, also collects data on students' perceptions regarding the availability of these substances and the risk of harm from using them.

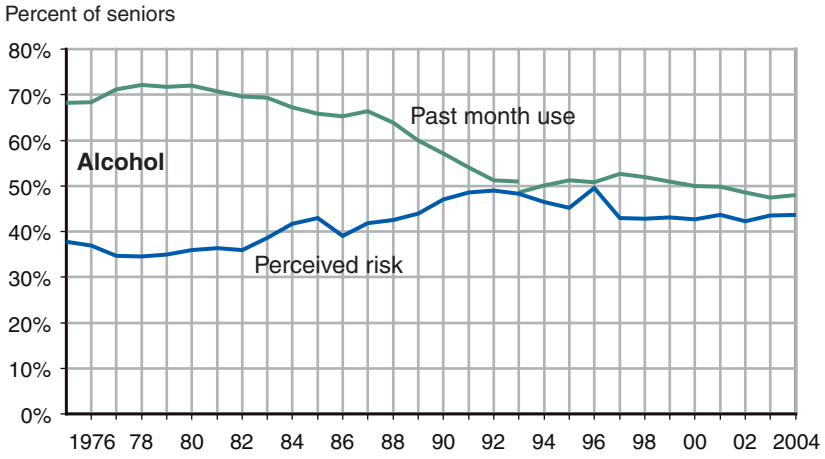
Between 1975 and 2004, the proportion of high school seniors reporting use of marijuana in the 30 days prior to the survey fluctuated, peaking in 1978 and then declining consistently through 1992. After that, reported use increased then leveled off, although the 2004 rate was still far below the peak level of 1978. When the perceived risk of harm (physical or other) from either regular or occasional use of marijuana increased, use declined; when perceived risk declined, use increased. The perception that obtaining marijuana was "fairly easy" or "very easy" remained relatively constant between 1975 and 2004.

Students' reported use of alcohol also shifted from 1975 to 2004. After 1978, alcohol use declined through 1993. Alcohol use fluctuated within a limited range thereafter, although the 2004 rate was far lower than the 1978 rate. As with marijuana, when the perceived risk of harm from either weekend "binge" drinking or daily drinking increased, use declined; when perceived risk declined, use increased.

Over the past 3 decades, while marijuana and alcohol availability remained constant, changes in use reflected changes in perceived harm



Perceived availability: Percent saying fairly easy or very easy to get.
Perceived risk: Percent saying great risk of harm in regular use.
Past month use: Percent using once or more in the past 30 days.



Perceived risk: Percent saying great risk of harm in having five or more drinks in a row once or twice each weekend.
Past month use: Percent using once or more in the past 30 days. (The survey question on alcohol use was revised in 1993 to indicate that a "drink" meant "more than a few sips." In 1993, half the sample responded to the original question and half to the revised question. Beginning in 1994, all respondents were asked the revised question.)

Source: Authors' adaptation of Johnston et al.'s Overall teen drug use continues gradual decline; but use of inhalants rises. *Monitoring the Future press release*.

Youth who use alcohol are more likely than other youth to report using marijuana and selling drugs

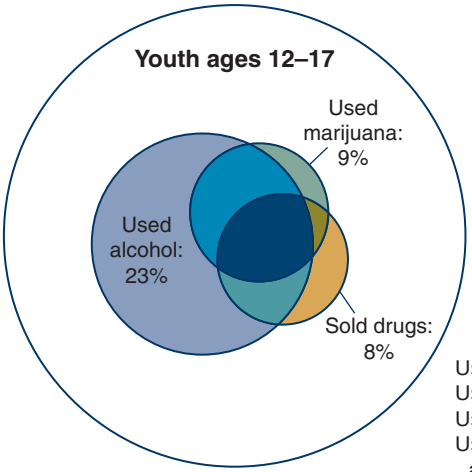
Juveniles report co-occurrence of substance use behaviors

The National Longitudinal Survey of Youth asked a representative sample of youth ages 12–17 in 1997 and 1998 to report if in the last 30 days they had (1) consumed alcohol, (2) used marijuana, and (3) sold or helped to sell any of a wide range of drugs. Analyses found that if one substance-related behavior was reported, others were much more likely.

More specifically, among youth ages 12–17 who used alcohol in the past 30 days, 32% reported using marijuana and 23% reported selling drugs; among youth who did not report using alcohol, just 2% reported using marijuana and 3% reported selling drugs. This pattern was seen in both older and younger youth. Of all youth ages 15–17 who reported alcohol use (35% of youth in this age group), 34% said they used marijuana and 25% reported selling drugs. Of youth ages 15–17 who reported they did not use alcohol in the past 30 days, just 4% used marijuana and 6% sold drugs. Of youth ages 12–14 who reported alcohol use (11% of youth in this age group), 27% said they used marijuana and 17% reported selling drugs. Of youth ages 12–14 who reported they did not use alcohol in the past 30 days, just 1% used marijuana and 1% sold drugs.

Although a significantly larger proportion of non-Hispanic white youth (26%) reported recent alcohol use than did non-Hispanic black (14%) and Hispanic (22%) youth, the proportion of these youth who also reported marijuana use and drug selling was the same across the three groups. Regardless of race/ethnicity, that proportion was greater among youth who used alcohol than among those who did not.

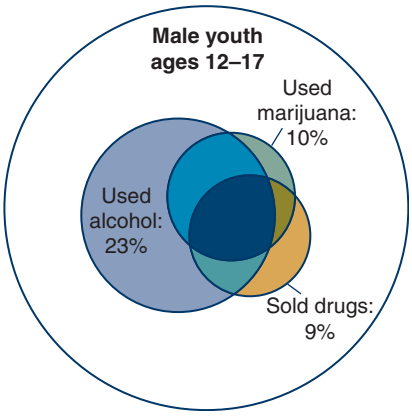
Most youth who either used marijuana in the past 30 days or reported selling drugs in the past 30 days also reported drinking alcohol in the period



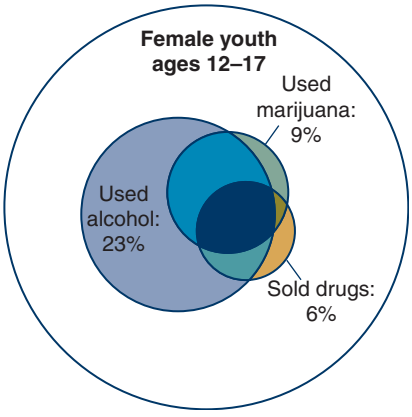
Used alcohol and marijuana: 7%
Used alcohol and sold drugs: 5%
Used marijuana and sold drugs: 4%
Used alcohol and marijuana and sold drugs: 4%

- Most youth ages 12–17 who reported using alcohol in the past 30 days did not report using marijuana or selling drugs in the past 30 days, although they were more likely to do so than youth who did not use alcohol.

Patterns of substance-related behavior co-occurrence were similar among males and females ages 12–17



Used alcohol and marijuana: 7%
Used alcohol and sold drugs: 4%
Used marijuana and sold drugs: 3%
Used alcohol and marijuana and sold drugs: 3%



Used alcohol and marijuana: 8%
Used alcohol and sold drugs: 6%
Used marijuana and sold drugs: 5%
Used alcohol and marijuana and sold drugs: 4%

- Although recent drug selling was more prevalent among males than females, the levels of alcohol and marijuana use did not differ significantly.

Source: Authors' adaptation of McCurley and Snyder's Co-occurrence of substance use behaviors.

The prevalence of youth gangs declined in nonurban areas, but gangs remain a substantial urban problem

Law enforcement agencies are the primary source for data on youth gangs nationwide

Accurately estimating the scope of the youth gang problem is difficult in part because of the lack of consensus about what "counts"—what combination of size, stability, hierarchy, symbolic communication, and ongoing criminal activity distinguishes a true gang from a transitory collection of individuals, not to mention what level of involvement in and adherence to the gang distinguishes a real member from a hanger-on or "wannabe." In addition, the available sources of information on gangs are unreliable. Gangs are, after all, inherently secret groups. Outsiders are apt to miss or misinterpret signs of their presence. Insiders are liable to distort the signs.

Nevertheless, based on surveys of local authorities, it appears that the overall number of communities with active youth gangs grew sharply during the last few decades of the 20th century, peaked in the mid-1990s, and recently declined somewhat.

A comparison of the number of localities reporting problems with youth gangs during the 1970s with the number reporting gang problems in the 1990s found a tenfold increase in gang jurisdictions—including more suburban, small-town, and rural jurisdictions with reported gang problems than ever before. On the basis of law enforcement agency responses to the 1996 National Youth Gang Survey, which gathered data on gangs from a representative sample of police and sheriff departments across the country, the nation's total youth gang membership was estimated at more than 846,000, with 31,000 gangs operating in 4,824 local jurisdictions. Estimates based on subsequent surveys have steadily receded from those highs. Based on the 2004 survey, youth gang membership was estimated at 760,000 and total youth gangs at 24,000. Youth gangs were estimated to be active in more than 2,900 jurisdictions served by city (population of 2,500 or more) and county law enforcement agencies.

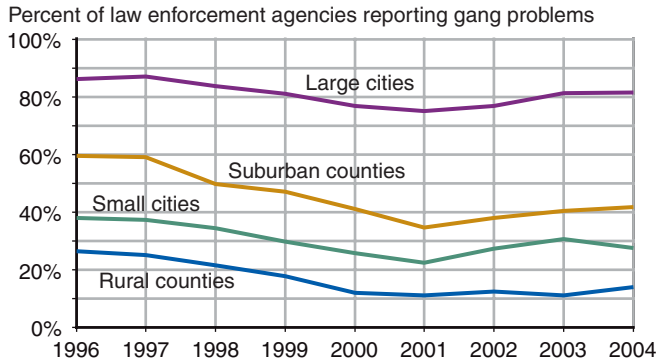
The drop between 1996 and 2004 in the number of localities reporting gang problems was almost entirely attributable to small cities and suburban and rural jurisdictions—where gang problems had tended to be relatively minor and less persistent. Nearly 8 in 10 cities with populations of 50,000 or more continued to report gang problems. Thus, most Americans still live in or near areas that have problems with youth gangs.

A third of public high school and middle school principals report gang activity in their schools

In a 1999–2000 survey of a nationally representative sample of public school principals, 18% reported "undesirable gang activities" in their schools—including 31% of the middle school and 37% of the secondary school principals. Apart from being more common in schools located in urban areas, in poor communities, and in communities with large minority populations, gang activity was strongly linked with school size: principals of schools with enrollments of 1,000 or more were about 4 times more likely to report gang activity than those with enrollments of less than 500.

In 2001 and again in 2003, as part of the School Crime Supplement to the National Crime Victimization Survey, students ages 12–18 were asked about the presence of gangs in their schools during the prior 6 months. In both years, about 1 in 5 reported that gangs were present. Among minority students, students in city schools, and those in upper grades, much higher proportions reported gang presence. For instance, in 2003,

The number of law enforcement agencies reporting gang problems appears to have stabilized



Notes: Large cities have populations of 50,000 or more. Small cities have populations of 2,500 to 49,999. The observed changes in the percentage of agencies in small cities and rural counties reporting gang problems between 2000 and 2004 are within the range attributable to sample error and, thus, do not indicate actual change.

Source: Authors' adaptation of Egley and Ritz's Highlights of the 2004 National Youth Gang Survey.

42% of urban Hispanic students said they attended schools in which gangs were present.

Youth gang members are overwhelmingly male and predominantly minorities

Law enforcement agencies responding to National Youth Gang Surveys over a number of years have reported demographic details regarding gang members in their jurisdictions, including age, gender, and racial and ethnic background. Although reported characteristics varied considerably by locality—with emergent gangs in less populous areas tending to have more white and more female members—overall, gang demographics have been fairly consistent from year to year.

Estimated race/ethnicity of U.S. youth gang members, 2004:

Hispanic	49%
Black	37
White	8
Asian	5
Other	1
Total	100%

On the basis of responses to the 2004 survey, gang membership was estimated to be 94% male. Youth gang membership was estimated to consist of 41% juveniles and 59% young adults (18 or older).

Gang demographic profiles based on law enforcement estimates differ from profiles emerging from youth surveys. Self-reported gang members tend to include many more females and nonminority males. For example, in one large-scale 1995 survey of public school 8th graders, 25% of self-reported gang members were white and 38% were female. Even when more restrictive criteria for gang membership were applied to these self-report results—in an effort to filter out fringe or inactive members and isolate only the most active core gang members—significant demographic differences from law enforcement estimates persisted.

Sustained gang membership is rare even among high-risk youth

Law enforcement estimates of nationwide juvenile gang membership suggest that no more than about 1% of all youth ages 10–17 are gang members. Self-reports, such as the 1997 National Longitudinal Survey of Youth (NLSY97), find that 2% of youth ages 12–17 (3% of males and 1% of females) say they were in a gang in the past year. NLSY97 also found that 8% of 17-year-olds (11% of males and 6% of females) said they had ever belonged to a gang. These proportions obviously vary considerably from place to place. For example, researchers tracking a sample of high-risk youth in Rochester, NY, reported that 30% joined gangs between the ages of 14 and 18.

Gang membership tends to be short-lived, even among high-risk youth. Among the Rochester gang members, half of the males and two-thirds of the females stayed in gangs for a year or less, with very few youth remaining gang members throughout their adolescent years.

Many factors are related to whether youth join gangs

When asked directly what led them to join gangs, 54% of Rochester gang members said they had followed the lead of friends or family members who preceded them, 19% said they did it for protection, and 15% said it was for fun or excitement. Younger gang members were somewhat more likely to cite protection as the primary motivation.

However they may characterize their own motivations, gang members' backgrounds commonly include certain features that may make them more inclined to join gangs. The following risk factors have been found to predict gang membership:

- Individual factors: early delinquency (especially violence and drug use) and early dating and precocious sexual activity.
- Family factors: non-two-parent structure, poverty, and other gang-involved members.
- School factors: low achievement, commitment, and aspirations; truancy; negative labeling by teachers; and lack of a sense of safety in school.
- Peer factors: associations with delinquent or aggressive peers.
- Community factors: poverty, drug availability, gang presence, lack of a sense of safety and attachment.

Some risk factors are more predictive than others. In a longitudinal study of youth living in high-crime neighborhoods in Seattle, for example, pre-adolescents (ages 10–12) who later joined gangs were distinguished most markedly by very early marijuana use, neighborhood conditions making marijuana readily available, and learning disabilities. The presence of any of these factors in a juvenile's background more than tripled the odds of his or her later becoming a gang member. Childhood risk factors that were predictive of later sustained (as opposed to transient) gang membership included early violence, acting out, and association with antisocial peers.

The more risk factors present in a youth's background, the more likely that youth is to join a gang. In Seattle, for example, those with two or three identified risk factors at ages 10–12 were 3 times more likely to go on to join a gang than those with none or one, those with four to six risk factors were 5 times more likely, and those with seven or more were 13 times more likely. Having background risk factors in more than one area of life—that is, individual, family, community, etc.—increases the likelihood of gang involvement even more than a general accumulation of factors. The Rochester study, which divided risk factors into seven general domains, found that 61% of the boys and 40% of the girls with problems in all seven areas were gang members.

Gang members are responsible for a disproportionate share of violent and nonviolent offenses

By their own account, gang members are more likely to engage in criminal activity than their peers. In response to interview questions regarding their activities in the prior month, Seattle gang members were 3 times more likely than nongang members to report committing break-ins and assaults, 4 times more likely to report committing felony thefts, and 8 times more likely to report committing robberies. When asked about their activities during the prior year, gang members were 3 times more likely to say they had been arrested, and 5 times more likely to say they had sold drugs.

In surveys of high-risk youth, gang members represent a minority of these youth but account for most of the reported crime. In the Rochester study, gang members made up 30% of the sample but accounted for 54% of the arrests, 68% of the property crimes, 69% of the violent offenses, 70% of the drug sales, and 82% of the serious delinquencies. A similar study of high-risk Denver youth found that gang members constituted just 14% of the sample but committed 80% of the serious and violent crimes.

Guns are a key factor in gang members' heightened criminality

A body of longitudinal research discredits the notion that gangs are simply collections of antisocial individuals who would be offending at the same rates even if they were not organized into gangs. For one thing, gang members have been found to be more criminally active and violent than delinquents who are not gang affiliated, even those who associate to the same extent with other delinquents. Furthermore, this heightened criminality and violence occur only during periods of gang membership—not before or after. Rochester juveniles who were gang members during only 1 year between ages 14 and 18 committed more offenses during that 1 gang year than they did in any of the remaining 3 years. Denver youth involved in gangs over some part of a 5-year period committed 85% of their serious violent offenses, 86% of their serious property offenses, and 80% of their drug sales while gang-involved. All of these findings strongly suggest that the gang structure itself tends to facilitate or even demand increased involvement in delinquency.

A significant factor may be the strong association between gang membership and gun possession. Gang members are far more likely than nonmembers to own or have access to guns, to carry them on the street, and to use them to commit crimes. Gang membership both facilitates juveniles' access to guns—through illegal markets and through borrowing—and provides strong and constant incentives for being armed in public. Rochester gang members' rates of gun-carrying were 10 times higher than those of nonmembers. For these youth, gun-carrying not only multiplies opportunities to commit violent crimes and raises the risk that ordinary disputes will escalate into violence—it may increase a youth's crime-readiness by supplying an all-purpose, aggressive confidence that unarmed youth do not have.

Gang membership has lasting negative consequences for gang members themselves

Being a member of a gang sharply raises a young person's risk of being a *victim* of violence, not just a perpetrator. Gangs may harm members in subtle as well as obvious ways, cutting them off from people and opportunities that could help them with the transition to adulthood and disrupting their lives even after they have moved beyond the gang.

Researchers tracking the lives of Rochester gang members to age 22 found evidence of serious adult dysfunction that could not be explained by other factors. Young adults who had been in gangs were more likely to have ended their education prematurely, become pregnant or had children early, and failed to establish stable work lives—all of which were associated with an increased likelihood of being arrested as adults. The differences were more notable among those who had been in gangs for a long time and persisted even when gang members were compared with nonmembers who had histories of delinquency and association with delinquent peers.

The daily patterns of juvenile violent, drug, and weapons crimes differ on school and nonschool days

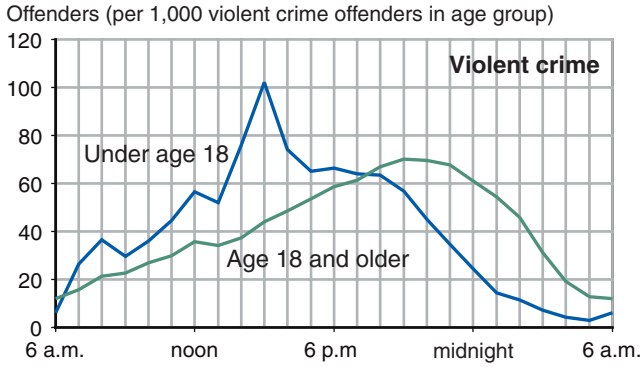
Peak time periods for juvenile violent crime depend on the day

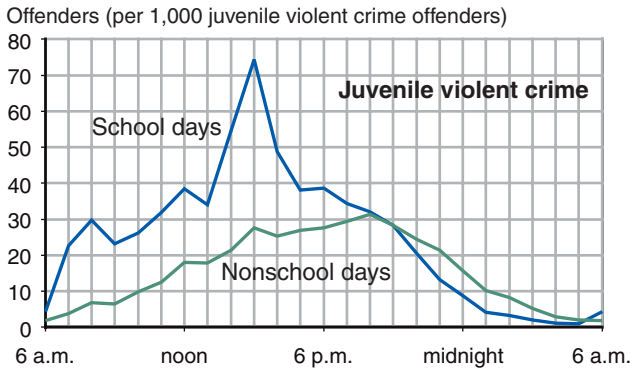
The FBI's National Incident-Based Reporting System (NIBRS) collects information on each crime reported to contributing law enforcement agencies, including the date and time of day the crime occurred. For calendar year 2001, agencies in 20 states and the District of Columbia reported information on the time of day of reported crimes. Analyses of these data show that for many offenses juveniles commit crimes at different times than do adults, and the juvenile patterns vary on school and nonschool days.

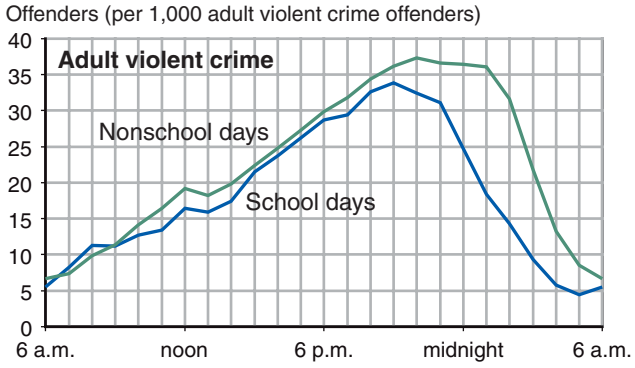
The number of violent crimes by adult offenders increased hourly through the morning, afternoon, and evening hours, peaking around 10 p.m., then declining to a low point at 6 a.m. In contrast, violent crimes by juveniles peaked between 3 p.m. and 4 p.m. (the hour at the end of the school day) and then generally declined hour by hour until the low point at 6 a.m. At 10 p.m. when the number of adult violent crimes peaked, the number of violent crimes involving juvenile offenders was about half the number at 3 p.m.

The importance of the afterschool period in juvenile violence is confirmed when the days of the year are divided into two groups: school days (Mondays through Fridays in the months of September through May, excluding holidays) and nonschool days (the months of June through August, all weekends, and holidays). A comparison of the school- and nonschool-day violent crime patterns finds that the 3 p.m. peak occurs only on school days and only for juveniles. The timing of adult violent crimes is similar on school and nonschool days, with one exception: the peak occurs a

Unlike violent crime by adult offenders, violent crime by juvenile offenders peaks in the afterschool hours on school days







- The small difference in the adult patterns on school and nonschool days probably is related to the fact that nonschool days are also weekend or summer days.

Notes: Violent crimes include murder, violent sexual assault, robbery, aggravated assault, and simple assault. Data are from 20 states and the District of Columbia.

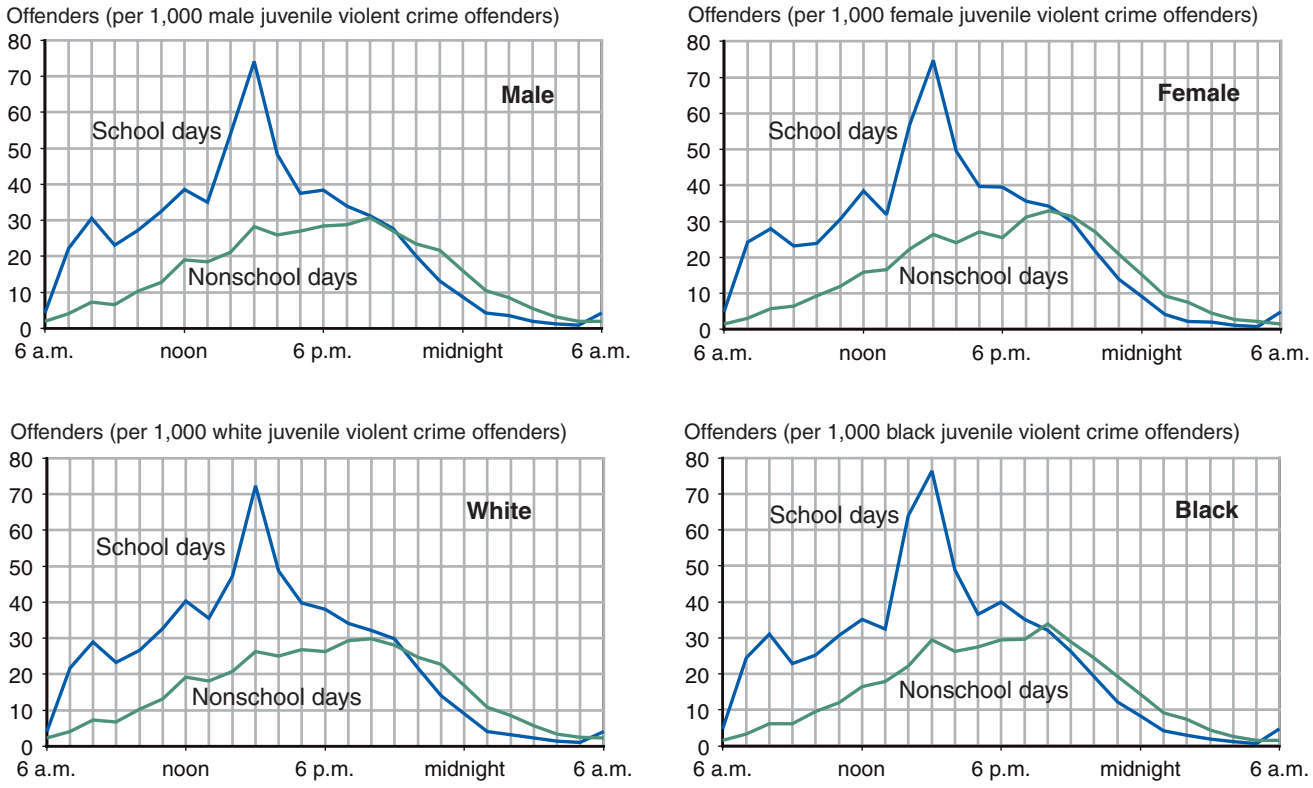
Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master file* for the year 2001 [machine-readable data file].

little later on nonschool days (i.e., weekends and summer days). Finally, the time pattern of juvenile violent crimes on nonschool days is similar to that of adults.

Afterschool programs have more crime reduction potential than do juvenile curfews

The number of school days in a year is essentially equal to the number of nonschool days in a year. Based on 2001 NIBRS data, 61% of all violent crimes (i.e., murder, forcible rape, robbery, aggravated assault, and simple assault) committed by juveniles occur on school days. In fact, 1 of every 5 juvenile violent crimes (20%) occurs in the 4 hours between 3 p.m. and 7 p.m. on school days. A smaller proportion of juvenile violent crime (14%) occurs during the standard juvenile curfew hours of 10 p.m. to 6 a.m. However, the annual number of hours in the curfew period (i.e., 8 hours every day in the year) is 4 times greater than the number of hours in the 3 p.m. to 7 p.m. period on school days (i.e., 4 hours in half of the days in the year). Therefore, the rate of juvenile violence in the afterschool period is almost 6 times the rate in the juvenile curfew period. Consequently, efforts to reduce juvenile crime after school would appear to have greater potential to decrease a community's violent crime rate than do juvenile curfews.

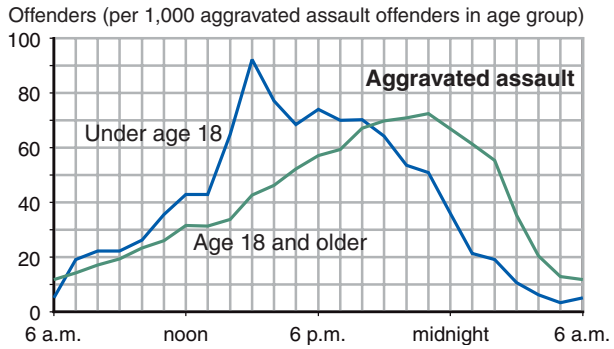
The daily patterns of juvenile violent crimes (including the afterschool peak on school days) are similar for males and females and for whites and blacks

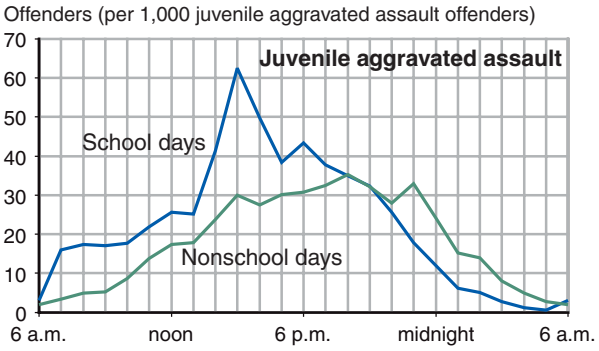


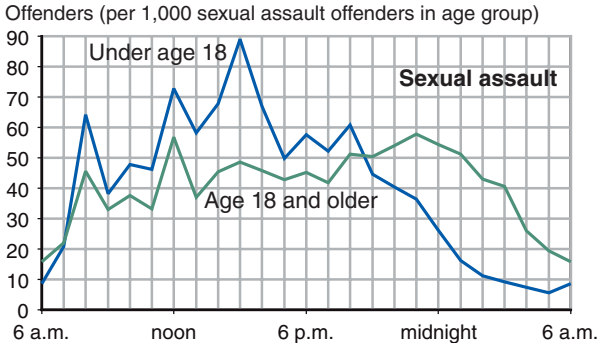
Note: Violent crimes include murder, violent sexual assault, robbery, aggravated assault, and simple assault. Data are from 20 states and the District of Columbia.

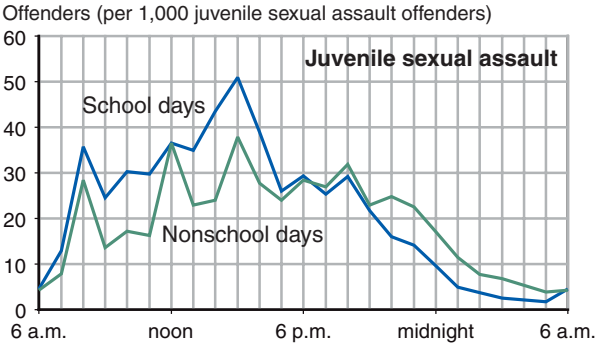
Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master file* for the year 2001 [machine-readable data file].

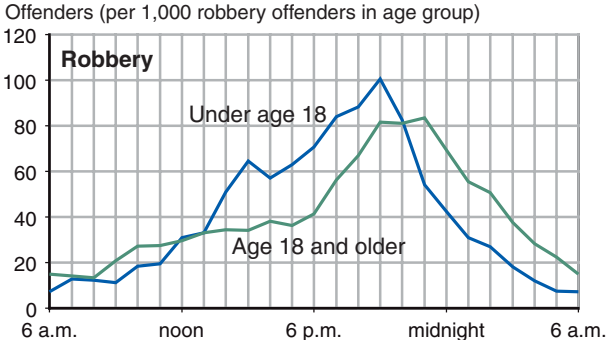
Aggravated assaults by juvenile offenders peak at 3 p.m. on school days, coinciding with the end of the school day

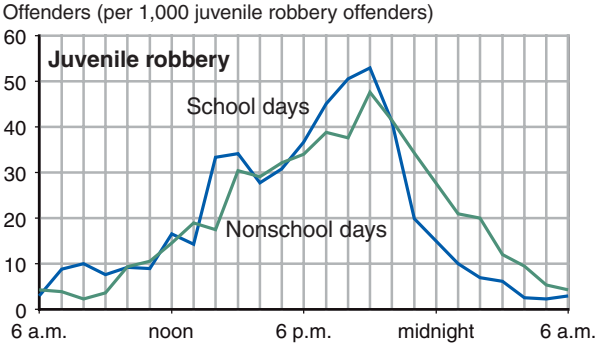










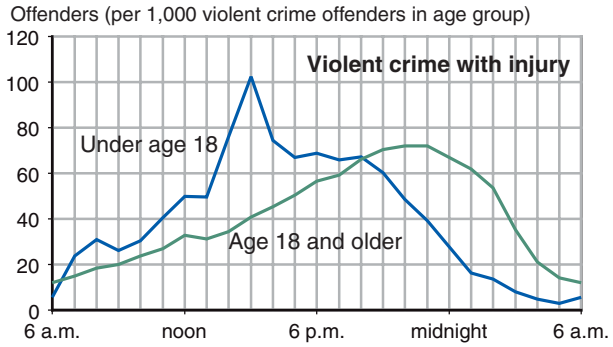


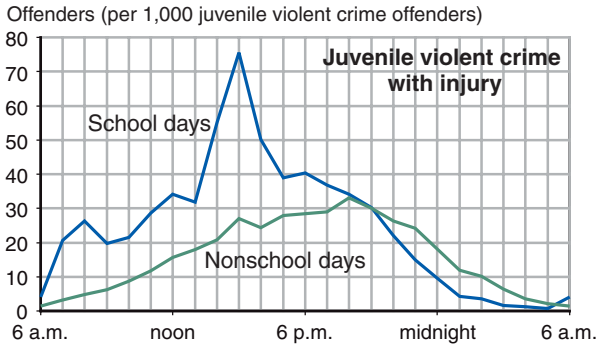
- Sexual assaults by juvenile offenders spike at 8 a.m. and 3 p.m. on both school and nonschool days and at noon on nonschool days.
- Unlike other violent crimes, the daily timing of robberies by juvenile offenders is similar to the adult patterns, peaking in the late evening hours on both school and nonschool days.
- Juveniles are most likely to commit a violent sexual assault between 2 p.m. and 5 p.m., especially on school days.
- Before 8 p.m., persons are more at risk of becoming an aggravated assault victim of a juvenile offender on school days than on nonschool days (i.e., weekends and all summer days).

Note: Data are from 20 states and the District of Columbia.

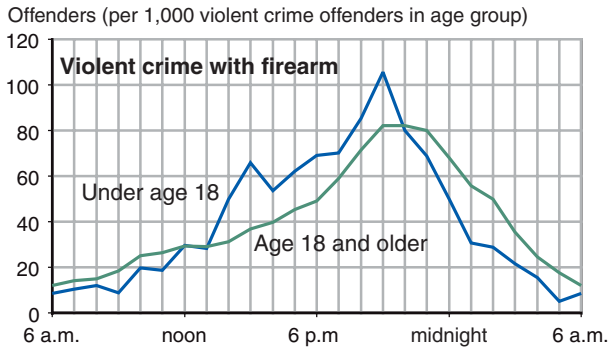
Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master file* for the year 2001 [machine-readable data file].

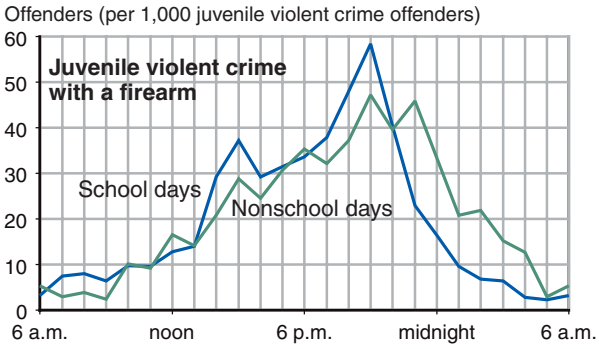
Violent crime that results in injury to the victim is most likely in the afterschool hours on school days for juvenile offenders, between 9 p.m. and midnight for adult offenders



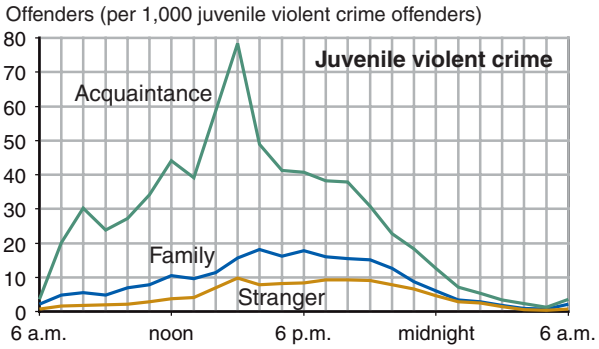


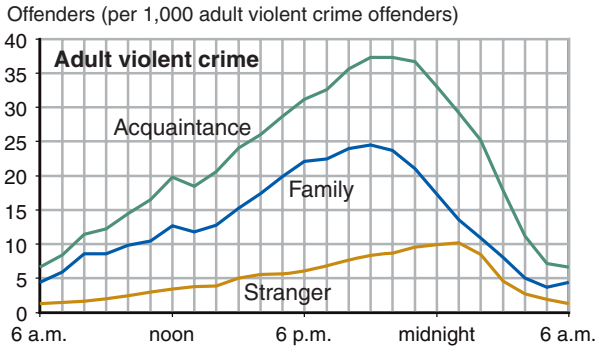
In a pattern similar to that for adults, juveniles are most likely to commit a crime with a firearm between 9 p.m. and 10 p.m.—although there is also a minor peak in the afterschool hours





The afterschool peak in juvenile violent crime largely involves crimes with victims who are acquaintances of the offenders



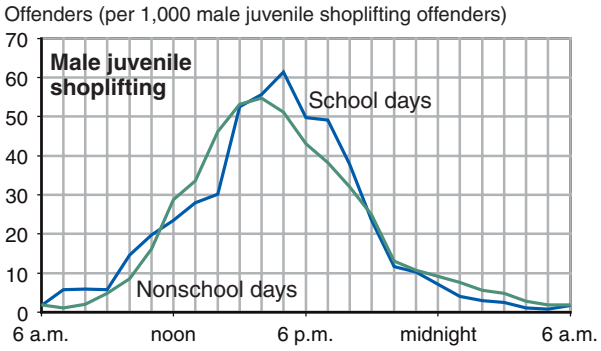


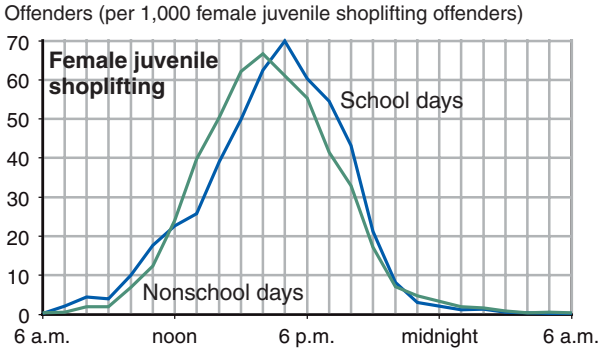
- The timing of violent crimes by adult offenders differs substantially from the juvenile pattern. For adult offenders, violent crimes against strangers peak in the hours after midnight; for victims who are family members, the most dangerous hours are between 8 p.m. and 11 p.m.

Note: Violent crimes include murder, violent sexual assault, robbery, aggravated assault, and simple assault. Data are from 20 states and the District of Columbia.

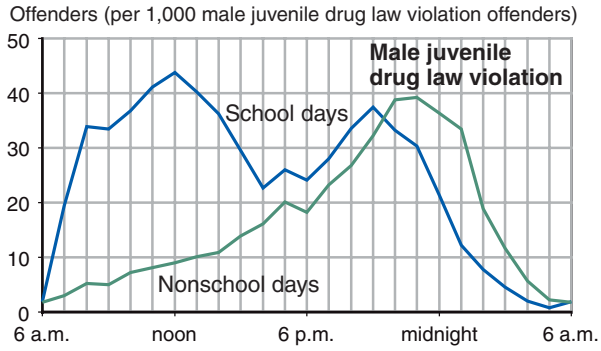
Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master file* for the year 2001 [machine-readable data file].

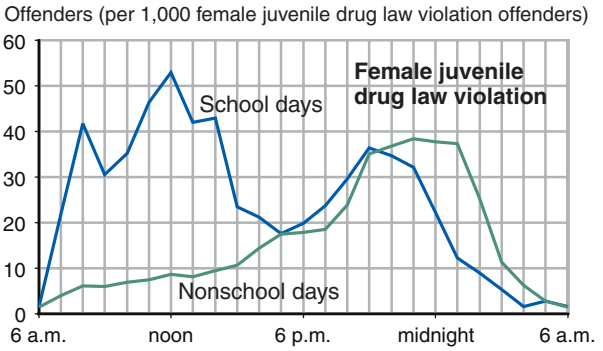
Unlike violent offending, the time patterns of shoplifting are similar on school and nonschool days for both male and female juvenile offenders—peaking between 3 p.m. and 6 p.m.





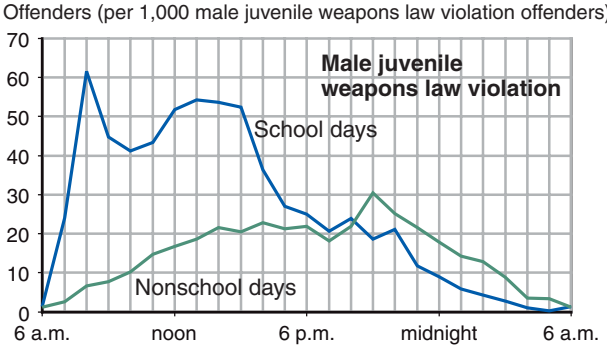
The time and day patterns of drug law violations known to law enforcement for both male and female juveniles indicate how often schools are a setting for drug crimes and their detection

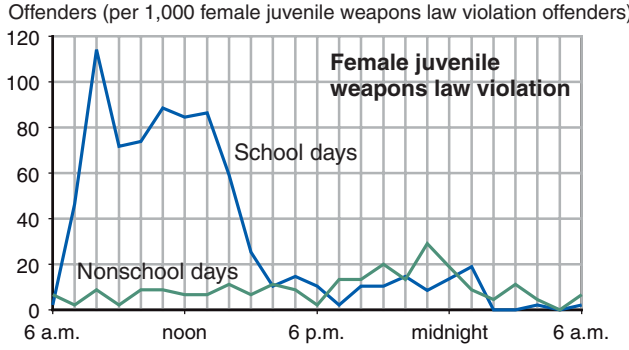




- Drug law violations by both male and female juveniles peak during school hours on school days and in the late evening hours on both school and nonschool days.

The time and day patterns of juvenile weapons law violations by males and especially by females reflect the major role schools play in bringing these matters to the attention of law enforcement





Note: Data are from 20 states and the District of Columbia.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master file* for the year 2001 [machine-readable data file].

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Chapter 4

Juvenile justice system structure and process

The first juvenile court in the United States was established in Chicago in 1899, more than 100 years ago. In the long history of law and justice, juvenile justice is a relatively new development. The juvenile justice system has weathered significant modifications since the late 1960s, resulting from Supreme Court decisions, federal legislation, and changes in state legislation.

Perceptions of a juvenile crime epidemic in the early 1990s fueled public scrutiny of the system's ability to effectively control violent juvenile offenders. As a result, states adopted numerous legislative changes in an effort to crack down on juvenile crime. Although some differences between the criminal and juvenile justice systems have diminished in recent years, the juvenile justice system remains unique, guided by its own philosophy and legislation and implemented by its own set of agencies.

This chapter describes the juvenile justice system, focusing on structure and process features that relate to delinquency and status offense matters. (The chapter on victims discusses the handling of child maltreatment matters.) Sections in this chapter provide an overview of the history of juvenile justice in this country, present the significant Supreme Court decisions that have shaped the modern juvenile justice system, and describe case processing in the juvenile justice system. This chapter also summarizes changes made by states with regard to the system's jurisdictional authority, sentencing, corrections programming, confidentiality of records and court hearings, and victim involvement in court hearings. Much of the information was drawn from National Center for Juvenile Justice analyses of juvenile codes in each state. (Note: For ease of discussion, the District of Columbia is often referred to as a state.)

The juvenile justice system was founded on the concept of rehabilitation through individualized justice

Early in U.S. history, children who broke the law were treated the same as adult criminals

Throughout the late 18th century, "infants" below the age of reason (traditionally age 7) were presumed to be incapable of criminal intent and were, therefore, exempt from prosecution and punishment. Children as young as 7, though, could stand trial in criminal court for offenses committed and, if found guilty, could be sentenced to prison or even given a death sentence.

The 19th-century movement that led to the establishment of the juvenile court in the U.S. had its roots in 16th-century European educational reform movements. These earlier reform movements changed the perception of children from one of miniature adults to one of persons with less than fully developed moral and cognitive capacities.

As early as 1825, the Society for the Prevention of Juvenile Delinquency was advocating the separation of juvenile and adult offenders. Soon, facilities exclusively for juveniles were established in most major cities. By mid-century, these privately operated youth "prisons" were under criticism for various abuses. Many states then took on the responsibility of operating juvenile facilities.

The first juvenile court in this country was established in Cook County, Illinois, in 1899

Illinois passed the Juvenile Court Act of 1899, which established the nation's first juvenile court. The British doctrine of *parens patriae* (the state as parent) was the rationale for the right of the state to intervene in the lives of children in a manner different from the way it intervenes in the lives of adults. The doctrine was interpreted to mean that, because children were not of full legal capacity, the state had the inherent power and responsibility to provide protection for children whose natural parents were not providing appropriate care or supervision. A key element was the focus on the welfare of the child. Thus, the delinquent child was also seen as in need of the court's benevolent intervention.

Juvenile courts flourished for the first half of the 20th century

By 1910, 32 states had established juvenile courts and/or probation services. By 1925, all the rest but two had followed suit. Rather than merely punishing delinquents for their crimes, juvenile courts sought to turn delinquents into productive citizens—through treatment.

The mission to help children in trouble was stated clearly in the laws that established juvenile courts. This benevolent mission led to procedural and substantive differences between the juvenile and criminal justice systems.

During the next 50 years, most juvenile courts had exclusive original jurisdiction over all youth under age 18 who were charged with violating criminal laws. Only if the juvenile court waived its jurisdiction in a case could a child be transferred to criminal court and tried as an adult. Transfer decisions were made on a case-by-case basis using a "best interests of the child and public" standard, and were thus within the realm of individualized justice.

The focus on offenders and not offenses, on rehabilitation and not punishment, had substantial procedural impact

Unlike the criminal justice system, where district attorneys selected cases for trial, the juvenile court controlled its own intake. And unlike criminal prosecutors, juvenile court intake considered extra-legal as well as legal factors in deciding how to handle cases. Juvenile court intake also had discretion to handle cases informally, bypassing judicial action.

John Augustus—planting the seeds of juvenile probation (1847)

"I bailed nineteen boys, from 7 to 15 years of age, and in bailing them it was understood, and agreed by the court, that their cases should be continued from term to term for several months, as a season of probation; thus each month at the calling of the docket, I would appear in court, make my report, and thus the cases would pass on for 5 or 6 months. At the expiration of this term, twelve of the boys were brought into court at one time, and the scene formed a striking and highly pleasing contrast with their appearance when first arraigned. The judge expressed much pleasure as well as surprise at their appearance, and remarked that the object of law had been accomplished and expressed his cordial approval of my plan to save and reform."

Louise deKoven Bowen—fighting to make Chicago safe for children (1920)

"Probably no one thing has so tended to decrease delinquency as this public movement to furnish constructive recreational and social opportunities to boys and girls who would otherwise be denied these privileges."

The first cases in juvenile court

After years of development and months of compromise, the Illinois legislature passed on April 14, 1899, a law permitting counties in the state to designate one or more of their circuit court judges to hear all cases involving dependent, neglected, and delinquent children younger than age 16. The legislation stated that these cases were to be heard in a special courtroom that would be designated as "the juvenile court room" and referred to as the "Juvenile Court." Thus, the first juvenile court opened in Cook County on July 3, 1899, was not a new court, but a division of the circuit court with original jurisdiction over juvenile cases.

The judge assigned to this new division was Richard Tuthill, a Civil War veteran who had been a circuit court judge for more than 10 years. The first case heard by Judge Tuthill in juvenile court was that of Henry Campbell, an 11-year-old who had been arrested for larceny. The hearing was a public event. While some tried to make the juvenile proceeding secret, the politics of the day would not permit it. The local papers carried stories about what had come to be known as "child saving" by some and "child slavery" by others.*

At the hearing, Henry Campbell's parents told Judge Tuthill that their son was a good boy who had been led into trouble by others, an argument consistent with the underlying philosophy of the court—that individuals (especially juveniles) were not solely responsible for the crimes they commit. The parents did not want young Henry sent to an institution, which was one of the few options available to the judge. Although the enacting legislation granted the new juvenile court the right to appoint probation officers to handle juvenile cases, the officers were not to receive publicly funded compensation. Thus, the judge had no probation staff to provide services to Henry. The parents suggested that Henry be sent to live with his grandmother in Rome, New York. After questioning the parents, the judge agreed to send Henry to his grandmother's in the hope that he would "escape the surroundings which have caused the mischief." This first case was handled informally, without a formal adjudication of delinquency on the youth's record.

Judge Tuthill's first formal case is not known for certain, but the case of Thomas Majcheski (handled about two weeks after the Campbell case) might serve as an example. Majcheski, a 14-year-old, was arrested for stealing grain from a freight car in a railroad yard, a common offense at the time. The arresting officer told the judge that the boy's father was dead and his mother (a washerwoman with nine children) could not leave work to come to court. The officer also said that the boy had committed similar offenses previously but had never been arrested. The boy admitted the crime. The judge then asked the nearly 300 people in the courtroom if they had anything to say. No one responded.

Still without a probation staff in place, the judge's options were limited: dismiss the matter, order incarceration at the state reformatory, or transfer the case to adult court. The judge decided the best alternative was incarceration in the state reformatory, where the youth would "have the benefit of schooling."

A young man in the audience then stood up and told the judge that the sentence was inappropriate. Newspaper accounts indicate that the objector made the case that the boy was just trying to obtain food for his family. Judge Tuthill then asked if the objector would be willing to take charge of the boy and help him become a better citizen. The young man accepted. On the way out of the courtroom, a reporter asked the young man of his plans for Thomas. The young man said "Clean him up, and get him some clothes and then take him to my mother. She'll know what to do with him."

In disposing of the case in this manner, Judge Tuthill ignored many possible concerns (e.g., the rights and desires of Thomas's mother and the qualifications of the young man—or more directly, the young man's mother). Nevertheless, the judge's actions demonstrated that the new court was not a place of punishment. The judge also made it clear that the community had to assume much of the responsibility if it wished to have a successful juvenile justice system.

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* Beginning in the 1850s, private societies in New York City rounded up street children from the urban ghettos and sent them to farms in the Midwest. Child advocates were concerned that these home-finding agencies did not properly screen or monitor the foster homes, pointing out that the societies were paid by the county to assume responsibility for the children and also by the families who received the children. Applying this concern to the proposed juvenile court, the Illinois legislation stated that juvenile court hearings should be open to the public so the public could monitor the activities of the court to ensure that private organizations would not be able to gain custody of children and then "sell" them for a handsome profit and would not be able to impose their standards of morality or religious beliefs on working-class children.

Source: Authors' adaptation of Tanenhaus' *Juvenile justice in the making*.

In the courtroom, juvenile court hearings were much less formal than criminal court proceedings. In this benevolent court—with the express purpose of protecting children—due process protections afforded criminal defendants were deemed unnecessary. In the early juvenile courts, and even in some to this day, attorneys for the state and the youth are not considered essential to the operation of the system, especially in less serious cases.

A range of dispositional options was available to a judge wanting to help rehabilitate a child. Regardless of offense, outcomes ranging from warnings to probation supervision to training school confinement could be part of the treatment plan. Dispositions were tailored to "the best interests of the child." Treatment lasted until the child was "cured" or became an adult (age 21), whichever came first.

As public confidence in the treatment model waned, due process protections were introduced

In the 1950s and 1960s, many came to question the ability of the juvenile court to succeed in rehabilitating delinquent youth. The treatment techniques available to juvenile justice professionals often failed to reach the desired levels of effectiveness. Although the goal of rehabilitation through individualized justice—the basic philosophy of the juvenile justice system—was not in question, professionals were concerned about the growing number of juveniles institutionalized indefinitely in the name of treatment.

In a series of decisions beginning in the 1960s, the U.S. Supreme Court required that juvenile courts become more formal—more like criminal courts. Formal hearings were now required in waiver situations, and delinquents facing possible confinement were given protection against self-incrimination and rights to receive notice of the charges against them, to present witnesses, to question witnesses, and to have an attorney. Proof "beyond a reasonable doubt" rather than merely "a preponderance of evidence" was now required for an adjudication. The Supreme Court, however, still held that there were enough "differences of substance between the criminal and juvenile courts . . . to hold that a jury is not required in the latter." (See Supreme Court decisions later in this chapter.)

Meanwhile, Congress, in the Juvenile Delinquency Prevention and Control Act of 1968, recommended that children charged with noncriminal (status) offenses be handled outside the court system. A few years later, Congress passed the Juvenile Justice and Delinquency Prevention Act of 1974, which as a condition for state participation in the Formula Grants Program required deinstitutionalization of status offenders and nonoffenders as well as the separation of juvenile delinquents from adult offenders. (In the 1980 amendments to the 1974 Act, Congress added a requirement that juveniles be removed from adult jail and lockup facilities.) Community-based programs, diversion, and deinstitutionalization became the banners of juvenile justice policy in the 1970s.

In the 1980s, the pendulum began to swing toward law and order

During the 1980s, the public perceived that serious juvenile crime was increasing and that the system was too lenient with offenders. Although there was substantial misperception regarding increases in juvenile crime, many states responded by passing more punitive laws. Some laws removed certain classes of offenders from the juvenile justice system and handled them as adult criminals in criminal court. Others required the juvenile justice system to be more like the criminal justice system and to treat certain classes of juvenile offenders as criminals but in juvenile court.

As a result, offenders charged with certain offenses now are excluded from juvenile court jurisdiction or face mandatory or automatic waiver to criminal court. In several states, concurrent jurisdiction provisions give prosecutors the discretion to file certain juvenile cases directly in criminal court rather than juvenile court. In some states, certain adjudicated juvenile offenders face mandatory sentences.

The 1990s saw unprecedented change as state legislatures cracked down on juvenile crime

Five areas of change emerged as states passed laws designed to combat juvenile crime. These laws generally involved expanded eligibility for criminal court processing and adult correctional sanctioning and reduced confidentiality protections for a subset of juvenile offenders. Between 1992 and 1997, all but three states changed laws in one or more of the following areas:

- Transfer provisions—Laws made it easier to transfer juvenile offenders from the juvenile justice system to the criminal justice system (45 states).
- Sentencing authority—Laws gave criminal and juvenile courts expanded sentencing options (31 states).

- Confidentiality—Laws modified or removed traditional juvenile court confidentiality provisions by making records and proceedings more open (47 states).

In addition to these areas, there was change relating to:

- Victims rights—Laws increased the role of victims of juvenile crime in the juvenile justice process (22 states).
- Correctional programming—As a result of new transfer and sentencing laws, adult and juvenile correctional administrators developed new programs.

The 1980s and 1990s saw significant change in terms of treating more juvenile offenders as criminals. Recently, states have been attempting to strike a balance in their juvenile justice systems among system and offender accountability, offender competency development, and community protection. Juvenile code purpose clauses also incorporate restorative justice language (offenders repair the harm done to victims and communities and accept responsibility for their actions).

Some juvenile codes emphasize prevention and treatment goals, some stress punishment, but most seek a balanced approach

States vary in how they express the purposes of their juvenile courts—not just in the underlying assumptions and philosophies, but also in the approaches they take to the task. Some declare their goals and objectives in great detail; others mention only the broadest of aims. Many juvenile court purpose clauses have been amended over the years, reflecting philosophical or rhetorical shifts and changes in emphasis in the states' overall

Several core requirements of the Juvenile Justice and Delinquency Prevention Act address custody issues

The Juvenile Justice and Delinquency Prevention Act of 2002 (the Act) establishes four custody-related requirements.

The **"deinstitutionalization of status offenders and nonoffenders"** requirement (1974) specifies that juveniles not charged with acts that would be crimes for adults "shall not be placed in secure detention facilities or secure correctional facilities." This requirement does not apply to juveniles charged with violating a valid court order or possessing a handgun, or those held under interstate compacts.

The **"sight and sound separation"** requirement (1974) specifies that, "juveniles alleged to be or found to be delinquent and [status offenders and nonoffenders] shall not be detained or confined in any institution in which they have contact with adult inmates" in custody because they are awaiting trial on criminal charges or have been convicted of a crime. This requires that juvenile and adult inmates cannot see each other and no conversation between them is possible.

The **"jail and lockup removal"** requirement (1980) states that juveniles shall not be detained or confined in adult jails or lockups. There are, however, several exceptions. There is a 6-hour grace period that allows adult jails and lockups to hold delinquents temporarily while awaiting transfer to a juvenile facility or making court appearances. (This exception applies only if the facility can maintain sight and sound separation.) Under certain conditions, jails and lockups in rural areas may hold delinquents awaiting initial court appearance up to 48 hours. Some jurisdictions have obtained approval for separate juvenile detention centers that are collocated with an adult facility; in addition, staff who work with both juveniles and adult inmates must be trained and certified to work with juveniles.

Regulations implementing the Act exempt juveniles held in secure adult facilities if the juvenile is being tried as a criminal for a felony or has been convicted as a criminal felon. Regulations also allow adjudicated delinquents to be transferred to adult institutions once they have reached the state's age of full criminal responsibility, where such transfer is expressly authorized by state law.

In the past, the **"disproportionate minority confinement"** (DMC) requirement (1988) focused on the extent to which minority youth were confined in proportions greater than their representation in the population. The 2002 Act broadened the DMC concept to encompass all stages of the juvenile justice process; thus, DMC has come to mean **disproportionate minority contact**.

States must agree to comply with each requirement to receive Formula Grants funds under the Act's provisions. States must submit plans outlining their strategy for meeting these and other statutory requirements. Noncompliance with core requirements results in the loss of at least 20% of the state's annual Formula Grants Program allocation per requirement.

As of 2005, 56 of 57 eligible states and territories were participating in the Formula Grants Program. Annual state monitoring reports show that the vast majority were in compliance with the requirements, either reporting no violations or meeting *de minimis* or other compliance criteria.

approaches to juvenile delinquency. Others have been left relatively untouched for decades. Given the changes in juvenile justice in recent decades, it is remarkable how many states still declare their purposes in language first developed by standards-setting agencies in the 1950s and 1960s.

Most common in state purpose clauses are components of Balanced and Restorative Justice (BARJ). BARJ advocates that juvenile courts give balanced attention to three primary interests: public safety, individual accountability to victims and the community, and development of skills to help offenders live law-abiding and productive lives. Some states are quite explicit in their adoption of the BARJ model. Others depart somewhat from the model in the language they use, often relying on more traditional terms (treatment, rehabilitation, care, guidance, assistance, etc.).

Several states have purpose clauses that are modeled on the one in the Standard Juvenile Court Act. The Act was originally issued in 1925 and has been revised numerous times. The 1959 version appears to have been the most influential. According to its opening provision, the purpose of the Standard Act was that "each child coming within the jurisdiction of the court shall receive . . . the care, guidance, and control that will conduce to his welfare and the best interest of the state, and that when he is removed from the control of his parents the court shall secure for him care as nearly as possible equivalent to that which they should have given him."

Another group of states use all or most of a more elaborate, multipart purpose clause contained in the *Legislative Guide for Drafting Family and Juvenile Court Acts*, a late 1960s

States' juvenile code purpose clauses vary in their emphasis

State	BARJ features	Juvenile Court Act language	*Legislative Guide* language	Accountability/ protection emphasis	Child welfare emphasis
Alabama	■				
Alaska	■				
Arkansas		■	■		
California	■	■			
Connecticut				■	
Dist. of Columbia					■
Florida	■	■			
Georgia		■			
Hawaii				■	
Idaho	■				
Illinois	■	■			
Indiana	■				
Iowa		■			
Kansas	■				
Kentucky					■
Louisiana		■			
Maine		■	■		
Maryland	■				
Massachusetts		■			■
Michigan		■			
Minnesota	■	■			
Mississippi		■			
Missouri		■			
Montana	■		■		
Nevada		■			
New Hampshire			■		
New Jersey	■	■	■		
New Mexico			■		
North Carolina				■	
North Dakota			■		
Ohio			■		
Oregon	■				
Pennsylvania	■				
Rhode Island		■			
South Carolina		■			
Tennessee			■		
Texas			■	■	
Utah				■	
Vermont			■		
Washington	■				
West Virginia					■
Wisconsin	■				
Wyoming			■	■	

Note: States not listed do not have purpose clauses that fit into these categories.

Source: Authors' adaptation of Griffin and Bozynski's National overviews. *State juvenile justice profiles*.

publication. The *Guide's* opening section lists four purposes:

- To provide for the care, protection, and wholesome mental and physical development of children involved with the juvenile court.
- To remove from children committing delinquent acts the consequences of criminal behavior, and to substitute therefore a program of supervision, care and rehabilitation.
- To remove a child from the home only when necessary for his welfare or in the interests of public safety.
- To assure all parties their constitutional and other legal rights.

Purpose clauses in some states can be loosely characterized as "tough," in that they stress community protection, offender accountability, crime reduction through deterrence, or outright punishment. Texas and Wyoming, for instance, having largely adopted the multipurpose language of the *Legislative Guide*, pointedly insert two extra items—"protection of the public and public safety" and promotion of "the concept of punishment for criminal acts"—at the head of the list.

A few jurisdictions have statutory language that emphasizes promotion of the welfare and best interests of the juvenile as the sole or primary purpose of the juvenile court system. For example, Massachusetts has language stating that accused juveniles should be "treated, not as criminals, but as children in need of aid, encouragement and guidance."

U.S. Supreme Court cases have had an impact on the character and procedures of the juvenile justice system

The Supreme Court has made its mark on juvenile justice

Issues arising from juvenile delinquency proceedings rarely come before the U.S. Supreme Court. Beginning in the late 1960s, however, the Court decided a series of landmark cases that dramatically changed the character and procedures of the juvenile justice system.

Kent v. *United States* 383 U.S. 541, 86 S.Ct. 1045 (1966)

In 1961, while on probation from an earlier case, Morris Kent, age 16, was charged with rape and robbery. Kent confessed to the offense as well as to several similar incidents. Assuming that the District of Columbia juvenile court would consider waiving jurisdiction to the adult system, Kent's attorney filed a motion requesting a hearing on the issue of jurisdiction.

The juvenile court judge did not rule on this motion filed by Kent's attorney. Instead, he entered a motion stating that the court was waiving jurisdiction after making a "full investigation." The judge did not describe the investigation or the grounds for the waiver. Kent was subsequently found guilty in criminal court on six counts of housebreaking and robbery and sentenced to 30 to 90 years in prison.

Kent's lawyer sought to have the criminal indictment dismissed, arguing that the waiver had been invalid. He also appealed the waiver and filed a writ of habeas corpus asking the state to justify Kent's detention. Appellate courts rejected both the appeal and the writ, refused to scrutinize the judge's "investigation," and accepted the waiver as valid. In appealing to the U.S. Supreme Court, Kent's attorney argued that the judge had not made a complete investigation and that Kent was denied constitutional rights simply because he was a minor.

The Court ruled the waiver invalid, stating that Kent was entitled to a hearing that measured up to "the essentials of due process and fair treatment," that Kent's counsel should have had access to all records involved in the waiver, and that the judge should have provided a *written* statement of the reasons for waiver.

Technically, the *Kent* decision applied only to D.C. courts, but its impact was more widespread. The Court raised a potential constitutional challenge to *parens patriae* as the foundation of the juvenile court. In its past decisions, the Court had interpreted the equal protection clause of the 14th amendment to mean that certain classes of people could receive less due process if a "compensating benefit" came with this lesser protection. In theory, the juvenile court provided less due process but a greater concern for the interests of the juvenile. The Court referred to evidence that this compensating benefit may not exist in reality and that juveniles may receive the "worst of both worlds"—"neither the protection accorded to adults nor the solicitous care and regenerative treatment postulated for children."

In re Gault 387 U.S. 1, 87 S.Ct. 1428 (1967)

Gerald Gault, age 15, was on probation in Arizona for a minor property offense when, in 1964, he and a friend made a crank telephone call to an adult neighbor, asking her, "Are your cherries ripe today?" and "Do you have big bombers?" Identified by the neighbor, the youth were arrested and detained.

The victim did not appear at the adjudication hearing, and the court never resolved the issue of whether Gault made the "obscene" remarks. Gault was committed to a training school for the period of his minority. The maximum sentence for an adult would have been a $50 fine or 2 months in jail.

An attorney obtained for Gault after the trial filed a writ of habeas corpus that was eventually heard by the U.S. Supreme Court. The issue presented in the case was that Gault's constitutional rights (to notice of charges, counsel, questioning of witnesses, protection against self-incrimination, a transcript of the proceedings, and appellate review) were denied.

The Court ruled that in hearings that could result in commitment to an institution, juveniles have the right to notice and counsel, to question witnesses, and to protection against self-incrimination. The Court did not rule on a juvenile's right to appellate review or transcripts, but encouraged the states to provide those rights.

The Court based its ruling on the fact that Gault was being punished rather than helped by the juvenile court. The Court explicitly rejected the doctrine of *parens patriae* as the founding principle of juvenile justice, describing the concept as murky and of dubious historical relevance. The Court concluded that the handling of Gault's case violated the due process clause of the 14th amendment: "Juvenile court history has again demonstrated that unbridled discretion, however benevolently motivated, is frequently a poor substitute for principle and procedure."

In re Winship
397 U.S. 358, 90 S.Ct. 1068 (1970)

Samuel Winship, age 12, was charged with stealing $112 from a woman's purse in a store. A store employee claimed to have seen Winship running from the scene just before the woman noticed the money was missing; others in the store stated that the employee was not in a position to see the money being taken.

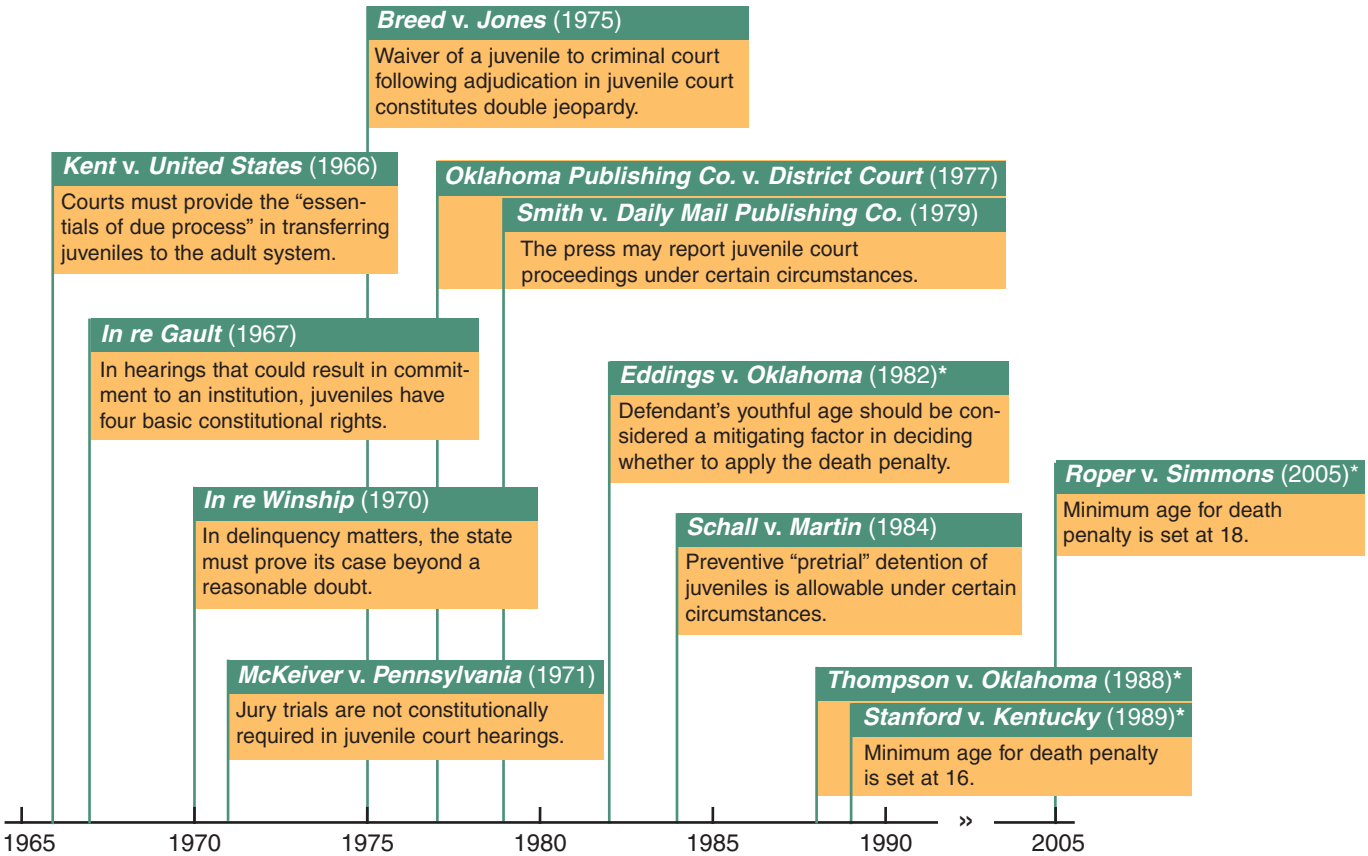
Winship was adjudicated delinquent and committed to a training school. New York juvenile courts operated under the civil court standard of a "preponderance of evidence." The court agreed with Winship's attorney that there was "reasonable doubt" of Winship's guilt, but based its ruling on the "preponderance" of evidence.

Upon appeal to the Supreme Court, the central issue in the case was whether "proof beyond a reasonable doubt" should be considered among the "essentials of due process and fair treatment" required during the adjudicatory stage of the juvenile court process. The Court rejected lower court arguments that juvenile courts were not required to operate on the same standards as adult courts because juvenile courts were designed to "save" rather than to "punish" children. The Court ruled that the "reasonable doubt" standard should be required in all delinquency adjudications.

McKeiver v. *Pennsylvania*
403 U.S. 528, 91 S.Ct. 1976 (1971)

Joseph McKeiver, age 16, was charged with robbery, larceny, and receiving stolen goods. He and 20 to 30 other youth allegedly chased 3 youth and took 25 cents from them.

A series of U.S. Supreme Court decisions made juvenile courts more like criminal courts but maintained some important differences



*Death penalty case decisions are discussed in chapter 7.

McKeiver met with his attorney for only a few minutes before his adjudicatory hearing. At the hearing, his attorney's request for a jury trial was denied by the court. He was subsequently adjudicated and placed on probation.

The state supreme court cited recent decisions of the U.S. Supreme Court that had attempted to include more due process in juvenile court proceedings without eroding the essential benefits of the juvenile court. The state supreme court affirmed the lower court, arguing that of all due process rights, trial by jury is most likely to "destroy the traditional character of juvenile proceedings."

The U.S. Supreme Court found that the due process clause of the 14th amendment did not require jury trials in juvenile court. The impact of the Court's *Gault* and *Winship* decisions was to enhance the accuracy of the juvenile court process in the fact-finding stage. In *McKeiver*, the Court argued that juries are not known to be more accurate than judges in the adjudication stage and could be disruptive to the informal atmosphere of the juvenile court, tending to make it more adversarial.

Breed v. *Jones*
421 U.S. 519, 95 S.Ct. 1779 (1975)

In 1970, Gary Jones, age 17, was charged with armed robbery. Jones appeared in Los Angeles juvenile court and was adjudicated delinquent on the original charge and two other robberies.

At the dispositional hearing, the judge waived jurisdiction over the case to criminal court. Counsel for Jones filed a writ of habeas corpus, arguing that the waiver to criminal court violated the double jeopardy clause of the fifth amendment. The court denied this petition, saying that Jones had not been tried twice because juvenile adjudication is not a "trial" and does not place a youth in jeopardy.

Upon appeal, the U.S. Supreme Court ruled that an adjudication in juvenile court, in which a juvenile is found to have violated a criminal statute, is equivalent to a trial in criminal court. Thus, Jones had been placed in double jeopardy. The Court also specified that jeopardy applies at the adjudication hearing when evidence is first presented. Waiver cannot occur after jeopardy attaches.

Oklahoma Publishing Company v. *District Court in and for Oklahoma City*
480 U.S. 308, 97 S.Ct. 1045 (1977)

The Oklahoma Publishing Company case involved a court order prohibiting the press from publishing the name and photograph of a youth involved in a juvenile court proceeding. The material in question was obtained legally from a source outside the court. The U.S. Supreme Court found the court order to be an unconstitutional infringement on freedom of the press.

Smith v. *Daily Mail Publishing Company*
443 U.S. 97, 99 S.Ct. 2667 (1979)

The *Daily Mail* case held that state law cannot stop the press from publishing a juvenile's name that it obtained independently of the court. Although the decision did not hold that the press should have access to juvenile court files, it held that if information regarding a juvenile case is lawfully obtained by the media, the first amendment interest in a free press takes precedence over the interests in preserving the anonymity of juvenile defendants.

Schall v. *Martin*
467 U.S. 253, 104 S.Ct. 2403 (1984)

Gregory Martin, age 14, was arrested in 1977 and charged with robbery, assault, and possession of a weapon. He and two other youth allegedly hit a boy on the head with a loaded gun and stole his jacket and sneakers.

Martin was held pending adjudication because the court found there was a "serious risk" that he would commit another crime if released. Martin's attorney filed a habeas corpus action challenging the fundamental fairness of preventive detention. The lower appellate courts reversed the juvenile court's detention order, arguing in part that pretrial detention is essentially punishment because many juveniles detained before trial are released before, or immediately after, adjudication.

The U.S. Supreme Court upheld the constitutionality of the preventive detention statute. The Court stated that preventive detention serves a legitimate state objective in protecting both the juvenile and society from pretrial crime and is not intended to punish the juvenile. The Court found that enough procedures were in place to protect juveniles from wrongful deprivation of liberty. The protections were provided by notice, a statement of the facts and reasons for detention, and a probable cause hearing within a short time. The Court also reasserted the *parens patriae* interests of the state in promoting the welfare of children.

State statutes define who is under the jurisdiction of juvenile court

Statutes set age limits for original jurisdiction of the juvenile court

In most states, the juvenile court has original jurisdiction over all youth charged with a law violation who were younger than age 18 at the time of the offense, arrest, or referral to court. Since 1975, four states have changed their age criteria: Alabama raised its upper age from 15 to 16 in 1976 and to 17 in 1977; Wyoming lowered its upper age from 18 to 17 in 1993; and in 1996, New Hampshire and Wisconsin lowered their upper age from 17 to 16.

Oldest age for original juvenile court jurisdiction in delinquency matters, 2004:

Age	State
15	Connecticut, New York, North Carolina
16	Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, New Hampshire, South Carolina, Texas, Wisconsin
17	Alabama, Alaska, Arizona, Arkansas, California, Colorado, Delaware, District of Columbia, Florida, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming

Many states have higher upper ages of juvenile court jurisdiction in status offense, abuse, neglect, or dependency matters—typically through age 20. In many states, the juvenile court has original jurisdiction over young adults who committed offenses while juveniles.

States often have statutory exceptions to basic age criteria. For example, many states exclude married or otherwise emancipated juveniles from juvenile court jurisdiction. Other exceptions, related to the youth's age, alleged offense, and/or prior court history, place certain youth under the original jurisdiction of the criminal court. In some states, a combination of the youth's age, offense, and prior record places the youth under the original jurisdiction of both the juvenile and criminal courts. In these states, the prosecutor has the authority to decide which court will initially handle the case.

As of the end of the 2004 legislative session, 16 states have statutes that set the lowest age of juvenile court delinquency jurisdiction. Other states rely on case law or common law. Children younger than a certain age are presumed to be incapable of criminal intent and, therefore, are exempt from prosecution and punishment.

Youngest age for original juvenile court jurisdiction in delinquency matters, 2004:

Age	State
6	North Carolina
7	Maryland, Massachusetts, New York
8	Arizona
10	Arkansas, Colorado, Kansas, Louisiana, Minnesota, Mississippi, Pennsylvania, South Dakota, Texas, Vermont, Wisconsin

Juvenile court authority over youth may extend beyond the upper age of original jurisdiction

Through extended jurisdiction mechanisms, legislatures enable the court to provide sanctions and services for a duration of time that is in the best interests of the juvenile and the public, even for older juveniles who have reached the age at which original juvenile court jurisdiction ends.

As of the end of the 2004 legislative session, statutes in 34 states extend juvenile court jurisdiction in delinquency cases until the 21st birthday.

Oldest age over which the juvenile court may retain jurisdiction for disposition purposes in delinquency matters, 2004:

Age	State
18	Alaska, Iowa, Kentucky, Nebraska, Oklahoma, Tennessee
19	Mississippi, North Dakota
20	Alabama, Arizona*, Arkansas, Connecticut, Delaware, District of Columbia, Georgia, Idaho, Illinois, Indiana, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nevada**, New Hampshire, New Mexico, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming
21	Florida
22	Kansas
24	California, Montana, Oregon, Wisconsin
***	Colorado, Hawaii, New Jersey

Note: Extended jurisdiction may be restricted to certain offenses or juveniles.

*Arizona statute extends jurisdiction through age 20, but a 1979 state supreme court decision held that juvenile court jurisdiction terminates at age 18.

**Until the full term of the disposition order for sex offenders.

***Until the full term of the disposition order.

In some states, the juvenile court may impose adult correctional sanctions on certain adjudicated delinquents that extend the term of confinement well beyond the upper age of juvenile jurisdiction. Such sentencing options are included in the set of dispositional options known as blended sentencing.

Most young law violators enter the juvenile justice system through law enforcement agencies

Local processing of juvenile offenders varies

From state to state, case processing of juvenile law violators varies. Even within states, case processing may vary from community to community, reflecting local practice and tradition. Any description of juvenile justice processing in the U.S. must, therefore, be general, outlining a common series of decision points.

Law enforcement agencies divert many juvenile offenders out of the justice system

At arrest, a decision is made either to send the matter further into the justice system or to divert the case out of the system, often into alternative programs. Generally, law enforcement makes this decision after talking to the victim, the juvenile, and the parents and after reviewing the juvenile's prior contacts with the juvenile justice system. In 2003, 20% of all juvenile arrests were handled within the police department and resulted in release of the youth; in 7 of 10 arrests, the cases were referred to juvenile court. The remaining arrests were referred for criminal prosecution or to other agencies.

Federal regulations discourage holding juveniles in adult jails and lock-ups. If law enforcement must detain a juvenile in secure custody for a brief period to contact a parent or guardian or to arrange transportation to a juvenile detention facility, federal regulations require that the juvenile be securely detained for no longer than 6 hours and in an area that is not within sight or sound of adult inmates.

Most delinquency cases are referred by law enforcement agencies

Law enforcement accounted for 84% of all delinquency cases referred to juvenile court in 2000. The remaining referrals were made by others such as parents, victims, school personnel, and probation officers.

Intake departments screen cases referred to juvenile court for formal processing

The court intake function is generally the responsibility of the juvenile probation department and/or the prosecutor's office. Intake decides whether to dismiss the case, to handle the matter informally, or to request formal intervention by the juvenile court.

To make this decision, an intake officer or prosecutor first reviews the facts of the case to determine whether there is sufficient evidence to prove the allegation. If not, the case is dismissed. If there is sufficient evidence, intake then determines whether formal intervention is necessary.

Nearly half of all cases referred to juvenile court intake are handled informally. Many informally processed cases are dismissed. In the other informally processed cases, the juvenile voluntarily agrees to specific conditions for a specific time period. These conditions often are outlined in a written agreement, generally called a "consent decree." Conditions may include such things as victim restitution, school attendance, drug counseling, or a curfew.

In most jurisdictions, a juvenile may be offered an informal disposition only if he or she admits to committing the act. The juvenile's compliance with the informal agreement often is monitored by a probation officer. Thus, this process is sometimes labeled "informal probation."

If the juvenile successfully complies with the informal disposition, the case is dismissed. If, however, the juvenile fails to meet the conditions, the case is referred for formal processing and proceeds as it would have if the initial decision had been to refer the case for an adjudicatory hearing.

If the case is to be handled formally in juvenile court, intake files one of two types of petitions: a delinquency petition requesting an adjudicatory hearing or a petition requesting a waiver hearing to transfer the case to criminal court.

A delinquency petition states the allegations and requests that the juvenile court adjudicate (or judge) the youth a delinquent, making the juvenile a ward of the court. This language differs from that used in the criminal court system, where an offender is convicted and sentenced.

In response to the delinquency petition, an adjudicatory hearing is scheduled. At the adjudicatory hearing (trial), witnesses are called and the facts of the case are presented. In nearly all adjudicatory hearings, the determination that the juvenile was responsible for the offense(s) is made by a judge; however, in some states, the juvenile has the right to a jury trial.

During the processing of a case, a juvenile may be held in a secure detention facility

Juvenile courts may hold delinquents in a secure juvenile detention facility if this is determined to be in the best interest of the community and/or the child.

After arrest, law enforcement may bring the youth to the local juvenile detention facility. A juvenile probation officer or detention worker reviews the case to decide whether the youth should be detained pending a hearing before a judge. In all states, a detention hearing must be held within a time period defined by statute, generally within 24 hours.

At the detention hearing, a judge reviews the case and determines whether continued detention is warranted. In 2000, juveniles were detained in 20% of delinquency cases processed by juvenile courts.

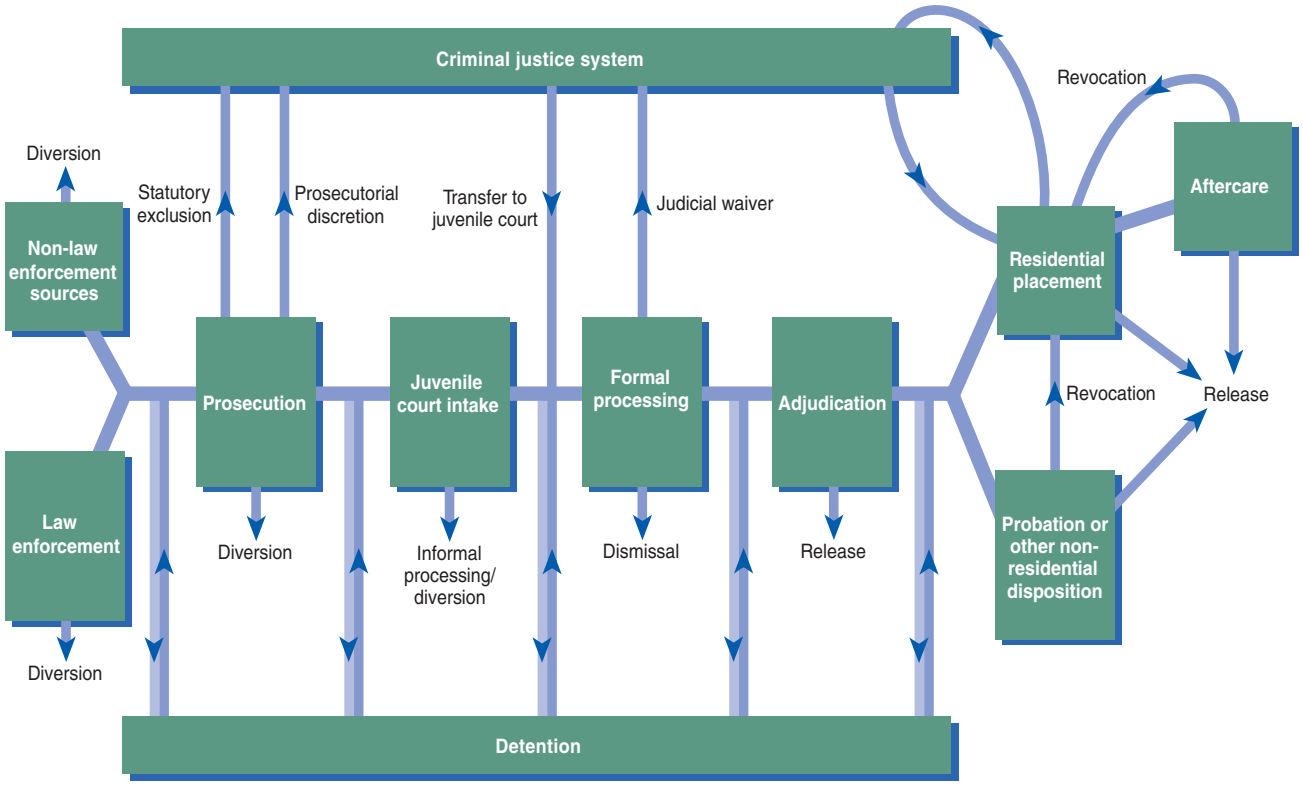
Detention may extend beyond the adjudicatory and dispositional hearings. If residential placement is ordered, but no placement beds are available, detention may continue until a bed becomes available.

The juvenile court may transfer the case to criminal court

A waiver petition is filed when the prosecutor or intake officer believes that a case under jurisdiction of the juvenile court would be handled more appropriately in criminal court. The court decision in these matters follows a review of the facts of the case and a determination that there is probable cause to believe that the juvenile committed the act. With this established, the court then decides whether juvenile court jurisdiction over the matter should be waived and the case transferred to criminal court.

The judge's decision in such cases generally centers on the issue of the juvenile's amenability to treatment in the juvenile justice system. The prosecution may argue that the juvenile has been adjudicated several times previously and that interventions ordered by the juvenile court

What are the stages of delinquency case processing in the juvenile justice system?



Note: This chart gives a simplified view of caseflow through the juvenile justice system. Procedures vary among jurisdictions.

have not kept the juvenile from committing subsequent criminal acts. The prosecutor may also argue that the crime is so serious that the juvenile court is unlikely to be able to intervene for the time period necessary to rehabilitate the youth.

If the judge decides that the case should be transferred to criminal court, juvenile court jurisdiction is waived and the case is filed in criminal court. In 2000, juvenile courts waived fewer than 1% of all formally processed delinquency cases. If the judge does not approve the waiver request, generally an adjudicatory hearing is scheduled in juvenile court.

Prosecutors may file certain cases directly in criminal court

In more than half of the states, legislatures have decided that in certain cases (generally those involving serious offenses), juveniles should be tried as criminal offenders. The law excludes such cases from juvenile court; prosecutors must file them in criminal court. In a smaller number of states, legislatures have given both the juvenile and adult courts original jurisdiction in certain cases. Thus, prosecutors have discretion to file such cases in either criminal court or juvenile court.

After adjudication, probation staff prepare a disposition plan

Once the juvenile is adjudicated delinquent in juvenile court, probation staff develop a disposition plan. To prepare this plan, probation staff assess the youth, available support systems, and programs. The court may also order psychological evaluations, diagnostic tests, or a period of confinement in a diagnostic facility.

At the disposition hearing, probation staff present dispositional recommendations to the judge. The prosecutor and the youth may also present dispositional recommendations. After considering the recommendations, the judge orders a disposition in the case.

Most youth placed on probation also receive other dispositions

Most juvenile dispositions are multifaceted and involve some sort of supervised probation. A probation order often includes additional requirements such as drug counseling, weekend confinement in the local detention center, or restitution to the community or victim. The term of probation may be for a specified period of time or it may be open ended. Review hearings are held to monitor the juvenile's progress. After conditions of probation have been successfully met, the judge terminates the case. In 2000, formal probation was the most severe disposition ordered in 63% of the cases in which the youth was adjudicated delinquent.

The judge may order residential placement

In 2000, juvenile courts ordered residential placement in 24% of the cases in which the youth was adjudicated delinquent. Residential commitment may be for a specific or indeterminate time period. The facility may be publicly or privately operated and may have a secure, prison-like environment or a more open (even home-like) setting. In many states, when the judge commits a juvenile to the state department of juvenile corrections, the department determines where the juvenile will be placed and when the juvenile will be released. In other states, the judge controls the type and length of stay; in these situations, review hearings are held to assess the progress of the juvenile.

Juvenile aftercare is similar to adult parole

Upon release from an institution, the juvenile is often ordered to a period of aftercare or parole. During this period, the juvenile is under supervision of the court or the juvenile corrections department. If the juvenile does not follow the conditions of aftercare, he or she may be recommitted to the same facility or may be committed to another facility.

Status offense and delinquency case processing differ

A delinquent offense is an act committed by a juvenile for which an adult could be prosecuted in criminal court. There are, however, behaviors that are law violations only for juveniles and/or young adults because of their status. These "status offenses" may include behaviors such as running away from home, truancy, alcohol possession or use, ungovernability, and curfew violations.

A juvenile court by any other name is still a juvenile court

Every state has at least one court with juvenile jurisdiction, but in most states it is not actually called "juvenile court." The names of the courts with juvenile jurisdiction vary by state—district, superior, circuit, county, family, or probate court, to name a few. Often the court of juvenile jurisdiction has a separate division for juvenile matters. Courts with juvenile jurisdiction generally have jurisdiction over delinquency, status offense, and abuse/neglect matters and may also have jurisdiction in other matters such as adoption, termination of parental rights, and emancipation. Whatever their name, courts with juvenile jurisdiction are generically referred to as juvenile courts.

In many ways, the processing of status offense cases parallels that of delinquency cases. Not all states, however, consider all of these behaviors to be law violations. Many states view such behaviors as indicators that the child is in need of supervision. These states handle status offense matters more like dependency cases than delinquency cases, responding to the behaviors by providing social services.

Although many status offenders enter the juvenile justice system through law enforcement, in many states the initial, official contact is a child welfare agency. About half of all status offense cases referred to juvenile court come from law enforcement.

The federal Juvenile Justice and Delinquency Prevention Act states that jurisdictions shall not hold status offenders in secure juvenile facilities for detention or placement. This policy has been labeled deinstitutionalization of status offenders. There is an exception to the general policy: a status offender may be confined in a secure juvenile facility if he or she has violated a valid court order, such as a probation order requiring the youth to attend school and observe a curfew.

Once a mainstay of juvenile court, confidentiality has given way to substantial openness in many states

The first juvenile court was open to the public, but confidentiality became the norm over time

The legislation that created the first juvenile court in Illinois stated that the hearings should be open to the public. Thus, the public could monitor the activities of the court to ensure that the court handled cases in line with community standards.

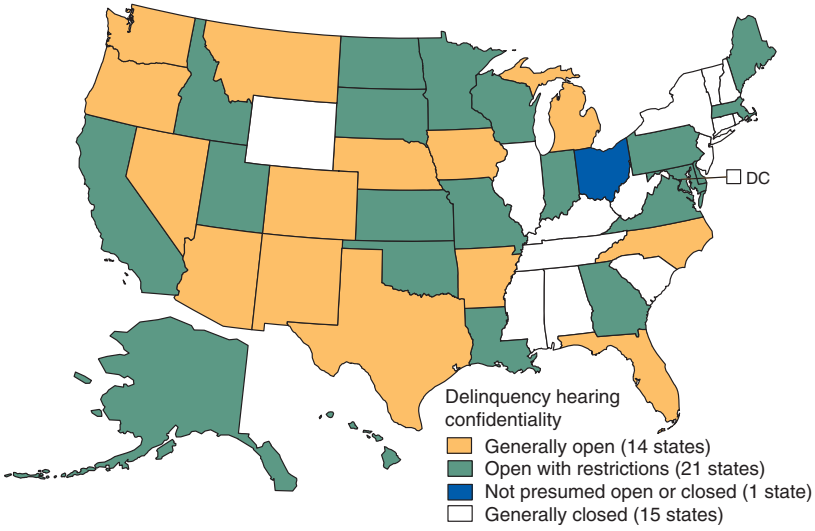
In 1920, all but 7 of the 45 states that established separate juvenile courts permitted publication of information about juvenile court proceedings. The Standard Juvenile Court Act (1925) did not ban the publication of juveniles' names. By 1952, however, many states that adopted the Act had statutes that excluded the general public from juvenile court proceedings. The commentary to the 1959 version of the Act referred to the hearings as "private, not secret." It added that reporters should be permitted to attend hearings, with the understanding that they not disclose the identity of the juvenile. The rationale for this confidentiality was "to prevent the humiliation and demoralizing effect of publicity." It was also thought that publicity might propel youth into further delinquent acts to gain more recognition.

As juvenile courts became more formalized and concerns about rising juvenile crime increased, the pendulum began to swing back toward more openness. By 1988, statutes in 15 states permitted the public to attend certain delinquency hearings.

Delinquency hearings are open to the public in 14 states

As of the end of the 2004 legislative session, statutes or court rules in 14 states open delinquency hearings to the general public. Such statutes typically state that all hearings must be open to the public except on special order of the court. The court may close hearings to the public when it is in the best interests of the child and the public. In 7 of the 14 states, the state constitution has broad open court provisions. Ohio has a similar open court provision; however, in 2000, the Ohio supreme court ruled that juvenile proceedings are not presumed to be open or closed to the public. The Ohio court held that the traditional interests of confidentiality and rehabilitation prevent the public from having a constitutional right of access to juvenile delinquency proceedings.

Delinquency proceedings are open in some states, closed in others, and in some states, it depends on the type of case



Source: Authors' adaptation of Szymanski's Confidentiality of juvenile delinquency hearings (2005 update).

In 21 states, limits are set on access to delinquency hearings

In addition to the 14 states with open delinquency hearings, 21 states have statutes that open delinquency hearings for some types of cases. The openness restrictions typically involve age and/or offense criteria. For example, a statute might allow open hearings if the youth is charged with a felony and was at least 16 years old at the time of the crime. Some statutes also limit open hearings to those involving youth with a particular criminal history. For example, hearings might be open only if the youth met age and offense criteria and had at least one prior felony conviction (criminal court) or felony adjudication (juvenile court).

Most states specify exceptions to juvenile court record confidentiality

Although legal and social records maintained by law enforcement agencies and juvenile courts have traditionally been confidential, legislatures have made significant changes over the past decade in how the justice system treats information about juvenile offenders. In most states, the juvenile code specifies which individuals or agencies are allowed access to such records.

Formerly confidential records are now being made available to a wide variety of individuals. Many states open records to schools and youth-serving agencies as well as individuals and agencies within the justice system. However, access is not necessarily unlimited or automatic. It may be restricted to certain parts of the record and may require a court order.

As of the end of the 2004 legislative session, juvenile codes in all states allow information contained in juvenile court records to be specifically released to one or more of the following parties: the prosecutor, law enforcement, social services agencies, schools, the victim, or the public.

In all states, laws allow those with a "legitimate interest" to have at least partial access to juvenile court or law enforcement records. Interested parties generally must obtain the court's permission to gain access. Many states allow access by the juvenile who is the subject of the proceedings (35 states), the juvenile's parents or guardian (40 states), or the juvenile's attorney (40 states).

All states allow certain juvenile offenders to be fingerprinted and photographed; most store information in repositories

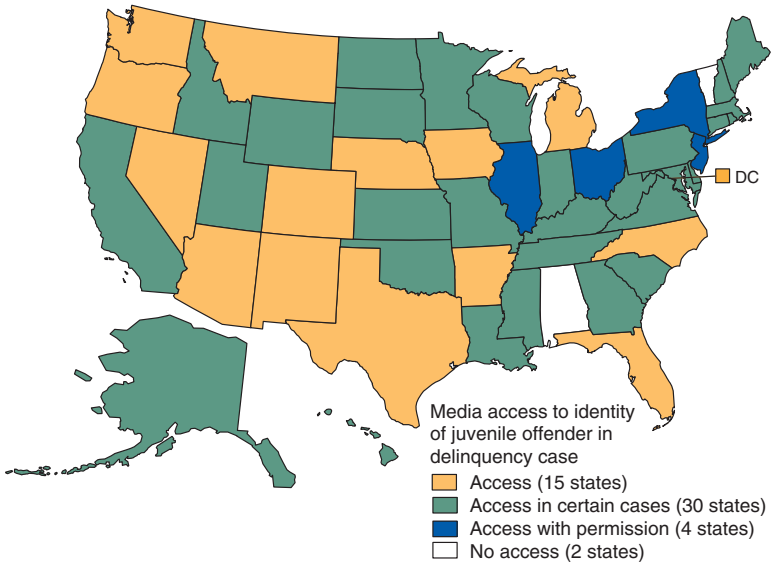
As of the end of 2004, all states allow law enforcement agencies to fingerprint juveniles who have been arrested for felonies or who have reached a certain age. All states allow juveniles to be photographed for their criminal history records under certain circumstances.

In 44 states, information (typically fingerprints and other identifying information) about certain juvenile offenders can be reported to a statewide repository. Some states include such information in the criminal history repository for adult offenders; others maintain a separate repository for information on juvenile offenders.

School notification laws are common

As of the end of the 2004 legislative session, 44 states have school notification laws. Under these laws, schools are notified when students are involved with law enforcement or courts for committing delinquent acts. Some statutes limit notification to youth charged with or convicted of serious or violent crimes.

Media can access juvenile offenders' identities in most states



- Access: In 14 of the 15 jurisdictions, media can gain access to the juvenile offender's identity by attending delinquency hearings, which are open to the public. In the District of Columbia, the statute allows the media to attend hearings (although hearings are not public) but prohibits the media from revealing the juvenile's identity.
- Access in certain cases: In 30 states, media can access the juvenile offender's identity for certain cases. Media access is tied to public access to hearings or records, which statutes limit by case characteristics such as the juvenile's age, offense, criminal history, or whether the case is transferred to criminal court.
- Access with permission: In 4 states, media access to delinquency hearings or records (and thus to juvenile offender identities) can only occur if the court gives permission or the media discover the information independently. In these states, statutes require that the court decide the issue on a case-by-case basis.
- No access: In 2 states, statutes prohibit release of the names of all juvenile offenders.
- In 3 states (Maryland, New Jersey, and Wisconsin), under certain circumstances, the media may be prohibited from revealing the juvenile's identity.

Source: Authors' adaptation of Szymanski's Releasing names of juvenile offenders to the media and/or the public (2005 update).

All states allow certain juveniles to be tried in criminal court or otherwise face adult sanctions

Transferring juveniles to criminal court is not a new phenomenon

Juvenile courts have always had mechanisms for removing the most serious offenders from the juvenile justice system. Traditional transfer laws establish provisions and criteria for trying certain youth of juvenile age in criminal court. Blended sentencing laws are also used to impose a combination of juvenile and adult criminal sanctions on some offenders of juvenile age.

Transfer laws address which court (juvenile or criminal) has jurisdiction over certain cases involving offenders of juvenile age. State transfer provisions are typically limited by age and offense criteria. Transfer mechanisms vary regarding where the responsibility for transfer decisionmaking lies. Transfer provisions fall into three general categories:

Judicial waiver: The juvenile court judge has the authority to waive juvenile court jurisdiction and transfer the case to criminal court. States may use terms other than judicial waiver. Some call the process *certification*, *remand*, or *bind over* for criminal prosecution. Others transfer or decline rather than waive jurisdiction.

Concurrent jurisdiction: Original jurisdiction for certain cases is shared by both criminal and juvenile courts, and the prosecutor has discretion to file such cases in either court. Transfer under concurrent jurisdiction provisions is also known as *prosecutorial waiver*, *prosecutor discretion*, or *direct file*.

Statutory exclusion: State statute excludes certain juvenile offenders from juvenile court jurisdiction. Under statutory exclusion provisions, cases originate in criminal rather than juvenile court. Statutory exclusion is also known as *legislative exclusion*.

In many states, criminal courts may send transferred cases to juvenile court

Several states have provisions for sending transferred cases from criminal to juvenile court for adjudication under certain circumstances. This procedure, sometimes referred to as "reverse waiver," generally applies to cases initiated in criminal court under statutory exclusion or concurrent jurisdiction provisions. Of the 36 states with such provisions at the end of the 2004 legislative session, 22 also have provisions that allow certain transferred juveniles to petition for a "reverse." Reverse decision criteria often parallel a state's discretionary waiver criteria. In some states, transfer cases resulting in conviction in criminal court may be reversed to juvenile court for disposition.

Most states have "once an adult, always an adult" provisions

In 34 states, juveniles who have been tried as adults must be prosecuted in criminal court for any subsequent offenses. Nearly all of these "once an adult, always an adult" provisions require that the youth must have been convicted of the offenses that triggered the initial criminal prosecution.

Blended sentencing laws give courts flexibility in sanctioning

Blended sentencing laws address the correctional system (juvenile or adult) in which certain offenders of juvenile age will be sanctioned. Blended sentencing statutes can be placed into two general categories:

Juvenile court blended sentencing: The juvenile court has the authority to impose adult criminal sanctions on certain juvenile offenders. The majority of these blended sentencing laws authorize the juvenile court to combine a juvenile disposition with a criminal sentence that is suspended. If the youth successfully completes the juvenile disposition and does not commit a new offense, the criminal sanction is not imposed. If, however, the youth does not cooperate or fails in the juvenile sanctioning system, the adult criminal sanction is imposed. Juvenile court blended sentencing gives the juvenile court the power to send uncooperative youth to adult prison—giving "teeth" to the typical array of juvenile court dispositional options.

Criminal court blended sentencing: Statutes allow criminal courts sentencing certain transferred juveniles to impose sanctions otherwise available only to offenders handled in juvenile court. As with juvenile court blended sentencing, the juvenile disposition may be conditional —the suspended criminal sentence is intended to ensure good behavior. Criminal court blended sentencing gives juveniles prosecuted in criminal court one last chance at a juvenile disposition, thus mitigating the effects of transfer laws (at least in individual cases).

Most states have multiple ways to impose adult sanctions on offenders of juvenile age

State	Judicial waiver			Concurrent jurisdiction	Statutory exclusion	Reverse waiver	Once an adult/ always an adult	Blended sentencing	
	Discretionary	Presumptive	Mandatory					Juvenile	Criminal
Number of states	45	15	15	15	29	25	34	15	17
Alabama	■				■		■		
Alaska	■	■			■			■	
Arizona	■			■	■	■	■		
Arkansas	■			■		■		■	■
California	■	■		■	■	■	■		■
Colorado	■	■		■		■		■	■
Connecticut			■			■		■	
Delaware	■		■		■	■	■		
Dist. of Columbia	■	■		■			■		
Florida	■			■	■		■		■
Georgia	■		■	■	■	■			
Hawaii	■						■		
Idaho	■				■		■		■
Illinois	■	■	■		■	■	■	■	■
Indiana	■		■		■		■		
Iowa	■				■	■	■		■
Kansas	■	■					■	■	
Kentucky	■		■			■			■
Louisiana	■		■	■	■				
Maine	■	■					■		
Maryland	■				■	■	■		
Massachusetts					■			■	■
Michigan	■			■			■	■	■
Minnesota	■	■			■		■	■	
Mississippi	■				■	■	■		
Missouri	■						■		■
Montana				■	■	■		■	
Nebraska				■		■			■
Nevada	■	■			■	■	■		
New Hampshire	■	■					■		
New Jersey	■	■	■						
New Mexico					■			■	■
New York					■	■			
North Carolina	■		■				■		
North Dakota	■	■	■				■		
Ohio	■		■				■	■	
Oklahoma	■			■	■	■	■		■
Oregon	■				■	■	■		
Pennsylvania	■	■			■	■	■		
Rhode Island	■	■	■				■	■	
South Carolina	■		■		■				
South Dakota	■				■	■	■		
Tennessee	■					■	■		
Texas	■						■	■	
Utah	■	■			■		■		
Vermont	■			■	■	■		■	
Virginia	■		■	■		■	■		■
Washington	■				■		■		
West Virginia	■		■						■
Wisconsin	■				■	■	■		■
Wyoming	■			■		■			

■ In states with a combination of provisions for transferring juveniles to criminal court, the exclusion, mandatory waiver, or concurrent jurisdiction provisions generally target the oldest juveniles and/or those charged with the most serious offenses, whereas younger juveniles and/or those charged with relatively less serious offenses may be eligible for discretionary waiver.

Note: Table information is as of the end of the 2004 legislative session.

Source: Authors' adaptation of Griffin's National overviews. *State juvenile justice profiles*.

In most states, age and offense criteria limit transfer provisions

Judicial waiver remains the most common transfer provision

As of the end of the 2004 legislative session, in 45 states and the District of Columbia, juvenile court judges may waive jurisdiction over certain cases and transfer them to criminal court. Such action is usually in response to a request by the prosecutor; in several states, however, juveniles or their parents may request judicial waiver. In most states, laws limit waiver by age and offense.

Waiver provisions vary in terms of the degree of decisionmaking flexibility allowed. The decision may be entirely discretionary, there may be a rebuttable presumption in favor of waiver, or waiver may be mandatory. Some provisions mandate that waiver is required once the juvenile court judge determines that certain statutory criteria have been met. Mandatory waiver provisions differ from statutory exclusion provisions in that the case originates in juvenile rather than criminal court.

Some statutes establish waiver criteria other than age and offense

In some states, waiver provisions target youth charged with offenses involving firearms or other weapons. Most state statutes also limit judicial waiver to juveniles who are "no longer amenable to treatment." The specific factors that determine lack of amenability vary, but they typically include the juvenile's offense history and previous dispositional outcomes. Such amenability criteria are generally not included in statutory exclusion or concurrent jurisdiction provisions.

Many statutes instruct juvenile courts to consider other factors when making waiver decisions, such as the availability of dispositional

In most states, juvenile court judges may waive jurisdiction over certain cases and transfer them to criminal court

State	Minimum age for judicial waiver	Judicial waiver offense and minimum age criteria, 2004							
		Any criminal offense	Certain felonies	Capital crimes	Murder	Certain person offenses	Certain property offenses	Certain drug offenses	Certain weapon offenses
Alabama	14	14							
Alaska	NS	NS				NS			
Arizona	NS		NS						
Arkansas	14		14	14	14	14			14
California	14	16			14	14	14	14	
Colorado	12		12		12	12			
Connecticut	14		14	14	14				
Delaware	NS	NS	15		NS	NS	16	16	
Dist. of Columbia	NS	16	15		15	15	15		NS
Florida	14	14							
Georgia	13	15		13	14	13	15		
Hawaii	NS		14		NS				
Idaho	NS	14	NS		NS	NS	NS	NS	
Illinois	13	13	15						
Indiana	NS	14	NS		10			16	
Iowa	14	14							
Kansas	10	10	14			14		14	
Kentucky	14		14	14					
Louisiana	14				14	14			
Maine	NS		NS		NS	NS			
Maryland	NS	15		NS					
Michigan	14		14						
Minnesota	14		14						
Mississippi	13	13							
Missouri	12		12						
Nevada	14	14	14			14			
New Hampshire	13		15		13	13		15	
New Jersey	14	14	14		14	14	14	14	14
North Carolina	13		13	13					
North Dakota	14	16	14		14	14		14	
Ohio	14		14		14	16	16		
Oklahoma	NS		NS						
Oregon	NS		15		NS	NS	15		
Pennsylvania	14		14			14	14		
Rhode Island	NS	NS	16	NS	17	17			
South Carolina	NS	16	14		NS	NS		14	14
South Dakota	NS		NS						
Tennessee	NS	16			NS	NS			
Texas	14		14	14				14	
Utah	14		14		16	16	16		16
Vermont	10				10	10	10		
Virginia	14		14		14	14			
Washington	NS	NS							
West Virginia	NS		NS		NS	NS	NS	NS	
Wisconsin	14	15	14		14	14	14	14	
Wyoming	13	13							

Note: Ages in the minimum age column may not apply to all offense restrictions, but represent the youngest possible age at which a juvenile may be judicially waived to criminal court. "NS" indicates that in at least one of the offense restrictions indicated, no minimum age is specified.

Source: Authors' adaptation of Griffin's National overviews. *State juvenile justice profiles.*

alternatives for treating the juvenile, the time available for sanctions, public safety, and the best interest of the child. The waiver process must also adhere to certain constitutional principles of due process.

States have slowed their expansion of transfer laws

Traditionally, discretionary judicial waiver was the most common transfer mechanism. Beginning in the 1970s, however, state legislatures have changed laws to move juvenile offenders into criminal court based on age and/or offense seriousness without the case-specific consideration offered by the discretionary juvenile court judicial waiver process. State transfer provisions changed extensively in the 1990s. Since 1992, all states but Nebraska have changed their transfer statutes to make it easier for juveniles to be tried in criminal court. But the pace of such changes has slowed considerably. From 1992 through 1995, 40 states and the District of Columbia enacted or expanded transfer provisions. From 1998 through 2002, legislatures in 18 states enacted or expanded their transfer provisions. From 2003 through 2004, only 4 states made substantive changes in transfer provisions, and only 2 of those states expanded them.

Relatively few states allow prosecutorial discretion

As of the end of the 2004 legislative session, 15 states have concurrent jurisdiction provisions, which give both juvenile court and criminal court original jurisdiction in certain cases. Under such provisions, prosecutors have discretion to file eligible cases in either court. Concurrent jurisdiction is typically limited by age and offense criteria. Often, concurrent jurisdiction is limited to cases involving violent or repeat crimes or offenses involving firearms or other weapons. (Juvenile and criminal courts often also share jurisdiction over minor offenses such as traffic, watercraft, or local ordinance violations.) No national data exist on the number of juvenile cases tried in criminal court under concurrent jurisdiction provisions. In Florida, which has a fairly broad concurrent jurisdiction provision, prosecutors sent more than 2,000 youth to criminal court in fiscal year 2001. In comparison, juvenile court judges nationwide waived fewer than 6,000 cases to criminal court in 2000.

State appellate courts have taken the view that prosecutorial discretion is equivalent to the routine charging decisions prosecutors make in criminal cases. Thus, prosecutorial transfer is considered an executive function, which is not subject to judicial review and is not required to meet the due process standards established by the U.S. Supreme Court. Some states, however, do have written guidelines for prosecutorial transfer.

Statutory exclusion accounts for the largest number of transfers

Legislatures "transfer" large numbers of young offenders to criminal court by enacting statutes that exclude certain cases from juvenile court jurisdiction. As of the end of the 2004 legislative session, 29 states have statutory exclusion provisions. State laws typically set age and offense limits for excluded offenses. The offenses most often excluded are murder, capital crimes in general (offenses punishable by

In states with concurrent jurisdiction, the prosecutor has discretion to file certain cases in either criminal court or juvenile court

State	Minimum age for concurrent jurisdiction	Concurrent jurisdiction offense and minimum age criteria, 2004							
		Any criminal offense	Certain felonies	Capital crimes	Murder	Certain person offenses	Certain property offenses	Certain drug offenses	Certain weapon offenses
Arizona	14		14						
Arkansas	14		16	14	14	14			
California	14		14	14	14	14	14	14	
Colorado	14		14		14	14	14		
Dist. of Columbia	16				16	16	16		
Florida	NS	16	16	NS	14	14	14		14
Georgia	NS			NS					
Louisiana	15				15	15	15	15	
Michigan	14		14		14	14	14	14	
Montana	12				12	12	16	16	16
Nebraska	NS	16	NS						
Oklahoma	15		16		15	15	15	16	15
Vermont	16	16							
Virginia	14				14	14			
Wyoming	13		14		14	14	14		

Note: Ages in the minimum age column may not apply to all offense restrictions, but represent the youngest possible age at which a juvenile's case may be directly filed in criminal court. "NS" indicates that in at least one of the offense restrictions indicated, no minimum age is specified

Source: Authors' adaptation of Griffin's National overviews. *State juvenile justice profiles.*

death or life imprisonment), and other serious offenses against persons. (Minor offenses such as traffic, watercraft, and wildlife violations are often excluded from juvenile court jurisdiction in states where they are not covered by concurrent jurisdiction provisions.)

Although not typically thought of as transfers, large numbers of youth younger than age 18 are tried in criminal court in the 13 states where the upper age of juvenile court jurisdiction is set at 15 or 16. Nearly 2 million 16- and 17- year-olds live in these 13 states. If these youth are referred to criminal court at the same rate that 16- and 17-year-olds elsewhere are referred to juvenile court, then a large number of youth younger than 18 face trial in criminal court because they are defined as adults under state laws. In fact, it is possible that more youth younger than 18 are tried in criminal court in this way than by all other transfer mechanisms combined.

In states with statutory exclusion provisions, certain cases involving juveniles originate in criminal court rather than in juvenile court

State	Minimum age for statutory exclusion	Statutory exclusion offense and minimum age criteria, 2004							
		Any criminal offense	Certain felonies	Capital crimes	Murder	Certain person offenses	Certain property offenses	Certain drug offenses	Certain weapon offenses
Alabama	16		16	16				16	
Alaska	16					16	16		
Arizona	15		15		15	15			
California	14				14	14			
Delaware	15		15						
Florida	NS				16	NS	16	16	
Georgia	13				13	13			
Idaho	14				14	14	14	14	
Illinois	13		15		13	15		15	15
Indiana	16		16		16	16		16	16
Iowa	16		16					16	16
Louisiana	15				15	15			
Maryland	14			14	16	16			16
Massachusetts	14				14				
Minnesota	16				16				
Mississippi	13		13	13					
Montana	17				17	17	17	17	17
Nevada	NS	16*	NS		NS	16			
New Mexico	15				15				
New York	13				13	14	14		14
Oklahoma	13				13				
Oregon	NS				15	15			
Pennsylvania	NS				NS	15			
South Carolina	16		16						
South Dakota	16		16						
Utah	16		16		16				
Vermont	14				14	14	14		
Washington	16				16	16	16		
Wisconsin	NS				10	NS			

Note: Ages in the minimum age column may not apply to all offense restrictions, but represent the youngest possible age at which a juvenile may be excluded from juvenile court. "NS" indicates that in at least one of the offense restrictions indicated, no minimum age is specified.

* In Nevada, the exclusion applies to any juvenile with a previous felony adjudication, regardless of the current offense charged, if the current offense involves the use or threatened use of a firearm.

Source: Authors' adaptation of Griffin's National overviews. *State juvenile justice profiles*.

Many states allow transfer of certain very young offenders

In 23 states, no minimum age is specified in at least one judicial waiver, concurrent jurisdiction, or statutory exclusion provision for transferring juveniles to criminal court. For example, Pennsylvania's murder exclusion has no minimum age specified. Other transfer provisions in Pennsylvania have age minimums set at 14 or 15. Among states where statutes specify age limits for all transfer provisions, age 14 is the most common minimum age specified across provisions.

Minimum transfer age specified in statute, 2004:

Age	State
None	Alaska, Arizona, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Indiana, Maine, Maryland, Nebraska, Nevada, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Washington, West Virginia, Wisconsin
10	Kansas, Vermont
12	Colorado, Missouri
13	Illinois, Mississippi, New Hampshire, New York, North Carolina, Wyoming
14	Alabama, Arkansas, California, Connecticut, Iowa, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, New Jersey, North Dakota, Ohio, Texas, Utah, Virginia
15	New Mexico

Like transfer laws, juvenile court blended sentencing allows imposition of adult sanctions on juveniles

Transfer laws and juvenile court blended sentencing laws have similar impact

As of the end of the 2004 legislative session, 15 states have blended sentencing laws that enable juvenile courts to impose criminal sanctions on certain juvenile offenders. Although the impact of juvenile blended sentencing laws depends on the specific provisions (which vary from state to state), in general, juvenile court blended sentencing expands the sanctioning powers of the juvenile court such that juvenile offenders may face the same penalties faced by adult offenders. Thus, like transfer laws, juvenile court blended sentencing provisions define certain juvenile offenders as eligible to be handled in the same manner as adult offenders and expose those juvenile offenders to harsher penalties.

The most common type of juvenile court blended sentencing provision allows juvenile court judges to order both a juvenile disposition and a criminal (adult) sentence. The adult sentence is suspended on the condition that the juvenile offender successfully completes the terms of the juvenile disposition and refrains from committing any new offenses. The criminal sanction is intended to encourage cooperation and serve as a deterrent to future offending. This type of arrangement is known as an inclusive blend.

Most states with juvenile court blended sentencing have inclusive blends (11 of 15). Generally, statutes require courts to impose a combination of juvenile and adult sanctions in targeted cases. In Massachusetts and Michigan, though, the court is not required to order a combined sanction. The court has the option to order a juvenile disposition, a criminal sentence, or a combined sanction.

Among the four states that do not have inclusive juvenile court blended sentencing, three (Colorado, Rhode Island, and Texas) have some type of contiguous blended sentencing arrangement. Under the contiguous model, juvenile court judges can order a sentence that would extend beyond the state's age of extended jurisdiction. The initial commitment is to a juvenile facility, but later the offender may be transferred to an adult facility. The fourth state without an inclusive juvenile blend, New Mexico, simply gives the juvenile court the option of ordering an adult sentence instead of a juvenile disposition. This is referred to as an exclusive blend.

Reverse waiver laws and criminal court blended sentencing laws have similar impact

Under criminal court blended sentencing, offenders of juvenile age who have been convicted in criminal court can receive juvenile

In blended sentencing, juveniles have the same due process protections afforded criminal defendants

All states with juvenile court blended sentencing give juveniles facing possible criminal sanctions the same basic procedural rights afforded to criminal defendants, notably the right to be tried by a jury. In Texas, youth in juvenile court blended sentencing cases are also entitled to have a jury make sentencing determinations.

As with transfer laws, states' juvenile court blended sentencing provisions are limited by age and offense criteria

State	Minimum age for juvenile court blended sentence	Juvenile court blended sentencing offense and minimum age criteria, 2004							
		Any criminal offense	Certain felonies	Capital crimes	Murder	Certain person offenses	Certain property offenses	Certain drug offenses	Certain weapon offenses
Alaska	16					16			
Arkansas	NS		14		NS	14			14
Colorado	NS		NS			NS			
Connecticut	NS		14			NS			
Illinois	13		13						
Kansas	10	10							
Massachusetts	14		14			14			14
Michigan	NS		NS		NS	NS	NS	NS	
Minnesota	14		14						
Montana	NS		12		NS	NS	NS	NS	NS
New Mexico	14		14		14	14	14		
Ohio	10		10		10				
Rhode Island	NS		NS						
Texas	NS		NS		NS	NS		NS	
Vermont	10	10							

Note: Ages in the minimum age column may not apply to all offense restrictions, but represent the youngest possible age at which a juvenile court blended sentence may be imposed. "NS" indicates that in at least one of the offense restrictions indicated, no minimum age is specified.

Source: Authors' adaptation of Griffin's National overviews. *State juvenile justice profiles*.

dispositions. Like reverse waiver laws, criminal court blended sentencing provisions give defendants of juvenile age an opportunity to show that they belong in the juvenile justice system. Criminal court blended sentencing laws have been described as a "safety valve" or an "emergency exit" because they allow the court to review the circumstances of a case and make an individualized decision regarding the youth's suitability for juvenile or criminal treatment. In this way, youth are given one last chance to receive a juvenile disposition.

Seventeen states allow criminal court blended sentencing. Of these states, 10 have exclusive blended sentencing arrangements: the criminal court has an either/or choice between criminal and juvenile sanctions. Inclusive blend models, in which juvenile offenders convicted in criminal court may receive a combination sentence, exist in the remaining seven states with criminal court blended sentencing. As with the juvenile court inclusive blend model, the criminal court inclusive blend model allows the criminal court to suspend the adult sanction on condition of the youth's good behavior.

Criminal court blended sentencing provisions, 2004:

Provision	State
Exclusive	California, Colorado, Illinois, Kentucky, Massachusetts, Nebraska, New Mexico, Oklahoma, West Virginia, Wisconsin
Inclusive	Arkansas, Florida, Idaho, Iowa, Michigan, Missouri, Virginia

As with transfer and juvenile court blended sentencing laws, the scope of criminal court blended sentencing laws varies from state to state depending on the specifics of the statutory provisions. Limitations typically stem from the transfer provisions. The broadest criminal court blend statutes allow for juvenile sanctions in any case involving a juvenile prosecuted in criminal court (i.e., any transferred juvenile). Others exclude from blended sentencing only those convicted of offenses that carry a mandatory life or death sentence. The narrowest of the criminal court blend provisions limit the juvenile disposition option to juvenile offenders who have been convicted of a lesser offense that is not itself eligible for transfer and criminal prosecution. In still other states, statutes require a "fitness hearing" to determine whether the disposition for a lesser offense should be a juvenile sanction. At the hearing, the court must base its decision on criteria similar to those used in juvenile court discretionary waiver decisions.

States' "fail-safe" mechanisms—reverse waiver and criminal court blended sentencing—vary in scope

Many states that transfer youth to criminal court either automatically or at the prosecutor's discretion also provide a "fail-safe" mechanism that gives the criminal court a chance to review the case and make an individualized decision as to whether the case should be returned to the juvenile system for trial or sanctioning. The two basic types of fail-safes are reverse waiver and criminal court blended sentencing. With such combinations of provisions, a state can define cases to be handled in criminal court and at the same time ensure that the court can decide whether such handling is appropriate in individual cases. Of the 44 states with mandatory waiver, statutory exclusion, or concurrent jurisdiction provisions, 29 also have reverse waiver and/or criminal court blended sentencing as a fail-safe.

Reverse waiver. In 25 states, provisions allow juveniles whose cases are handled in criminal court to petition to have the case heard in juvenile court.

Criminal court blended sentencing. In 17 states, juveniles convicted in criminal court are allowed the opportunity to be sanctioned in the juvenile system.

Some states have comprehensive fail-safes; others do not.

Comprehensive fail-safes. In 15 states, no juvenile can be subject to criminal court trial and sentencing either automatically or at the prosecutor's discretion without a chance to prove his or her individual suitability for juvenile handling: Arkansas, Colorado, Delaware, Idaho, Iowa, Mississippi, Montana, Nebraska, Oklahoma, Pennsylvania, South Dakota, Tennessee, Vermont, West Virginia, and Wyoming.

Partial fail-safes. In 15 states, fail-safe mechanisms do not cover every transferred case: Arizona, California, Connecticut, Florida, Georgia, Illinois, Kentucky, Maryland, Massachusetts, Michigan, Nevada, New York, Oregon, Virginia, and Wisconsin.

No fail-safe. In 15 states, juveniles have no chance to petition for juvenile handling or sanctioning: Alabama, Alaska, District of Columbia, Indiana, Louisiana, Minnesota, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Rhode Island, South Carolina, Utah, and Washington.

Need no fail-safe. Six states need no fail-safe because cases only reach criminal court through judicial waiver: Hawaii, Kansas, Maine, Missouri, New Hampshire, and Texas.

Some juvenile offenders are handled by federal rather than state or local authorities

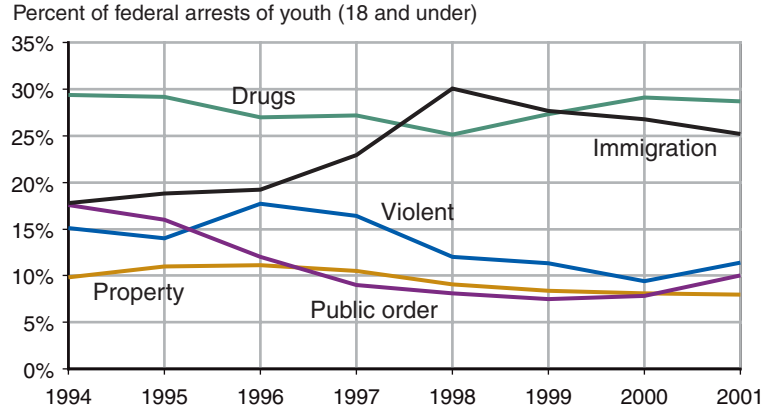
Juvenile prosecutions in the federal system are rare

There is no separate federal juvenile justice system. Juveniles who are arrested by federal law enforcement agencies may be prosecuted and sentenced in United States District Courts and even committed to the Federal Bureau of Prisons. Federal law (Title 18 U.S.C. § 5032) lays out procedures for the handling of juveniles accused of crimes against the U.S. Although it generally requires that they be turned over to state or local authorities, it does provide exceptions.

Juveniles initially come into federal law enforcement custody in a variety of ways. The federal agencies that arrest the most young people are the Border Patrol and the Immigration and Naturalization Service,* the U.S. Marshals Service, the Federal Bureau of Investigation (which has federal law enforcement responsibility on over 200 Indian reservations), and the Drug Enforcement Agency.

Arrest data from fiscal years 1994 through 2001 indicate that these and other federal agencies arrested an average of about 400 persons younger than age 18 per year, and an additional 1,600 18-year-olds, some of whom were undoubtedly juveniles younger than 18 at the time they committed their offenses. Overall, arrests of youth age 18 or younger made up less than 2% of federal arrests. Arrestees 18 or younger were 85% male and 67% white, 19% black, and 10% American Indian. About 43% were non-U.S. citizens. The most common offenses for which federal authorities arrested persons age 18 or younger during the period 1994–2001 were drug offenses (27%) and immigration violations (24%). Marijuana accounted for half of the drug arrests and illegal entry accounted for more than three-quarters of the immigration arrests. Other offenses accounted for smaller proportions of under-18 arrests: violent (13%), property (9%), and public order (10%). Weapons offenses accounted for 4 in 10 arrests for public order offenses.

From 1994 to 2001, the proportion of federal juvenile arrests for immigration offenses rose while the proportion for violent and public order offenses dropped



- The number of federal arrests of youth age 18 or younger increased 73% between 1994 and 2001, driven by an 89% increase in the arrest of 18-year-olds. In comparison, the number of arrests of juveniles younger than age 18 rose just 14%.
- These increases in arrests stem largely from 1996 changes in federal laws relating to immigration offenses. Immigration arrests involving youth age 18 or younger increased 145% between 1994 and 2001.
- Drug arrests outnumbered other offenses every year from 1994 though 2001, except 1998.

Source: Authors' adaptation of Sabol's Juveniles and other young persons (18 and under) in the federal criminal justice system.

Federal prosecutors may retain certain serious cases involving a "substantial federal interest"

Following a federal arrest of a person under 21, federal law requires an investigation to determine whether the offense was a delinquent offense under state law. If so, and if the state is willing and able to deal with the juvenile, the federal prosecutor may forego prosecution and surrender the juvenile to state authorities. However, a case may instead be "certified" by the Attorney General for federal delinquency prosecution, if one of the following

* In the recently established U.S. Department of Homeland Security (DHS), the Immigration and Naturalization Service has become U.S. Citizenship and Immigration Services and its enforcement functions reside in DHS's Border and Transportation Security Directorate, as does the Office of Border Patrol.

exceptional conditions exists: (1) the state does not have or refuses to take jurisdiction over the case; (2) the state does not have programs or services available that are adequate to the needs of the juvenile; or (3) the juvenile is charged with a violent felony, drug trafficking, importation, or firearms offense, and the case involves a "substantial federal interest."

A case certified for federal delinquency prosecution is heard in U.S. District Court by a judge sitting in closed session without a jury. Following a finding of delinquency, the court has disposition powers similar to those of state juvenile courts. For instance, it may order the juvenile to pay restitution, serve a period of probation, or undergo "official detention" in a correctional facility. Generally, neither probation nor official detention may extend beyond the juvenile's 21st birthday or the maximum term that could be imposed on an adult convicted of an equivalent offense, whichever is shorter. But for juveniles who are between ages 18 and 21 at the time of sentencing, official detention for certain serious felonies may last up to 5 years.

A juvenile in the federal system may also be "transferred" for criminal prosecution

When proceedings in a federal case involving a juvenile offender are transferred for criminal prosecution, they actually remain in district court but are governed by federal criminal laws rather than state laws or the Juvenile Justice and Delinquency Prevention Act. Federal law authorizes transfer at the written request of a juvenile of at least age 15 who is alleged to have committed an offense after attaining the age of 15 or upon the motion of the Attorney General in a qualifying case where the court finds that "the interest of justice" requires it. Qualifying cases include those in which a juvenile is charged with (1) a violent felony or drug trafficking or importation offense committed after reaching age 15; (2) murder or aggravated assault committed after reaching age 13; or (3) possession of a firearm during the commission of any offense after reaching age 13. However, transfer is mandatory in any case involving a juvenile age 16 or older who was previously found guilty of a violent felony or drug trafficking offense and who is now accused of committing a drug trafficking or importation offense or any felony involving the use, attempted use, threat, or substantial risk of force.

Most federal juvenile arrests result in a guilty plea or a conviction at trial

The U.S. Marshals Service reports data on the disposition of federal arrests. The disposition data reflect both state and federal court results.

In 2001, 73% of arrests of youth age 18 or younger resulted in a guilty plea or a conviction at trial. Another 13% resulted in the charges being dismissed, prosecution being deferred, or a verdict of not guilty.

Federal arrests of youth age 18 or younger:

Disposition	1994	2001
Total	100%	100%
Guilty plea	38	68
Convicted at trial	13	5
Dismissed/not guilty	13	13
Other or unknown	36	14

Arrests of youth age 18 or younger for immigration offenses were more likely to result in convictions and less likely to have charges dropped than arrests for other offenses.

Juveniles may be committed to the Federal Bureau of Prisons as delinquents or adults

From fiscal years 1994 through 2001, almost 3,000 youth were committed to the custody of the Federal Bureau of Prisons (BOP) for offenses committed while younger than 18. Of these, 1,639 were committed to BOP as delinquents and 1,346 as adults. Among those committed as delinquents, the vast majority (about 70%) were American Indians, but American Indians made up a much smaller proportion (about 31%) of those committed as adults.

Youth age 18 or younger at offense committed to Federal Bureau of Prisons custody, 2001:

		Committed as	
	Total	Delinquent	Adult
Gender	100%	100%	100%
Male	92	89	96
Female	8	11	4
Race	100%	100%	100%
White	17	13	24
Black	25	4	61
Amer. Indian	57	82	15
Asian	0	1	0
Ethnicity	100%	100%	100%
Hispanic	11	8	14
Non-Hispanic	89	92	86
Citizenship	100%	100%	100%
U.S. citizen	95	96	93
Noncitizen	5	4	7

Detail may not total 100% because of rounding.

BOP is required by federal law to place persons younger than 18 in suitable juvenile facilities, which may be operated by private agencies or units of state or local government, rather than in adult facilities.

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Chapter 5

Law enforcement and juvenile crime

For most delinquents, law enforcement is the doorway to the juvenile justice system. Once a juvenile is apprehended for a law violation, it is the police officer who first determines if the juvenile will move deeper into the justice system or will be diverted.

Law enforcement agencies track the volume and characteristics of crimes reported to them and use this information to monitor the changing levels of crime in their communities. Not all crimes are reported to law enforcement, and most of those that are reported remain unsolved. Law enforcement's new incident-based reporting systems include victim reports of offender characteristics in crimes in which the victim sees the offender; for these crimes, even when there is no arrest, law enforcement records can be used to develop an understanding of juvenile offending. For all other types of crimes, an understanding of juvenile involvement comes through the study of arrest statistics. Arrest statistics can monitor the flow of juveniles and adults into the justice system and are the most frequently cited source of information on juvenile crime trends.

This chapter describes the volume and characteristics of juvenile crime from law enforcement's perspective. It presents information on the number and offense characteristics of juvenile arrests in 2003 and historical trends in juvenile arrests. This chapter also examines arrests and arrest trends for female juvenile offenders and offenders under age 13 and compares arrest trends for males and females and different racial groups. It includes arrest rate trends for many specific offenses, including murder and other violent crimes, property crimes, and drug and weapons offenses. The majority of data presented in this chapter were originally compiled by the Federal Bureau of Investigation as part of its Uniform Crime Reporting Program, which includes the Supplementary Homicide Reports and the National Incident-Based Reporting System.

The FBI's Uniform Crime Reporting Program monitors law enforcement's response to juvenile crime

Since the 1930s, police agencies have reported to the Uniform Crime Reporting Program

Each year, thousands of police agencies voluntarily report the following data to the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program:

- Number of Index crimes reported to law enforcement (see sidebar).
- Number of arrests and the most serious charge involved in each arrest.
- Age, gender, and race of arrestees.
- Proportion of reported Index crimes cleared by arrest and the proportion of these Index crimes cleared by the arrest of persons under age 18.
- Police dispositions of juvenile arrests.
- Detailed victim, assailant, and circumstance information in murder cases.

What can the UCR arrest data tell us about crime and young people?

The UCR arrest data can provide estimates of the annual number of arrests of juveniles* within specific offense categories. UCR data can also provide detail on juvenile arrests by gender, race, and type of location (urban, suburban, or rural area). The data can be used to compare the relative number of arrests of adults and juveniles within offense categories, to develop estimates of change in arrests over various time periods, and to monitor the proportion of crimes cleared by arrests of juveniles.

What do UCR data count?

UCR data document the number of crimes reported to police, not the number committed. The UCR Program monitors the number of Index crimes that come to the attention of law enforcement agencies. Although this information is useful in identifying trends in the volume of reported crime, it is important to recognize that not all crimes are brought to the attention of law enforcement.

Crimes are more likely to be reported if they involve a serious injury or a large economic loss and if the victim wants law enforcement involved in the matter. Therefore, some crimes are more likely to come to the attention of law enforcement than are others. For example, the National Crime Victimization Survey for 2003 found that victims reported 77% of motor vehicle thefts to police, 61% of robberies, 59% of aggravated assaults, 54% of burglaries, 42% of simple assaults, 39% of sexual assaults, and 32% of thefts. Overall, victims reported to law enforcement 48% of violent crimes and 38% of property crimes.

Changes in the proportion of crimes reported may, therefore, reflect more than changes in the number of crimes actually committed. They may also reflect changes in the willingness of victims to report crimes to law enforcement agencies.

Another important aspect of UCR data is that they document the number of arrests made, not the number of persons arrested. A person can

What are the Crime Indexes?

The designers of the UCR Program wanted to create indexes (similar in concept to the Dow Jones Industrial Average and the Consumer Price Index) that would be sensitive to changes in the volume and nature of reported crime. They decided to incorporate specific offenses into these indexes based on several factors: likelihood of being reported, frequency of occurrence, pervasiveness in all geographical areas of the country, and relative seriousness.

Violent Crime Index—Includes murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault.

Property Crime Index—Includes burglary, larceny-theft, motor vehicle theft, and arson.

Crime Index—Includes all eight crimes in the Violent Crime Index and Property Crime Index.

A substantial proportion of the crimes in the Property Crime Index are generally considered less serious crimes, such as shoplifting, theft from motor vehicles, and bicycle theft, all of which are included in the larceny-theft category. The Violent Crime Index contains what are generally considered to be serious crimes, although some violent crimes, such as kidnapping and extortion, are excluded. However, significant changes in a community's violent crime problem (e.g., a doubling in the number of murders) may not be reflected in the Violent Crime Index because these murder counts could be overwhelmed by small declines in the higher volume violent crimes of robbery and aggravated assault. For this and other reasons, the FBI is considering revisions to the current indexes.

* In this chapter, "juvenile" refers to persons under age 18. This definition is different from the legal definition of juveniles in 2003 in 13 states—10 states where all 17-year-olds are defined as adults and 3 states where all 16- and 17-year-olds are defined as adults.

be arrested more than once in a year. Each arrest is counted separately in the UCR data. One arrest can represent many crimes. If a person were arrested for allegedly committing 40 burglaries, it would show up in the UCR data as one arrest for burglary. Also, one crime may result in multiple arrests. For example, three youth may be arrested for one burglary. A single crime with multiple arrests is more likely to occur with juveniles than with adult offenders because juveniles are more likely than adults to commit crimes in groups.

UCR arrest data reflect only the most serious offense for which a person was arrested. An arrest of a person for both aggravated assault and weapons possession would appear in the UCR data as one aggravated assault arrest. The UCR data on number of weapons arrests, therefore, reflect only those arrests in which a weapons charge was the most serious offense charged. This aspect of UCR counting rules must be taken into consideration when the data are used in analysis of arrest volume and trends for less serious offenses.

Clearance data provide another perspective on law enforcement. A crime is considered cleared if someone is charged with the crime or if someone is believed to have committed the crime but for some reason (e.g., the death of the suspect, unwillingness of the victim to prosecute) an arrest cannot be made. If a person is arrested and charged with committing 40 burglaries, UCR records 40 burglary clearances. If three people are arrested for robbing a liquor store, UCR records one robbery cleared.

Dividing the number of crimes cleared by the number of crimes reported in a year gives an estimate of the proportion of crimes cleared in a year. Historically, a greater proportion of violent crimes than property crimes are cleared.

Most serious offense	Proportion of crimes cleared in 2003
Violent Crime Index	47%
Murder	62
Forcible rape	44
Robbery	26
Aggravated assault	56
Property Crime Index	16
Burglary	13
Larceny-theft	18
Motor vehicle theft	13
Arson	17

UCR data also document the proportion of cleared crimes that were cleared by the arrest of persons under age 18. Assessments of the juvenile contribution to the crime problem are often based on this proportion. It is important to note that clearance and arrest statistics generally give very different pictures of the juvenile contribution to crime.

	2003 juvenile proportion	
Most serious offense	Arrests	Crimes cleared
Violent Crime Index	15%	12%
Murder	9	5
Forcible rape	16	11
Robbery	24	14
Aggravated assault	14	12
Property Crime Index	29	19
Burglary	29	17
Larceny-theft	28	20
Motor vehicle theft	29	17
Arson	51	41

How should juvenile arrest and clearance data be interpreted?

Considerations in interpreting UCR data on juvenile arrests and clearances can be demonstrated by attempting to answer a typical question about juvenile crime: "In 2003, what proportion of all robberies were committed by juveniles?" The UCR data show that 24% of all arrests for robbery in 2003 were of persons under age 18 and that 14% of all robberies cleared in 2003 were cleared by the arrest of persons under age 18.

The key to reconciling the difference between the two percentages is the fact, noted previously, that juveniles are more likely than adults to commit crimes in groups. If a police department cleared all seven of its robberies in a year by arresting two juveniles for one incident and six different adults for the other six incidents, the juvenile proportion of arrests for robbery would be 25% (2 in 8), and the juvenile proportion of robberies cleared would be 14% (1 in 7). Arrest percentages are offender based; clearance percentages are incident based.

Clearance data are a better choice than arrest data for determining the juvenile proportion of all robberies committed. There are, however, questions about what clearance figures actually represent.

One question stems from the fact that a crime cleared by the arrest of a juvenile and the arrest of an adult is classified by the FBI as an adult clearance. Therefore, some cleared crimes involving juvenile offenders are not counted in the proportion of crimes cleared by juvenile arrest, which makes the juvenile clearance proportion an underestimate of juvenile involvement in cleared crimes.

Another question is whether it is safe to assume that characteristics of robberies cleared are similar to characteristics of robberies not cleared (i.e., whether the 26% of robberies cleared in 2003 were like the 74% not cleared).

A study by Snyder of more than 21,000 robberies in 7 states between 1991 and 1993 found that robberies by juveniles were more likely to result in arrest than were robberies by adults. The FBI's National Incident-Based Reporting System (NIBRS) data from these states gave the victim's perception of the age of the offender and indicated whether the offender was arrested. This study found that robberies by juveniles were 23% more likely to result in arrest than were robberies by adults. Therefore, the juvenile proportion of cleared robberies was substantially greater than the proportion of robberies actually committed by juveniles. Based on this finding, it appears that UCR clearance percentages overestimate the juvenile responsibility for crime because juvenile offenders are more likely to be arrested.

Arrest data and clearance data can be used to explore different types of questions. Arrest data provide a rough estimate of how many juveniles entered the justice system in a given year, but it must be remembered that a particular individual may have been arrested more than once during the year (and therefore counted more than once) and that a particular arrest may have involved more than one offense (with only the most serious charge counted). Clearance data are more useful than arrest data in estimating the proportion of crimes committed by juveniles, but evidence that juveniles are more likely than adults to be arrested for their crimes indicates that clearance percentages also exaggerate juveniles' actual share of crime. However, the most important thing to remember in using arrest and clearance data to analyze juvenile crime trends is that changes in arrest data are likely to reflect actual changes in the number of juveniles entering the juvenile justice system, whereas changes in clearance proportions can be used to monitor changes in the relative responsibility of juveniles for crime.

What is the accuracy of the UCR-based juvenile arrest and clearance trends?

Annually, the FBI generates national estimates of reported crimes for the 8 Index offenses and national estimates of total arrests in 29 offense categories. It does not currently produce national estimates of juvenile arrests, but recently it has revived production of juvenile arrest rates for selected offenses. These estimates are all based on data reported to the FBI by contributing law enforcement agencies in a given year. Statisticians characterize these annual samples as "opportunistic" samples—i.e., each sample contains data from every agency that was willing and able to report to the FBI in that year. The essential problem is that the sample is not scientifically determined; therefore, no one can assume that the sample's characteristics (e.g., juvenile arrest proportions, juvenile arrest rates) are representative of all law enforcement agencies in the U.S.

For example, assume that one sample contained a disproportionate number of agencies from large metropolitan areas or cities. In that case, the arrest tables in the FBI's UCR-based report *Crime in the United States* would present a picture of juvenile arrests with a more urban character compared with the U.S. as a whole. The data from the reporting sample would have a higher percentage of violent crime arrests, a higher percentage of juvenile arrests, higher rates of juvenile arrests for violent crimes, and higher proportions and rates of arrest of black juveniles across offense categories.

The quality of the juvenile arrest rate trends derived from the sample data reported in *Crime in the United States* is dependent on the consistent representativeness of the annual reporting samples, and the FBI does not currently assess this representativeness. What is known is that the coverage of the sample has changed substantially in recent years. For 2003, law enforcement agencies with jurisdiction over 70% of the U.S. population contributed data on arrests; between 1980 and 2003, this proportion ranged from 63% to 86%.

The traditional approach to the development of national estimates of juvenile arrests (and clearances) is based on the assumption that the reporting samples in the *Crime in the United States* series are nationally representative. The more this assumption is violated, the less reliable are the estimates. It is possible to adjust for some of the known, or measurable, biases in the samples, but this work has not been done. Even if such adjustments were made, the validity of the estimates would still be in question because of the inherent weaknesses of an opportunistic sample.

From a pragmatic standpoint, those who wish to study arrest and clearance trends should turn to the FBI's UCR Program and its *Crime in the United States* reports. This resource is the best information available, even though it has weaknesses. Users, however, should always be aware of the potential biases in the data and the potential effects of these biases.

In 2003, law enforcement agencies reported 2.2 million arrests of persons under age 18

The most serious charge in almost half of all juvenile arrests in 2003 was larceny-theft, simple assault, a drug abuse violation, disorderly conduct, or a liquor law violation

Most serious offense	2003 juvenile arrest estimates	Percent of total juvenile arrests					
		Female	Ages 16–17	White	Black	American Indian	Asian
Total	2,220,300	29%	68%	71%	27%	1%	2%
Violent Crime Index	92,300	18	67	53	45	1	1
Murder and nonnegligent manslaughter	1,130	9	89	49	48	1	2
Forcible rape	4,240	2	63	64	33	2	1
Robbery	25,440	9	75	35	63	0	2
Aggravated assault	61,490	24	64	59	38	1	1
Property Crime Index	463,300	32	63	69	28	1	2
Burglary	85,100	12	65	71	26	1	1
Larceny-theft	325,600	39	62	70	27	1	2
Motor vehicle theft	44,500	17	75	56	40	1	2
Arson	8,200	12	39	81	17	1	1
Other (simple) assault	241,900	32	57	61	36	1	1
Forgery and counterfeiting	4,700	35	87	77	20	1	2
Fraud	8,100	33	82	66	32	1	1
Embezzlement	1,200	40	94	68	30	0	2
Stolen property (buying, receiving, possessing)	24,300	15	73	57	41	1	1
Vandalism	107,700	14	56	80	18	1	1
Weapons (carrying, possessing, etc.)	39,200	11	64	66	32	1	2
Prostitution and commercialized vice	1,400	69	86	51	47	0	1
Sex offense (except forcible rape and prostitution)	18,300	9	49	71	26	1	1
Drug abuse violation	197,100	16	83	72	26	1	1
Gambling	1,700	2	85	12	86	0	2
Offenses against family and children	7,000	39	65	77	20	2	2
Driving under the influence	21,000	20	98	94	4	2	1
Liquor laws	136,900	35	90	92	4	3	1
Drunkenness	17,600	23	87	89	8	2	1
Disorderly conduct	193,000	31	59	64	34	1	1
Vagrancy	2,300	25	75	62	37	1	1
All other offenses (except traffic)	379,800	27	72	74	23	1	2
Suspicion	1,500	24	74	66	33	1	0
Curfew and loitering law violation	136,500	30	71	68	30	1	1
Runaway	123,600	59	64	73	20	2	5
U.S. population ages 10–17	33,499,000	49	24	78	16	1	4

- Females accounted for the majority of arrests for running away from home (59%) and prostitution and commercialized vice (69%).
- Black youth, who accounted for 16% of the juvenile population in 2003, were involved in a disproportionate number of juvenile arrests for robbery (63%), murder (48%), motor vehicle theft (40%), and aggravated assault (38%).

Notes: UCR data do not distinguish the ethnic group Hispanic; Hispanics may be of any race. In 2003, 92% of Hispanics ages 10–17 were classified racially as white. National estimates of juvenile arrests were developed using FBI estimates of total arrests and juvenile arrest proportions in the reporting sample. Detail may not add to totals because of rounding.

Source: Authors' analyses of the FBI's *Crime in the United States 2003*.

In 2003, 15% of male arrests and 20% of female arrests involved a person younger than age 18

Based on arrest proportions, the juvenile involvement in crime varies substantially by the type of offense

	Juvenile arrests as a percent of total arrests						
Most serious offense	All	Male	Female	White	Black	American Indian	Asian
Total	16%	15%	20%	16%	16%	16%	22%
Violent Crime Index	15	15	16	13	19	14	18
Murder and nonnegligent manslaughter	9	9	8	9	9	10	12
Forcible rape	16	16	24	16	16	20	12
Robbery	24	24	20	19	27	19	32
Aggravated assault	14	13	16	13	16	13	15
Property Crime Index	29	28	30	29	27	35	37
Burglary	29	30	25	30	28	36	37
Larceny-theft	28	27	30	29	26	34	38
Motor vehicle theft	29	29	30	27	33	40	34
Arson	51	53	40	53	41	52	58
Other (simple) assault	19	17	26	18	22	16	21
Forgery and counterfeiting	4	5	4	5	3	6	5
Fraud	3	3	2	3	3	3	6
Embezzlement	7	8	6	7	7	5	9
Stolen property (buying, receiving, possessing)	19	20	16	18	21	25	25
Vandalism	39	41	33	41	33	35	38
Weapons (carrying, possessing, etc.)	23	23	32	25	20	22	34
Prostitution and commercialized vice	2	2	2	2	2	2	1
Sex offense (except forcible rape and prostitution)	20	20	22	19	22	13	20
Drug abuse violation	12	12	11	13	9	16	15
Gambling	16	17	3	7	19	20	8
Offenses against family and children	5	4	9	6	3	7	7
Driving under the influence	1	1	2	2	1	2	1
Liquor laws	22	20	30	24	11	23	25
Drunkenness	3	3	5	3	2	3	5
Disorderly conduct	30	28	37	29	34	22	37
Vagrancy	8	8	9	9	7	2	6
All other offenses (except traffic)	10	10	13	12	8	9	13

- In 2003, a juvenile was the alleged offender in 51% of arson, 39% of vandalism, 29% of motor vehicle theft and burglary, 23% of weapons law violation, 12% of drug abuse violation, and 9% of murder arrests.
- Juveniles were involved in a greater proportion of female arrests than male arrests for liquor law violations (30% vs. 20%), simple assault (26% vs. 17%), weapons law violations (32% vs. 23%), and disorderly conduct (37% vs. 28%).
- Overall, in 2003, 16% of white arrests and 16% of black arrests involved a person younger than age 18. However, for some offenses, juveniles were involved in a greater proportion of black arrests than white arrests (e.g., robbery and motor vehicle theft). For other offenses, juvenile involvement was greater in white arrests than black arrests (e.g., liquor law violations, arson, and vandalism).

Source: Authors' adaptation of the FBI's *Crime in the United States 2003*.

Between 1994 and 2003, juvenile arrests for violent crime fell proportionately more than adult arrests

Over the 10-year period from 1994 to 2003, the percent decline in the number of arrests was greater for juveniles than for adults for each offense within the Violent Crime Index

	Percent change in arrests, 1994–2003								
	All persons			Juveniles			Adults		
Most serious offense	All	Male	Female	All	Male	Female	All	Male	Female
Total	–3%	–7%	12%	–18%	–22%	–3%	1%	–3%	17%
Violent Crime Index	–16	–20	10	–32	–36	–10	–12	–16	14
Murder and nonnegligent manslaughter	–36	–37	–30	–68	–69	–49	–30	–30	–28
Forcible rape	–22	–23	–1	–25	–25	–30	–22	–22	12
Robbery	–25	–26	–12	–43	–44	–38	–17	–18	–2
Aggravated assault	–12	–17	14	–26	–31	–2	–10	–15	17
Property Crime Index	–23	–27	–12	–38	–44	–21	–15	–18	–8
Burglary	–23	–26	–3	–40	–41	–27	–14	–17	9
Larceny–theft	–23	–27	–14	–35	–43	–19	–16	–19	–11
Motor vehicle theft	–26	–30	–5	–52	–54	–44	–6	–12	34
Arson	–29	–29	–24	–36	–36	–38	–18	–19	–10
Other (simple) assault	3	–4	32	10	1	36	1	–5	31
Forgery and counterfeiting	1	–4	10	–47	–46	–47	6	0	16
Fraud	–17	–21	–12	–29	–29	–27	–16	–20	–11
Embezzlement	19	2	42	15	8	28	19	2	43
Stolen property (buying, receiving, possessing)	–21	–25	6	–46	–48	–29	–11	–16	18
Vandalism	–18	–21	5	–33	–36	–11	–3	–7	16
Weapons (carrying, possessing, etc.)	–36	–36	–34	–41	–42	–22	–35	–34	–38
Prostitution and commercialized vice	–18	–22	–15	31	–24	86	–18	–22	–16
Sex offenses (except forcible rape and prostitution)	–10	–10	–3	2	0	26	–12	–13	–9
Drug abuse violation	22	20	35	19	13	56	23	21	33
Gambling	–49	–51	–37	–59	–58	–70	–48	–50	–35
Offenses against family and children	11	4	41	19	12	31	10	4	42
Driving under the influence	–6	–10	21	33	25	83	–6	–11	20
Liquor laws	16	8	45	4	–5	26	20	12	56
Drunkenness	–26	–28	–9	–11	–18	24	–26	–28	–10
Disorderly conduct	–11	–16	4	13	2	46	–19	–21	–11
Vagrancy	16	17	10	–50	–53	–37	32	36	20
All other offenses (except traffic)	17	12	38	–2	–8	17	19	14	42
Curfew and loitering law violation	–1	–3	5	–1	–3	5	NA	NA	NA
Runaway	–42	–44	–40	–42	–44	–40	NA	NA	NA

- Between 1994 and 2003, female juvenile arrests either increased more or decreased less than male juvenile arrests in many offense categories (e.g., driving under the influence, drug abuse violations, simple assault, liquor law violations, and aggravated assault). As a result, while male juvenile arrests declined 22% over the period, female juvenile arrests declined just 3%.
- Between 1994 and 2003, while both juvenile and adult male arrests for simple assault changed little (1% and –5%, respectively), arrests for both juvenile and adult females increased substantially (36% and 31%, respectively). This implies that the increase in juvenile female arrests for simple assault over the period was a trend for females in general, not for juvenile females specifically.

Source: Authors' adaptation of the FBI's *Crime in the United States 2003*.

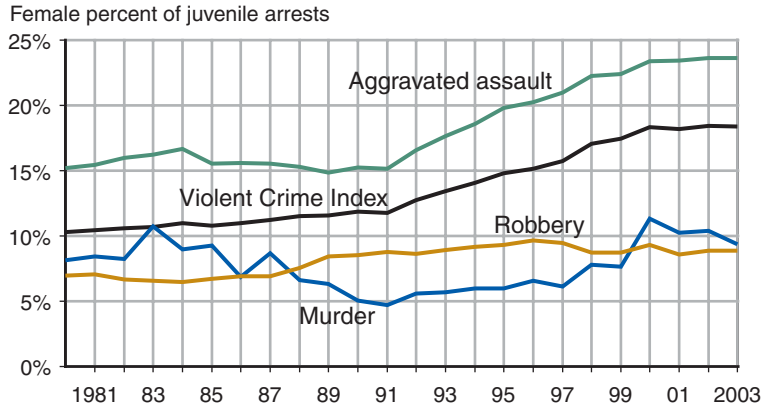
The female proportion of youth entering the juvenile justice system for law violations has increased

Gender-specific factors influence juvenile arrest trends

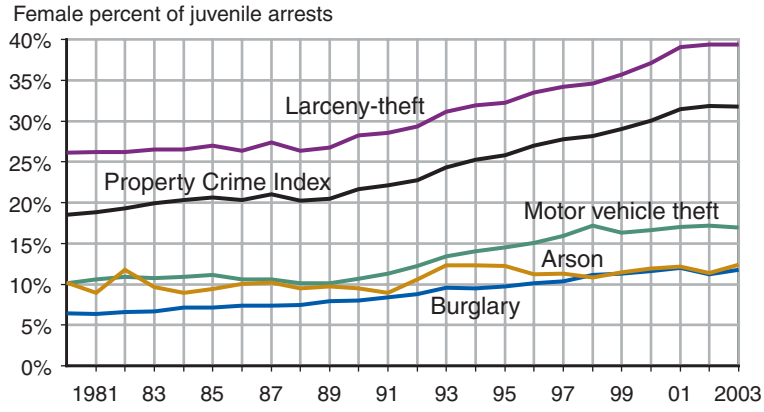
If juvenile males and females were contributing equally to an arrest trend, then the female proportion of juvenile arrests would remain constant. If, however, the female proportion changes, that means that the female arrest trend differs from the male trend—and any explanation of juvenile arrest trends must incorporate factors that affect males and females differently.

A major story in the last few years has been the rise in the proportion of females entering the juvenile justice system. In 1980, 20% of all juvenile arrests were female arrests; in 2003, this percentage had increased to 29%—with the majority of this growth since the early 1990s. The female proportion increased between 1980 and 2003 in juvenile arrests for Violent Crime Index offenses (from 10% to 18%) and for Property Crime Index offenses (from 19% to 32%); however, the female proportion of drug abuse violations arrests was the same in 1980 and 2003 (16%). This implies there were (1) different factors influencing the volume and/or nature of law-violating behaviors by male and female juveniles over this time period and/or (2) differential responses by law enforcement to these behaviors.

Between 1980 and 2003, the female percentage of juvenile violent crime arrests increased, with the overall increase tied mainly to aggravated assault arrests



The female percentage of juvenile arrests increased between 1980 and 2003 for each of the four Property Crime Index offenses



Source: Authors' analyses of the FBI's *Crime in the United States* reports for the years 1980 through 2003.

A closer look at violence trends points to possible explanations

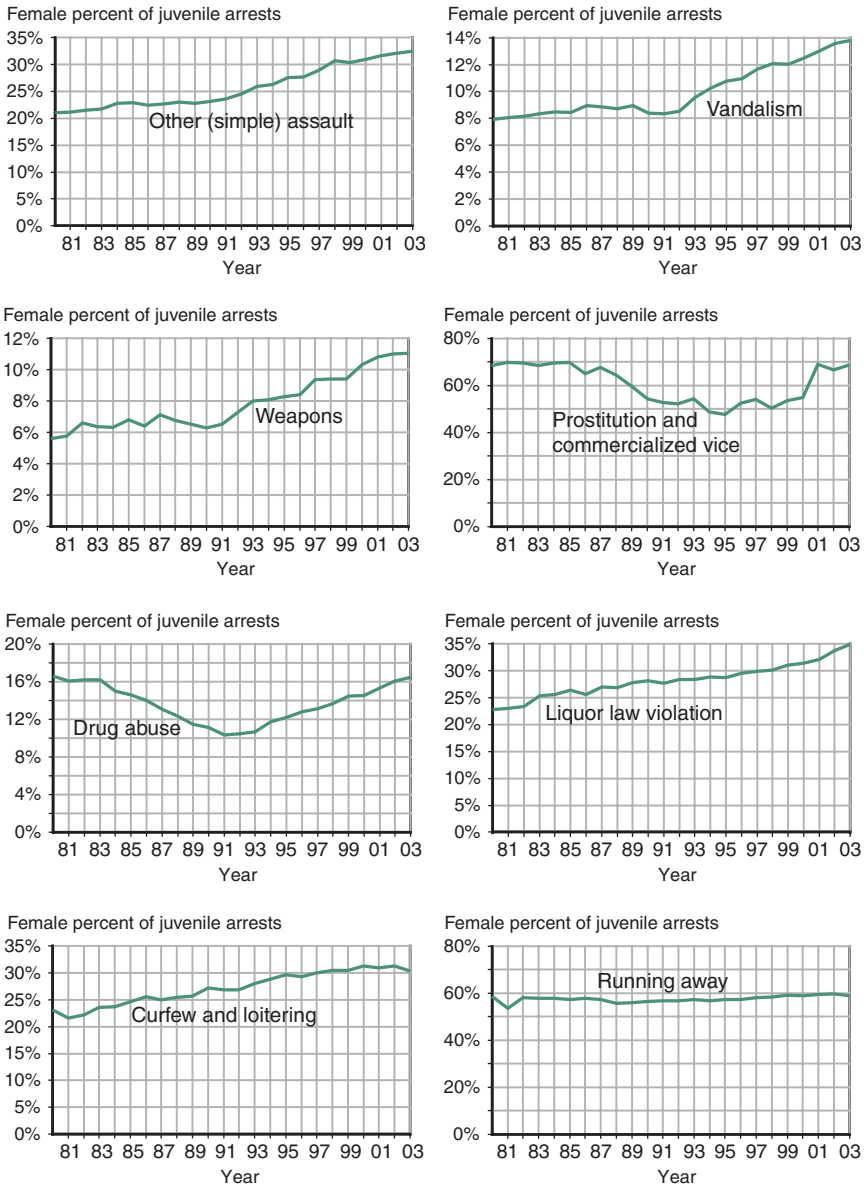
If juvenile females had simply become more violent, the female proportion of juvenile arrests would be expected to have increased for each violent crime. This did not occur. For example, the female proportion of juvenile arrests remained relatively constant between 1980 and 2003 for robbery (7% to 9%). The change that caused the Violent Crime Index proportion to increase between 1980 and 2003 was the increase in the female proportion of juvenile arrests for aggravated assault (from 15% to 24%). Similarly, a large increase was seen in the female proportion of juvenile arrests for simple assault (from 21% to 32%). To understand the relative increase in female arrests for violence, it is necessary to look for factors related primarily to assault.

One possible explanation for this pattern could be the changing response of law enforcement to domestic violence incidents. Domestic assaults represent a larger proportion of female violence than male violence. For example, analysis of the 2001 NIBRS data finds that 18% of aggravated assaults known to law enforcement committed by juvenile males were against family members or intimate partners, compared with 33% of aggravated assaults committed by juvenile females. Mandatory arrest laws for domestic violence, coupled with an increased willingness to report these crimes to authorities, would yield a greater increase in female than male arrests for assault, while having no effect on the other violent crimes. Thus, policy and social changes may be a stimulus for the increased proportion of juvenile female arrests.

The female proportion of arrests increased for many offenses

When the female proportion of juvenile arrests remains constant over time, factors controlling this arrest trend are unrelated to gender. This pattern is seen in juvenile robbery and arson arrests from 1980 through 2003. Over this period, the female arrest proportions for some other offenses (e.g., murder, prostitution, and drug abuse violations) first declined and then increased back to earlier levels. However, for most other offenses (e.g., aggravated assault, simple assault, burglary, larceny-theft, motor vehicle theft, vandalism, weapons, liquor, and curfew/loitering law violations), the female proportions of juvenile arrests increased substantially over the 1980–2003 period.

Between 1980 and 2003, the female proportion of juvenile arrests increased for simple assault, vandalism, weapons, liquor law violations, and curfew and loitering law violations



- Between 1980 and 2003, the large decline and subsequent growth in the female proportion of juvenile arrests for drug abuse violations reflected a decline in the female arrest rate for drug abuse violations during the 1980s and early 1990s while the male rate generally held constant, followed by a proportionately greater increase in the female rate after the early 1990s.

Source: Authors' analyses of the FBI's *Crime in the United States* reports for the years 1980 through 2003.

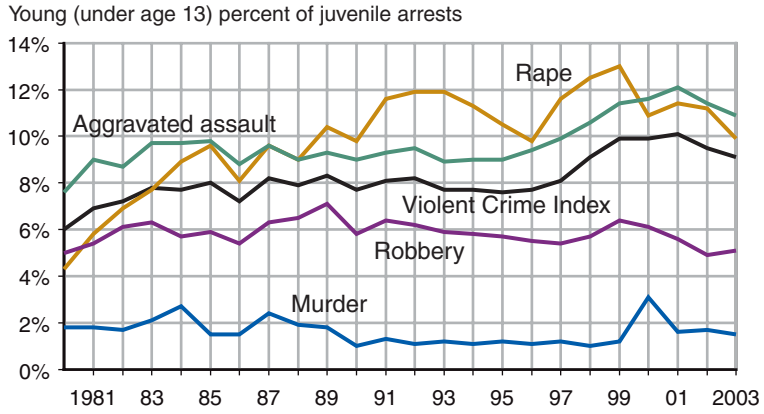
Violent and drug arrest rates for young juveniles rose from 1980 to 2003 as their overall arrest rate fell

Arrest rates for very young juveniles declined for some offenses, increased for others

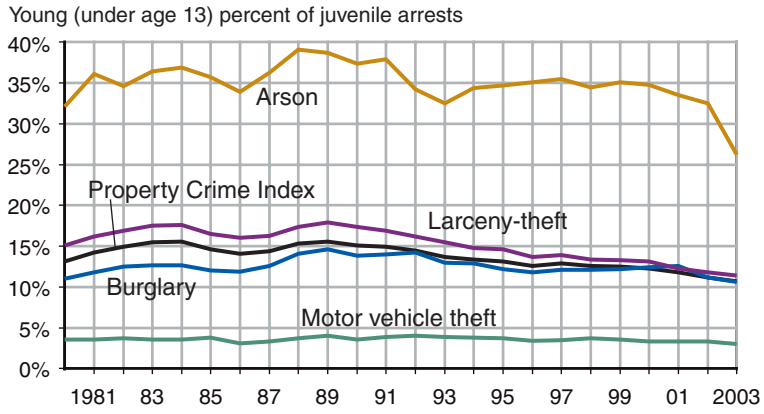
A common perception in the last few years was that the rate and proportion of young juveniles (under age 13) entering the juvenile justice system had increased. This statement is not true. In 1980, there were an estimated 1,476 arrests of persons ages 10–12 for every 100,000 persons in this age group in the U.S. population. By 2003, this arrest rate had fallen to 1,296, a decline of 12%. In 1980, 9.5% of all juvenile arrests were arrests of persons under age 13; in 2003, this percentage had decreased to 8.5%—with the majority of the decrease occurring during the mid-1990s.

However, while the overall arrest rate for young juveniles declined, arrests for some offenses increased dramatically, and the types of young juvenile offenders entering the juvenile justice system changed. For example, the Property Crime Index arrest rate for juveniles ages 10–12 fell 51% between 1980 and 2003. Over the same period, the Violent Crime Index arrest rate increased 27%. As a result, while the overall rate of young juvenile arrests fell, a larger proportion of those arrested were arrested for a violent crime. Over the period 1980–2003, the arrest rate for juveniles ages 10–12 fell for burglary (68%), larceny-theft (47%), vandalism (37%), and running away from home (45%). Over the same period, the arrest rate for young juveniles increased for aggravated assault (91%), simple assault (197%), weapons law violations (138%), sex offenses (121%), drug abuse violations (105%), disorderly conduct (116%), and curfew and loitering law violations (126%). As a result, even though the overall arrest rate declined, more young juveniles entered the juvenile justice system charged with violent and drug offenses in 2003 than in 1980. This implies there were (1) different factors influencing the volume and/or nature of law-violating behavior by young juveniles over this time period and/or (2) differential responses by law enforcement to these behaviors.

While the overall proportion of juvenile arrests involving youth younger than age 13 declined from 1980 to 2003, their proportion of juvenile Violent Crime Index arrests grew from 6% to 9%



The proportion of juvenile Property Crime Index arrests involving youth younger than age 13 declined from 16% in the late 1980s to 11% in 2003



Source: Authors' analyses of the FBI's *Crime in the United States* reports for the years 1980 through 2003.

Arrest rates of young females outpace those of young males

The 12% decline in the total arrest rate for youth ages 10–12 between 1980 and 2003 was a combination of a 20% decline in the young male arrest rate and a 22% increase in the young female arrest rate. For most

offenses, the arrest rate for young females either increased more or decreased less from 1980 to 2003 than the arrest rate for young males. As a result, a greater number and proportion of the young juvenile arrestees in 2003 were female than in 1980, and these females had very different offending patterns compared with 1980.

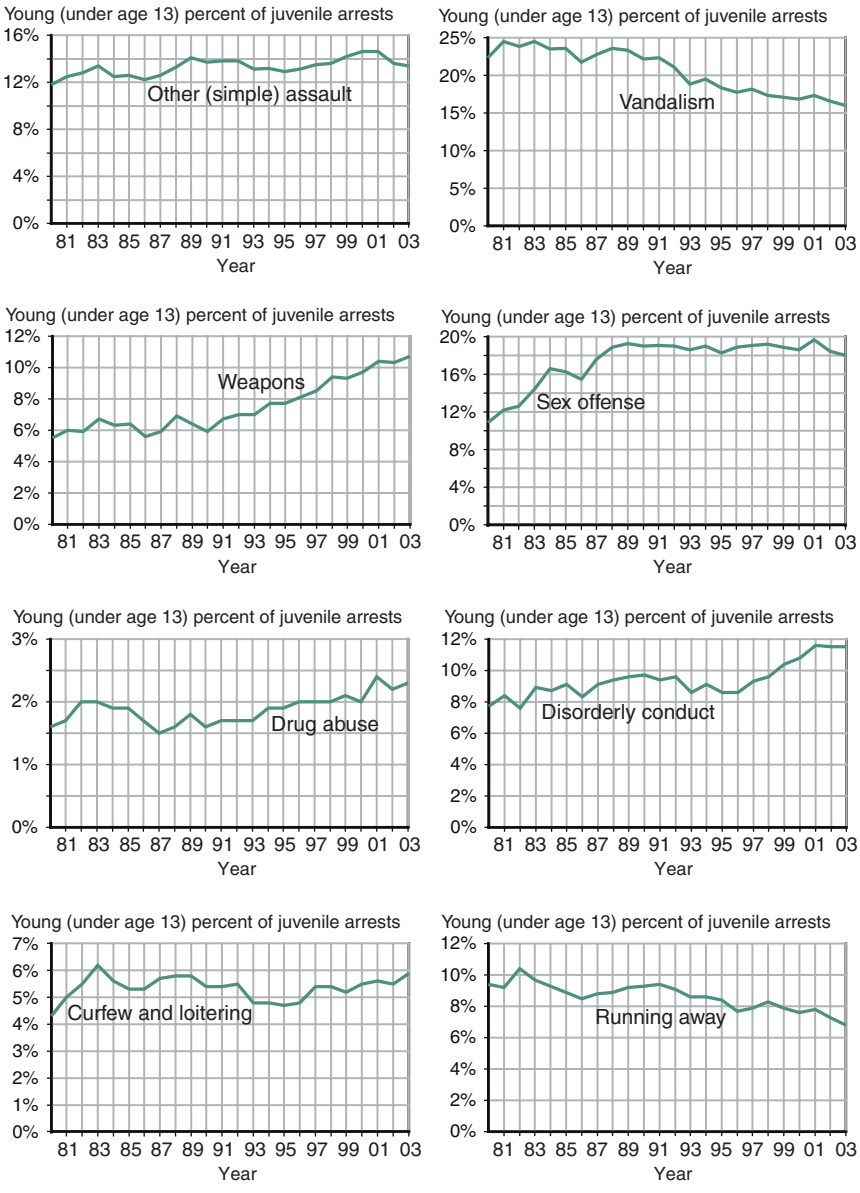
Percent change in young juvenile (ages 10–12) arrest rate,1980–2003:

Offense	Male	Female
All offenses	–20%	22%
Violent Crime Index	14	135
Aggravated assault	75	186
Property Crime Index	–57	–28
Burglary	–69	–49
Larceny-theft	–54	–26
Simple assault	174	284
Stolen property	–51	21
Vandalism	–42	26
Weapons violation	119	522
Sex offense	116	186
Drug abuse violation	95	143
Disorderly conduct	89	244
Curfew	101	228
Runaway	–51	–36

Analysis of race-specific arrest rate trends for very young juveniles is not possible

The FBI's UCR Program captures information on the gender of arrestees subdivided into a large set of detailed age groups (e.g., under 10, 10–12, 13–14, 15, 16, and 17). It also captures information on the race of arrestees, but the only age breakdown associated with these counts is "under 18" and "18 and above." Therefore, age-specific arrest trends for racial groups, including trends for young juveniles, cannot be analyzed with UCR data.

Between 1980 and 2003, the proportion of juvenile arrests involving youth younger than age 13 increased for weapons, sex, and drug offenses and disorderly conduct



- In 1980, a greater proportion of juvenile simple assault arrests than aggravated assault arrests involved youth under age 13 (12% vs. 8%); this difference narrowed between 1980 and 2003 (to 13% vs. 11%) because the proportion of juvenile arrests involving youth under age 13 increased more for aggravated assault than for simple assault.

Source: Authors' analyses of the FBI's *Crime in the United States* reports for the years 1980 through 2003.

In 2003, the juvenile violent crime arrest rate was lower than it was before its increase in the late 1980s

The juvenile violent crime arrest rate is at its lowest level in a generation

Between 1980 and 1988, the juvenile Violent Crime Index arrest rate was essentially constant. The rate began to increase in 1989; by 1994, it was 61% above its 1988 level. This unsettling trend triggered speculation that the nature of juvenile offenders had changed and spurred state legislators to pass laws that made sanctioning youth in the adult justice system easier. After 1994, however, the juvenile Violent Crime Index arrest rate fell consistently for the next 9 years; by 2003, it had fallen below the levels of the early 1980s.

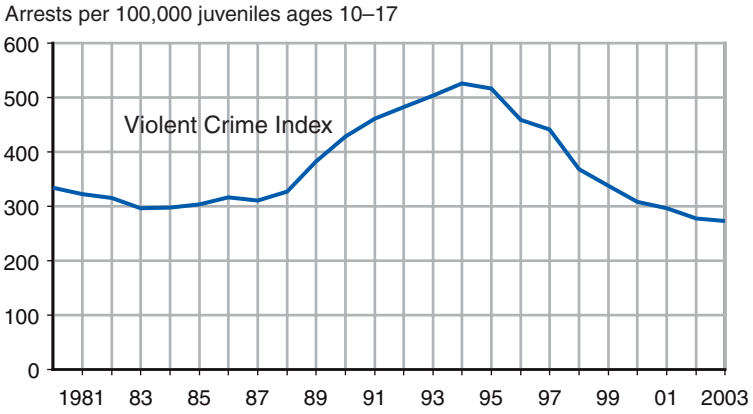
The female violent crime arrest rate remains relatively high

In 1980, the male juvenile Violent Crime Index arrest rate was 8.3 times the female rate. With only a few exceptions, this gender disparity declined annually between 1980 and 2003, so that by 2003, the male rate was just 4.2 times the female rate. In the growth period between 1988 and 1994, the female rate increased more than the male rate (98% vs. 56%). The decline in the juvenile violent crime arrest rate between 1994 and 2003 was driven primarily by the male arrest rate, which fell more than the female rate (51% vs. 32%). The convergence in the male and female rates between 1980 and 2003 reflects an overall 26% decline in the male rate coupled with a 47% increase in the female rate.

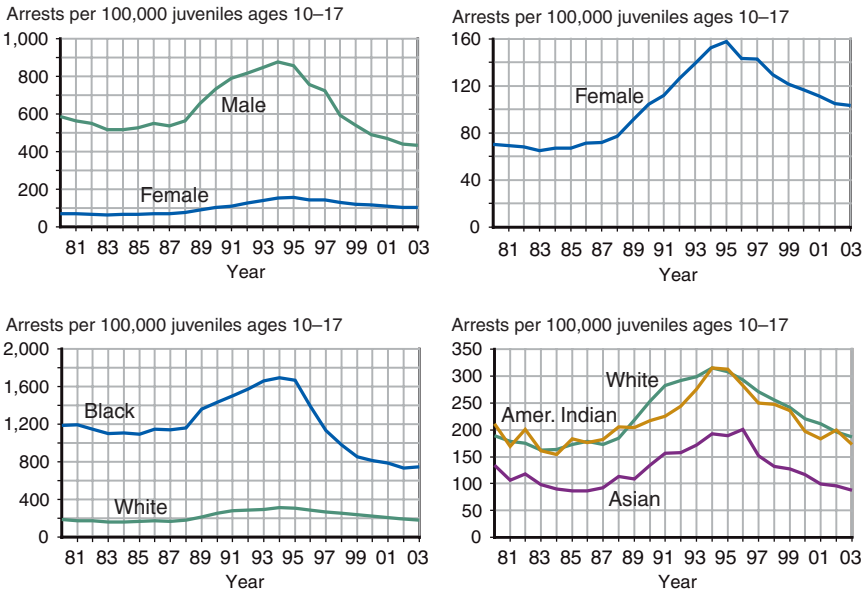
Violent crime arrest rates declined more for black youth than other racial groups

All racial groups experienced large increases in their juvenile Violent Crime Index arrest rate between 1988 and 1994—and large declines between 1994 and 2003. By 2003, the white juvenile Violent Crime Index arrest rate had returned to its 1988 level. In contrast, the 2003 rates for the other races were all below their 1988 levels: blacks (–35%), American Indian (–16%), and Asian (–23%).

By 2003, the juvenile Violent Crime Index arrest rate had fallen to the levels of the late 1980s—but not for females



Violent Crime Index arrest rate trends by gender and race



Source: Authors' analyses of arrest data from the FBI and population data from the U.S. Census Bureau. [See arrest rate source note at the end of this chapter for details.]

The juvenile arrest rate for murder in 2003 was substantially below any year in the 1980s or 1990s

The juvenile violent crime wave predicted by some in the mid-1990s has not occurred

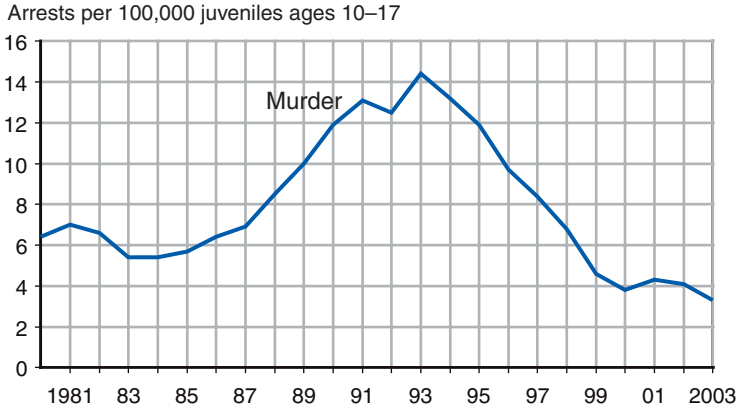
The extraordinary growth in juvenile arrests for murder between 1987 and 1993 caused some to say and many to believe that America's youth were out of control. The juvenile arrest rate for murder increased 110% over this period, and speculation was that the rate would continue to grow. However, the juvenile arrest rate for murder then declined, more quickly than it had increased, so that by 1998, the rate returned to its 1987 level. After 1998, the rate continued to decline; by 2003, the rate was about half its level in 1987 and 77% below the peak year of 1993. In 2003, juvenile arrests for murder were at a 30-year low.

Juvenile murder arrest rates were at generational lows in 2003

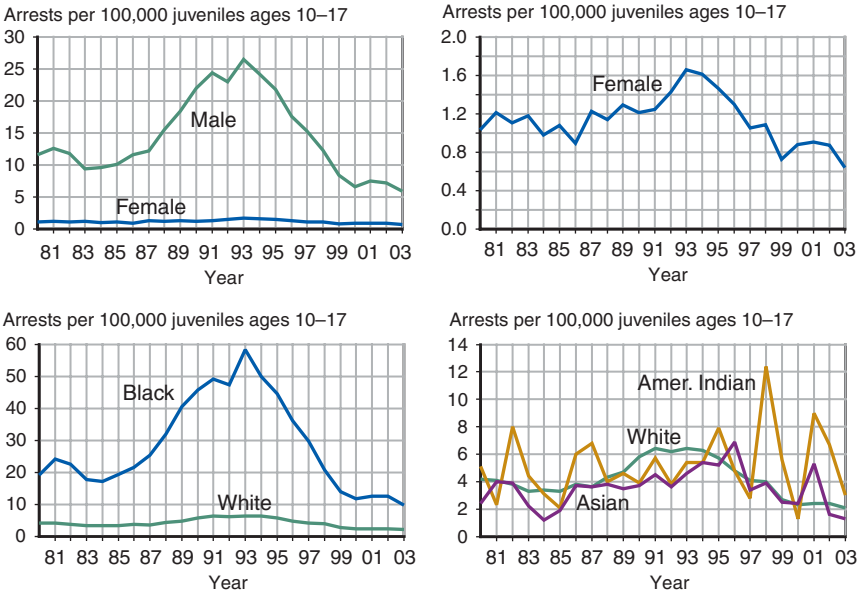
During the period from 1980 to 2003, the male juvenile murder arrest rate averaged 12 times the female rate. The growth in the overall juvenile murder arrest rate between 1987 and 1993 was attributable to the large increase (117%) in the much larger male rate. However, during this period, the female rate also increased (36%), although this change had relatively little effect on the overall trend. Both the male and female rates fell substantially between 1993 and 2003 (78% and 62%, respectively). In 2003, both rates were at their lowest levels since at least 1980.

During the period from 1980 through 2003, the black juvenile murder arrest rate averaged more than 6 times the white rate, but their trends over the period were similar. Between 1987 and 1993, both the black rate and the white rate increased substantially (130% and 75%, respectively). Both rates then fell dramatically between 1993 and 2003, so that the 2003 juvenile murder arrest rate was far below the 1987 rate for both black juveniles (–62%) and white juveniles (–43%).

The arrest rate for murder in 2003 was the lowest since at least 1980 for white, black, male, and female juveniles



Murder arrest rate trends by gender and race



Note: The murder arrest rate for American Indians fluctuated annually because of the small number of arrests, but the average rate over the period was just a little above the white rate (5.2 vs. 4.2).

Source: Authors' analyses of arrest data from the FBI and population data from the U.S. Census Bureau. [See arrest rate source note at the end of this chapter for details.]

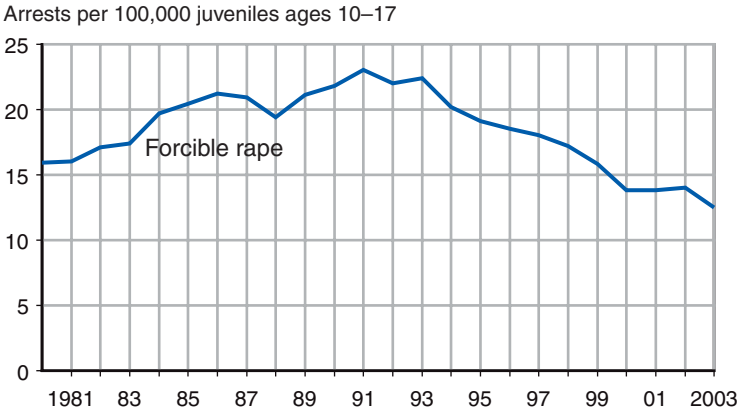
Since 1980, the juvenile arrest rate for rape—and the black-white disparity in the rate—have declined

The forcible rape arrest rate for juveniles in 2003 was at a low for this generation

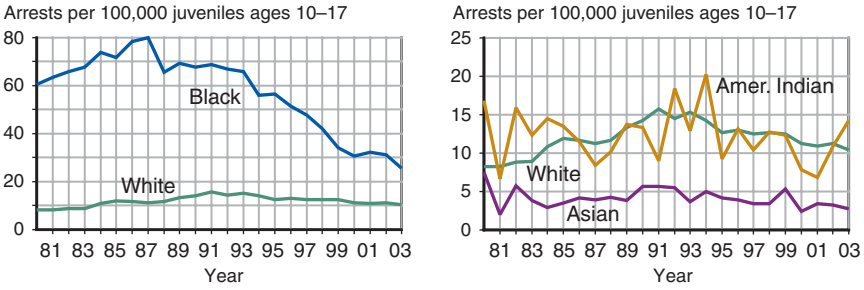
The FBI's UCR Program defines the crime of forcible rape as the carnal knowledge of a female forcibly and against her will, including rapes by force and attempts or assaults to rape, regardless of the age of the victim. The UCR Program classifies other types of violent sexual assaults, including those with male victims and those involving other types of sexual acts (e.g., forcible sodomy), in other offense categories. Most persons arrested in forcible rapes are male. Between 1980 and 2003, more than 98% of all juveniles arrested for forcible rape were male.

The juvenile arrest rate for forcible rape grew substantially (44%) between 1980 and 1991, a peak year. Unlike other crimes in the Violent Crime Index, the annual number of juvenile arrests for forcible rape began increasing much earlier in the decade, though it peaked near the peak years of the other violent crimes. Like other violent crimes, the juvenile arrest rate for forcible rape fell substantially and consistently between 1993 and 2003, so that in 2003, the rate was 22% of its 1980 level. As with murder, the juvenile arrest rate for forcible rape in 2003 was at its lowest level since at least 1980.

Between 1991 and 2003, the juvenile arrest rate for forcible rape fell 46%, with a larger decline in the black rate than the white rate



Forcible rape arrest rate trends by race



Note: The forcible arrest rate for American Indians fluctuated annually because of the small number of arrests, but the average rate over the period was just a little above the white rate (12.3 vs. 11.9).

Source: Authors' analyses of arrest data from the FBI and population data from the U.S. Census Bureau. [See arrest rate source note at the end of this chapter for details.]

White and black arrest rates converged over the last two decades

In 1980, the black juvenile arrest rate for forcible rape was 7.4 times the white rate; by 2003, the black rate was 2.5 times the white rate. This convergence occurred primarily because of the large decline in the black rate.

The white juvenile arrest rate for forcible rape nearly doubled between 1980 and 1991 (up 92%). The black rate also grew in the early 1980s; however, it peaked in 1987, several years before the peak in the white rate—dissimilar to other violent crime patterns. The fall in the black rate from 1987 through 2003, with few exceptions, was consistent and substantial, falling 68%. The white rate also fell after its peak in the early 1990s, but the fall was far less than the decline in the black rate. As a result, in 2003, the white juvenile arrest rate for forcible rape was 27% above its 1980 level, while the black rate was 58% below its 1980 level.

The substantial growth in the juvenile arrest rate for robbery between 1988 and 1995 was quickly erased

Recent juvenile robbery arrest rates are well below the 1980 level

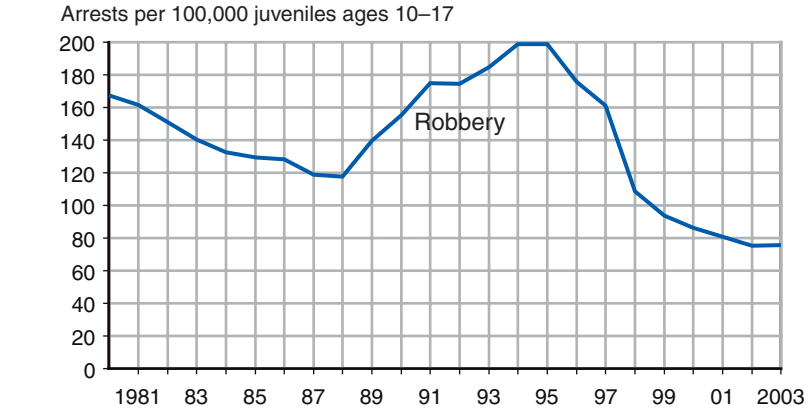
After falling through most of the 1980s, the juvenile arrest rate for robbery increased sharply in 1989 and continued through its peak years of 1994 and 1995. Over the 6-year period from 1988 through 1994, the juvenile arrest rate for robbery increased 69%, then held constant in 1995 at its highest level. In the next 3 years, the rate dropped precipitously—falling in 1998 to below the 1988 level and erasing the increase of the prior decade. In the years between 1998 and 2003, the juvenile arrest rate for robbery continued to fall, so that in 2003, the rate was just one-third its level in 1995 and less than one-half the level in 1980. If the annual juvenile robbery arrest rate reflects juveniles' relative involvement in this crime, then juveniles in 2003 were committing far fewer robberies than in any year in the 1980s and 1990s.

Male, female, white, and black arrest trends for robbery were similar

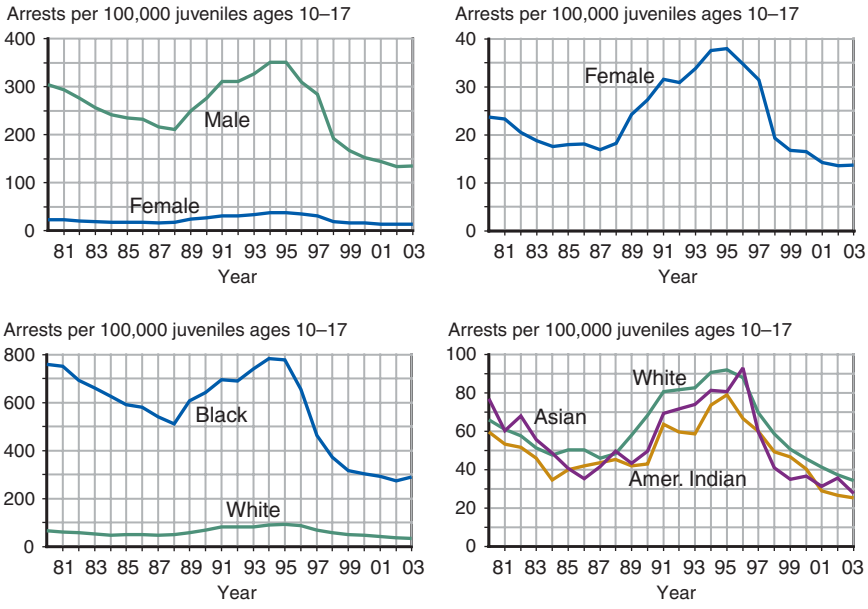
From 1980 through 2003, trends in the juvenile arrest rates for robbery for males, females, and each racial group were similar, mirroring the pattern of decline, growth, and then substantial decline observed in the overall trend. Over this time period, however, the male rate for robbery averaged 11 times the female rate, with the rates converging slightly over the period.

The black juvenile arrest rate for robbery averaged 12 times the white rate in the 1980s; in the 1990s, the rates converged, resulting in the black rate averaging 7 times the white rate between 2000 and 2003. In the growth period between 1988 and 1995, the white rate increased substantially more than the black rate (90% vs. 52%). The declines in the white rate and black rate between 1995 and 2003 resulted in the 2003 black rate being 62% below its 1980 level and the white rate 48% below its 1980 level.

Between 1980 and 2003, the annual juvenile arrest rate for robbery declined substantially, even though a period of growth was embedded in the trend



Robbery arrest rate trends by gender and race



Source: Authors' analyses of arrest data from the FBI and population data from the U.S. Census Bureau. [See arrest rate source note at the end of this chapter for details.]

The juvenile arrest rate for aggravated assault declined consistently between 1994 and 2003

The juvenile aggravated assault arrest rate in 2003 was at the level of the late 1980s

The 38% drop in the juvenile arrest rate for aggravated assault between 1994 and 2003 erased most, but not all, of the increase the rate had experienced in the prior 10 years. This pattern differs from those for other violent crimes, such as murder, forcible rape, and robbery; the juvenile arrest rate in 2003 for each of these crimes was at, or very near, its lowest level since at least 1980.

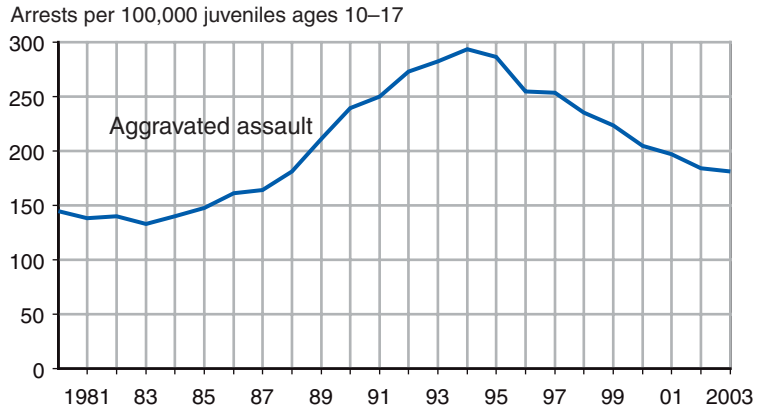
A study of the various components of the juvenile arrest rate trend for aggravated assault reveals contrasts. The simplest way to see this pattern is to examine the growth in the arrest rate between 1980 and 1994 and the decline between 1994 and 2003 for males and females, whites and blacks.

Percent change in aggravated assault arrest rates:

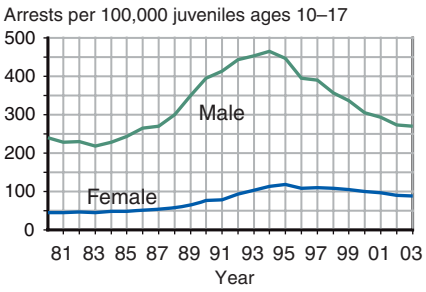
	1980–1994	1994–2003	1980–2003
All	103%	–38%	26%
Male	94	–42	13
Female	150	–22	96
White	84	–32	26
Black	129	–47	21

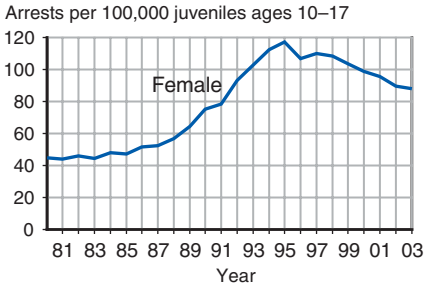
Large increases in arrest rates between 1980 and 1994 occurred for each of the four subgroups, with the largest for female juveniles and black juveniles. Declines in arrest rates between 1994 and 2003 were also shared by the four subgroups, with the smallest for females. The increases and subsequent declines resulted in the 2003 rates for three of the four subgroups being moderately above their 1980 levels. The exception was the female rate. With the largest increase between 1980 and 1994 and the smallest subsequent decline, the 2003 female arrest rate was nearly double the 1980 rate.

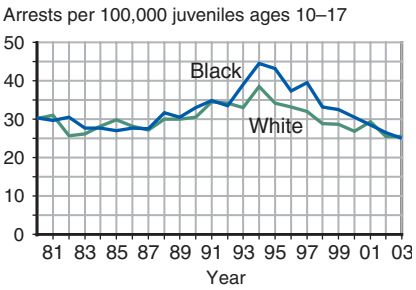
The large growth and subsequent decline in the juvenile arrest rate for aggravated assault between 1980 and 2003 illustrate the volatility of juvenile violence levels over a relatively short timeframe

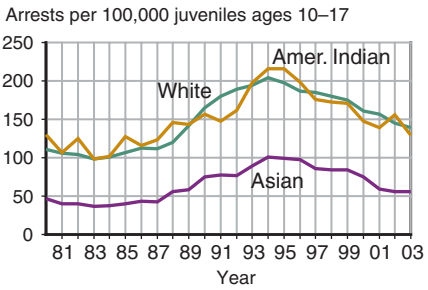


Aggravated assault arrest rate trends by gender and race









- One possible explanation for the differential growth in juvenile female arrest rates over the period is policy changes that encourage arrests in domestic violence incidents. This would affect the female arrest rate for assault proportionally more than the male rate since domestic assaults make up a larger proportion of incidents involving females than of those involving males.

Source: Authors' analyses of arrest data from the FBI and population data from the U.S. Census Bureau. [See arrest rate source note at the end of this chapter for details.]

From 1998 through 2003, the juvenile arrest rate for property crimes declined sharply

Far fewer juveniles are being arrested for property crimes

From 1980 through 1997, the juvenile arrest rate for Property Crime Index offenses (i.e., the combination of burglary, larceny-theft, motor vehicle theft, and arson arrests) varied little, always remaining within 10% of the average for the 18-year period. However, in 1998, the arrest rate fell below this narrow range and continued to fall annually through 2003. As a result, in 2003, the juvenile arrest rate for Property Crime Index offenses was 39% below its 1997 level.

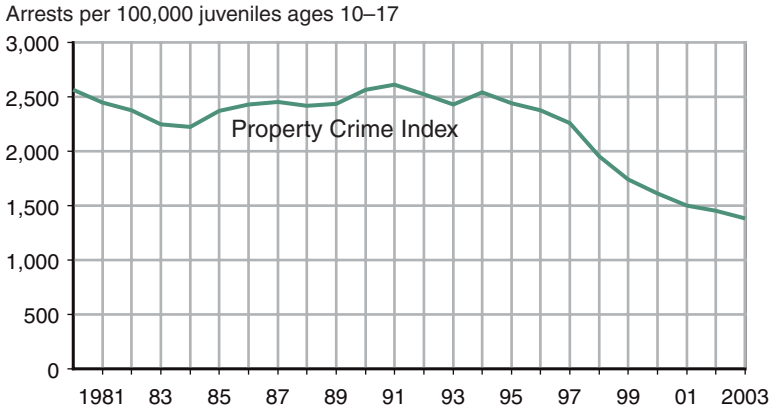
The property crime arrest rate trend for juvenile females is not like the overall pattern

Between 1980 and 2003, the juvenile arrest rate for Property Crime Index offenses fell substantially for most subgroups: males (55%), whites (45%), blacks (52%), American Indians (50%), and Asians (64%). The only exception was juvenile females: between 1980 and 2003, their rate fell only 7%. In 1980, the male arrest rate was 4 times the female rate; by 2003, the male rate was just double the female rate. The clear differences in the male and female Property Crime Index arrest rate trends indicate that factors influencing juvenile law-violating and/or arrest over this period differentially affected males and females.

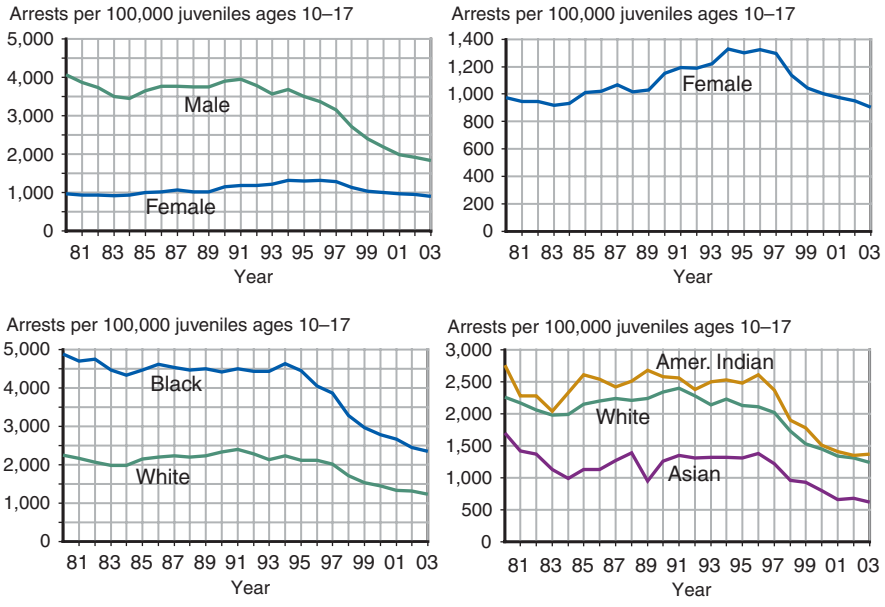
The Property Crime Index arrest trend has limited interpretability

In 2003, 70% of juvenile Property Crime Index arrests were for larceny-theft, 18% for burglary, 10% for motor vehicle theft, and 2% for arson. Thus, Property Crime Index arrest trends are essentially trends in larceny-theft arrests. Large increases in arrests for the other offenses could be easily hidden by small declines in larceny-theft arrests.

The juvenile arrest rate trend for Property Crime Index offenses is used as a general barometer of all property crime arrests of juveniles



Property Crime Index arrest rate trends by gender and race



- In 2003, the Property Crime Index arrest rates were similar for white juveniles (1,237) and American Indian juveniles (1,366), while the Asian rate (614) was half the white rate, and the black rate (2,352) was double the white rate. These comparisons have remained relatively constant since at least 1980.

Source: Authors' analyses of arrest data from the FBI and population data from the U.S. Census Bureau. [See arrest rate source note at the end of this chapter for details.]

The juvenile arrest rate for burglary in 2003 was just one-third its level in 1980

In 2003, the juvenile arrest rate for burglary reached its lowest point in more than 20 years

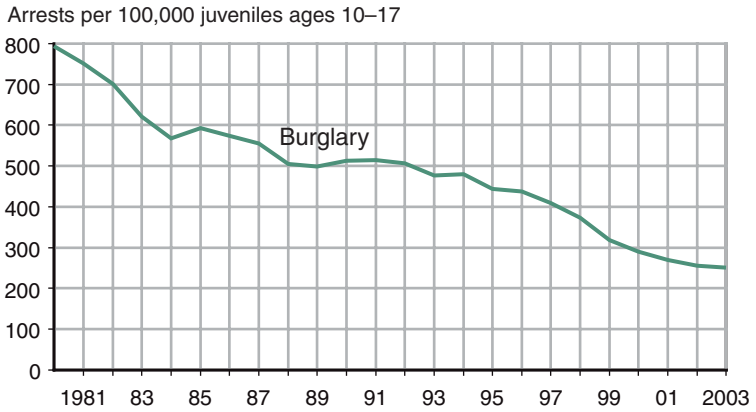
The juvenile arrest rate for burglary declined substantially and (with the exception of a few years in the 1980s and 1990s) consistently between 1980 and 2003. Over the period, the juvenile burglary arrest rate fell 68%. Given that the growth in the juvenile population between 1980 and 2003 was marginal (9%), this rate decline means that the justice system processed less than half as many juveniles for burglary in 2003 as it did in 1980.

This large decline in burglary arrests was not seen in adult arrests. From 1994 to 2003, while juvenile arrests for burglary fell 40%, adult burglary arrests fell just 14%. In 1980, 45% of all persons arrested for burglary were under age 18; by 2003, this proportion had fallen to 29%. Whatever factors contributed to the decline in burglary arrests had a greater effect on juveniles than adults.

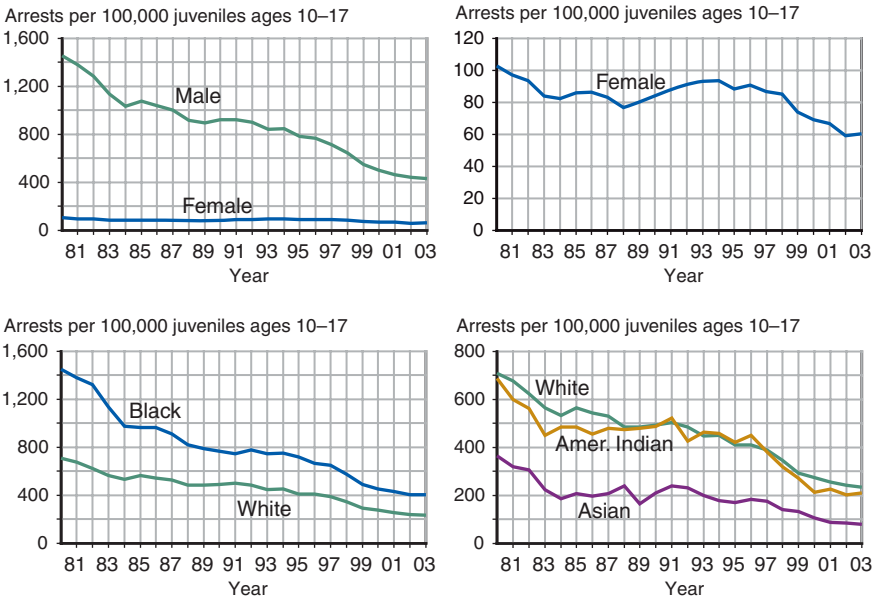
Juvenile female arrest rates for burglary declined less than male rates

The large decline in the juvenile burglary arrest rate was primarily the result of the large decline in the male rate. Between 1980 and 2003, the juvenile male arrest rate for burglary declined 70% while the female rate fell just 41%. As a result, females constituted 6% of all juveniles arrested for burglary in 1980 and 12% in 2003. A closer look at these trends reveals that the male rate essentially declined throughout the entire 1980–2003 period while the female rate held relatively constant from the mid-1980s to the late-1990s and then began to fall.

Juveniles in 2003 were far less likely to be arrested for burglary than juveniles 25 years earlier (i.e., their parents' generation)



Burglary arrest rate trends by gender and race



- From 1980 through 2003, the juvenile arrest rate for burglary declined substantially and comparably in all racial groups: white (67%), black (72%), American Indian (69%), and Asian (79%).

Source: Authors' analyses of arrest data from the FBI and population data from the U.S. Census Bureau. [See arrest rate source note at the end of this chapter for details.]

After years of stability, the juvenile arrest rate for larceny-theft declined annually from 1995 to 2003

Juvenile larceny-theft arrest rates fell each year from 1994 to 2003

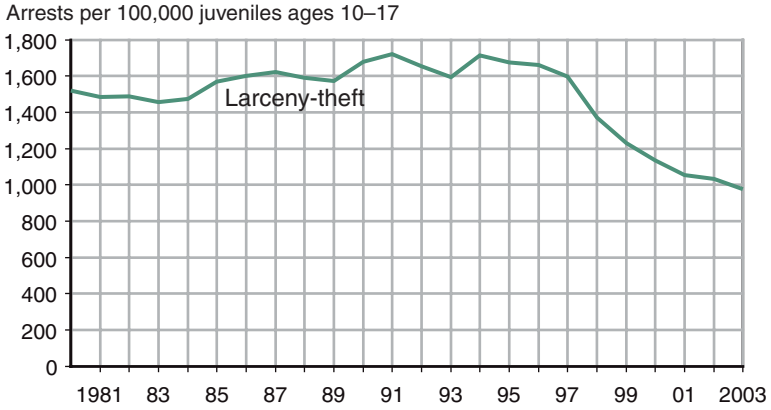
In 2003, 1 in every 7 juvenile arrests was for larceny-theft. This high-volume crime category is defined as the unlawful taking of property from the possession of another without the use of force, threat, or fraud. It includes offenses such as shoplifting, bicycle theft, theft from a vehicle, or theft from a building or structure where no break-in was involved. The relative stability of the juvenile larceny-theft arrest rate between 1980 and 1994 stands in contrast to the trends in arrests for other property crimes.

After changing little for more than a decade, the juvenile arrest rate for larceny-theft fell 43% between 1994 and 2003. This large decline in a high-volume offense category translated into more than 350,000 fewer juvenile arrests and a much smaller number of juveniles entering the justice system charged with property crimes.

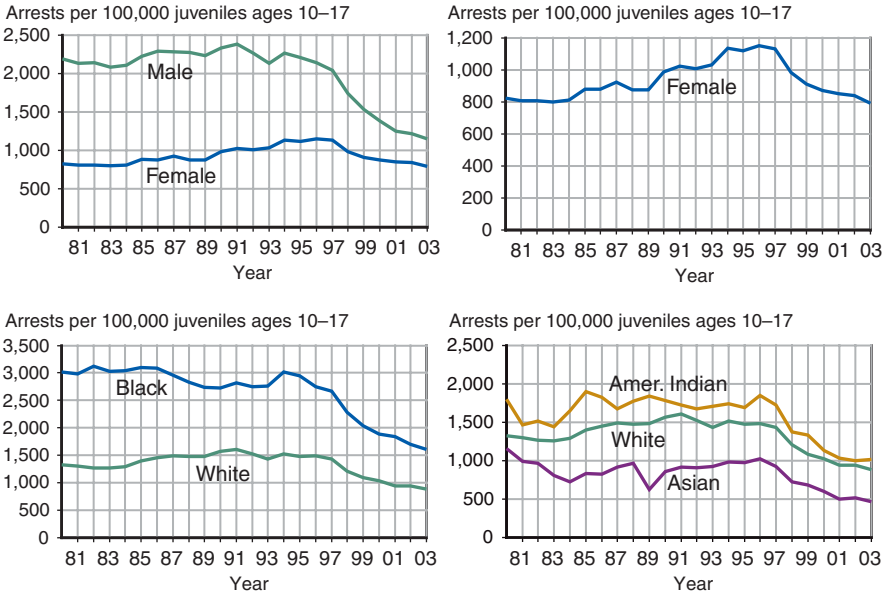
The female proportion of larceny-theft arrests has grown

In 1980, 26% of juveniles arrested for larceny-theft were female; by 2003, this proportion had grown to 39%. This growth was the result of a 47% decline in the juvenile male arrest rate coupled with a juvenile female arrest rate that essentially did not change (down 4%) between 1980 and 2003. A closer look at these trends finds that while the male rate remained relatively constant between 1980 and the mid-1990s, the female rate increased. Both rates fell between the mid-1990s and 2003, but the female decline followed a growth in the preceding years while the male decline followed a period of stability.

The juvenile arrest rate for larceny-theft fell in 2003 to its lowest level since at least 1980



Larceny-theft arrest rate trends by gender and race



- The decline in the juvenile arrest rate for larceny-theft between 1994 and 2003 was similar in each of the four racial groups: white (42%), black (47%), American Indian (42%), and Asian (53%).

Source: Authors' analyses of arrest data from the FBI and population data from the U.S. Census Bureau. [See arrest rate source note at the end of this chapter for details.]

The juvenile arrest rate trend for motor vehicle theft differs from trends for burglary and larceny-theft

The juvenile arrest rate for motor vehicle theft peaked in 1990

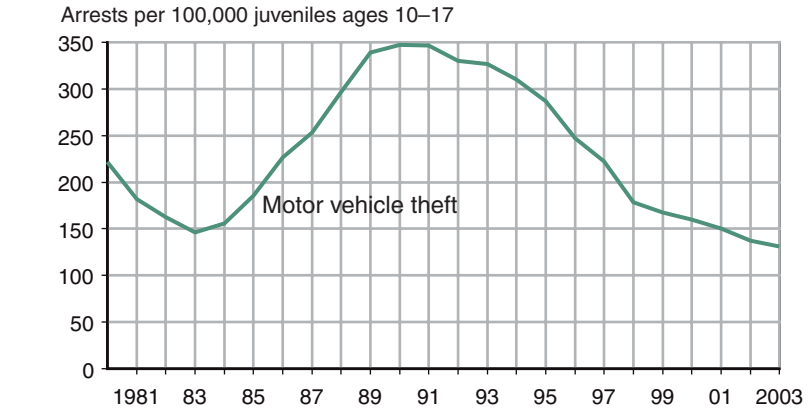
Juvenile arrest rates for motor vehicle theft fell to a low point in 1983 for males and females and for whites, blacks, and American Indians. (The Asian rate bottomed out in 1984.) After 1983, the juvenile arrest rate for motor vehicle theft increased each year through 1990, resulting in a rate more than double (138% above) its 1983 level. After this period of rapid growth, the rate then fell through 2003, erasing the increase of the growth period and resulting in a 2003 rate 62% below the 1990 peak and 10% below the 1983 low point. Juveniles in 2003 were arrested for motor vehicle theft at a lower rate than at any time since at least 1980.

The juvenile arrest rate trends for motor vehicle theft differed from those for the other high-volume theft crimes of burglary and larceny-theft. In the 1980s and 1990s, the burglary arrest rate declined consistently and the larceny-theft rate remained relatively stable before dropping in the late 1990s, but the motor vehicle theft rate soared and then dropped dramatically. The motor vehicle theft arrest rate trend is somewhat similar to that of robbery, but the growth begins 5 years before that of robbery and peaks 5 years before the robbery peak.

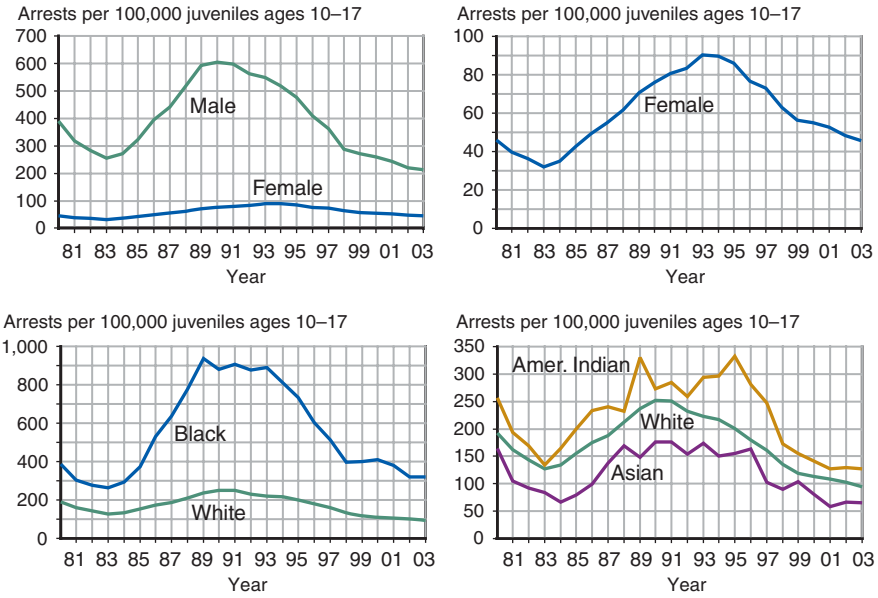
The motor vehicle theft arrest rate for white juveniles was at a 20-year low in 2003

The motor vehicle theft arrest rate for black juveniles grew far more than the rate for whites between 1983 and 1990 (233% vs. 98%). Beginning in the early 1990s, rates for both races declined substantially. By 2003, the white rate had fallen to a level 26% below its 1983 low, and the black rate was 22% above its 1983 low.

The juvenile arrest rate for motor vehicle theft in 2003 was less than half the level a decade earlier



Motor vehicle theft arrest rate trends by gender and race



- Male and female juvenile arrest rates for motor vehicle theft displayed somewhat disparate trends. Both began increasing in 1984, but the male rate peaked in 1990, while the female rate did not peak until 1993. Although both declined thereafter, the male rate by 2003 had fallen to its lowest level since at least 1980, while the female rate was still 42% above its 1983 low point.

Source: Authors' analyses of arrest data from the FBI and population data from the U.S. Census Bureau. [See arrest rate source note at the end of this chapter for details.]

A high proportion of arrests for arson involve juveniles—including those ages 12 and younger

Over half of arrests for arson in 2003 involved juveniles

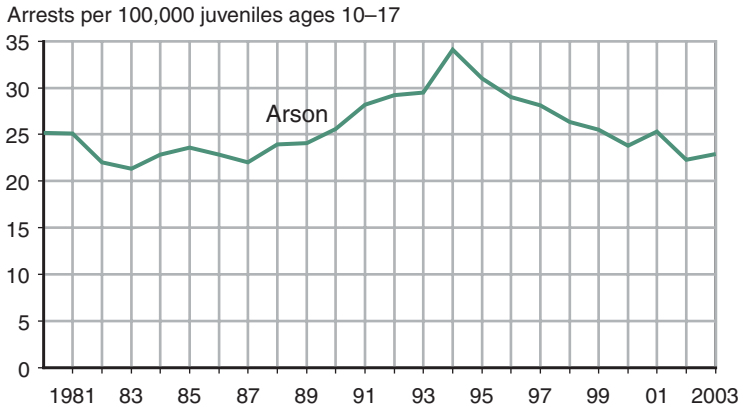
In 2003, 51% of all arrests for arson were of persons under age 18. Arson traditionally has been the criminal offense with the largest proportion of juvenile arrestees. It also has the largest percentage of young juvenile arrestees (ages 12 and under)—13% in 2003. In comparison, 28% of all larceny-theft arrests in 2003 involved juveniles, and 3% involved juveniles under age 13. One reason for arson arrests involving a high percentage of juveniles may be that firesetting is commonly considered an indicator of serious problems in youth who could benefit from the services available in the juvenile justice system.

Trends in juvenile arson arrests paralleled that of violent crime

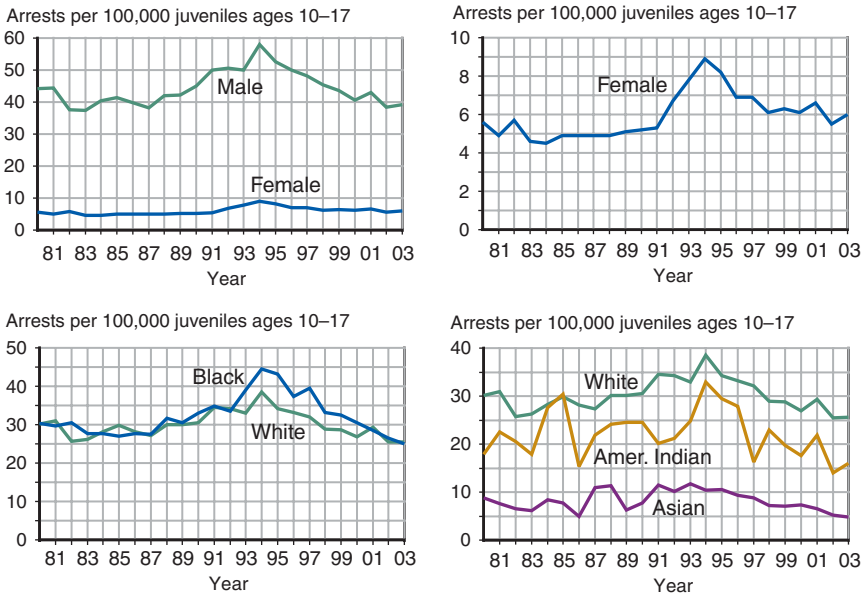
The pattern of growth and decline in the juvenile arrest rate for arson in the 1980s and thereafter was similar to the trends in juvenile violent crime arrest rates. Between 1983 and 1994, the juvenile arrest rate for arson increased 60%. Then it began to fall and by 2003 had declined to a point just 8% above its 1983 low.

One major distinction between violent crime and arson arrest rates for juveniles over this period was that white and black rates were similar for arson but not for violent crime. For example, in 2003, the arson arrest rate for white juveniles was 26 arrests for every 100,000 white youth ages 10–17 in the U.S. population and the rate for black juveniles was 25. In contrast, the violent crime arrest rate for black juveniles in 2003 was 4 times the white rate.

The juvenile arrest rate for arson in 2003 was back to the levels of the early 1980s



Arson arrest rate trends by gender and race



- In 2003, 12% of juveniles arrested for arson were female. Unlike males, their arrest rate for arson held constant during the 1980s and began to increase only in the early 1990s. Both male and female arrest rates peaked in 1994. By 2003, the male rate had returned to the levels of the early 1980s, while the female rate had not.

Source: Authors' analyses of arrest data from the FBI and population data from the U.S. Census Bureau. [See arrest rate source note at the end of this chapter for details.]

The juvenile arrest rate for simple assault more than doubled between 1980 and 2003—up 138%

A large proportion of juvenile arrests for assault are for less severe assaults

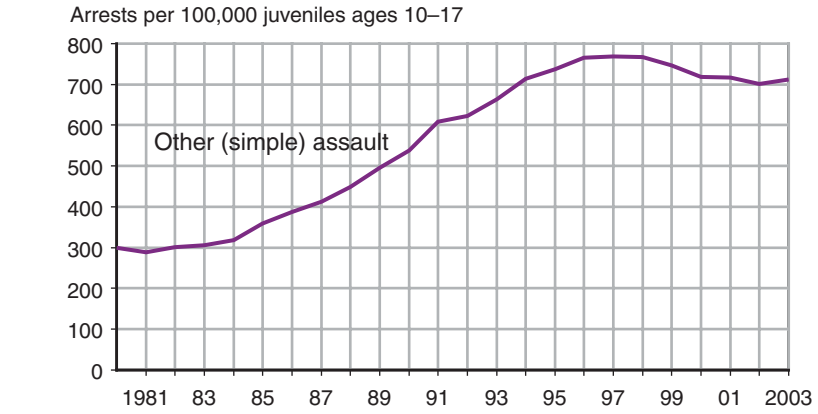
In contrast to aggravated assault, a simple assault does not involve the use of a weapon and does not result in serious bodily harm to the victim. Because simple assault is less severe, such incidents are less likely to be reported to law enforcement, and law enforcement has more discretion in how to handle the incident. Simple assault is the most common of all crimes against persons.

In 1980, there were 2 juvenile arrests for simple assault for every 1 juvenile arrest for aggravated assault; by 2003, this ratio had grown to 4 to 1—with most of this growth occurring after the mid-1990s. This means that a greater percentage of assaults handled by law enforcement in recent years has been for less serious offenses. This trend was found in arrests of male and female juveniles and of white, black, and American Indian juveniles. For example, in 1980, 66% of all juvenile male arrests for aggravated and simple assault were for simple assault; by 2003, this percentage had grown to 78%. Similarly, the female percentage grew from 74% to 84%.

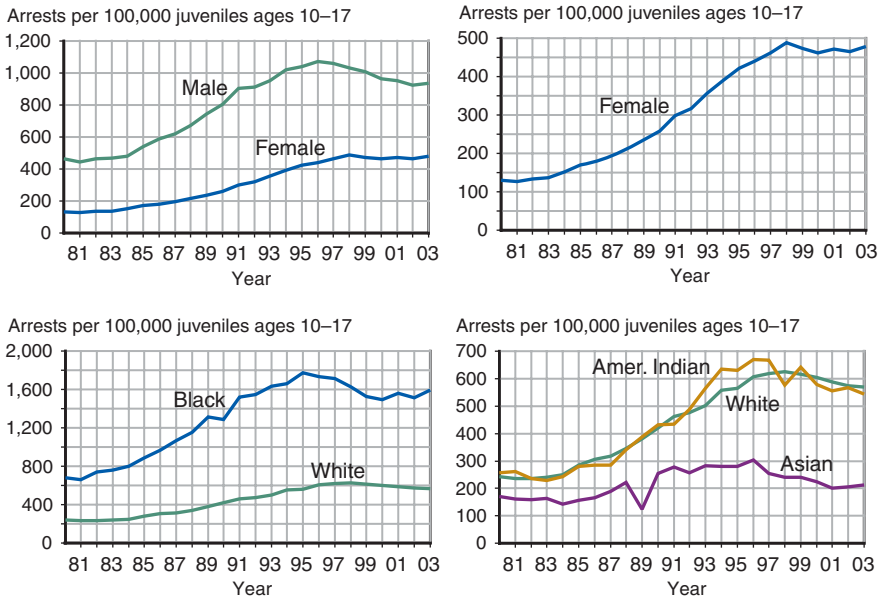
Female arrests for simple assault grew far more than male arrests in recent years

As with aggravated assault, the increase in the juvenile female arrest rate for simple assault from 1980 to 2003 far outpaced the increase in the male rate (269% vs. 102%). From 1980 to 2003, simple assault arrest rates increased substantially for white (134%), black (134%), and American Indian (111%) youth; the rates for Asian youth also increased, but much less (23%).

Unlike other crimes against persons, the juvenile arrest rate for simple assault did not decline substantially after the mid-1990s



Other (simple) assault arrest rate trends by gender and race



- The larger increase in simple assault arrests for juvenile females than for juvenile males between 1980 and 2003 was paralleled in adult arrests. Between 1980 and 2003, the female proportion of juvenile simple assault arrests grew from 21% to 32%, while the female proportion of adult simple assault arrests grew from 13% to 22%.

Source: Authors' analyses of arrest data from the FBI and population data from the U.S. Census Bureau. [See arrest rate source note at the end of this chapter for details.]

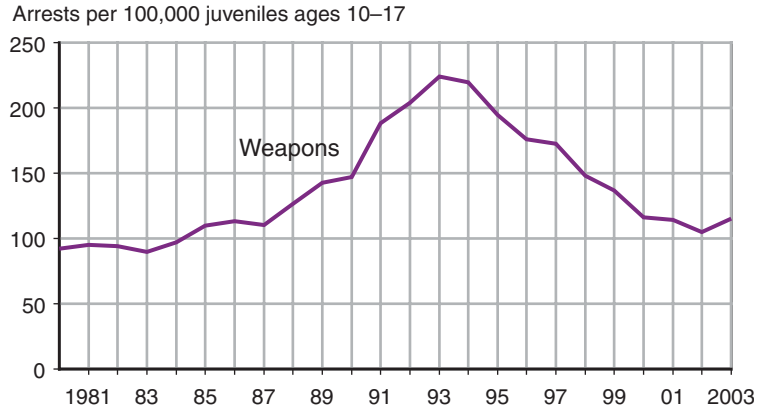
The juvenile arrest rate for weapons law violations in 2003 was half its 1993 peak

Juvenile arrests for weapons offenses grew throughout the 1980s and into the mid-1990s

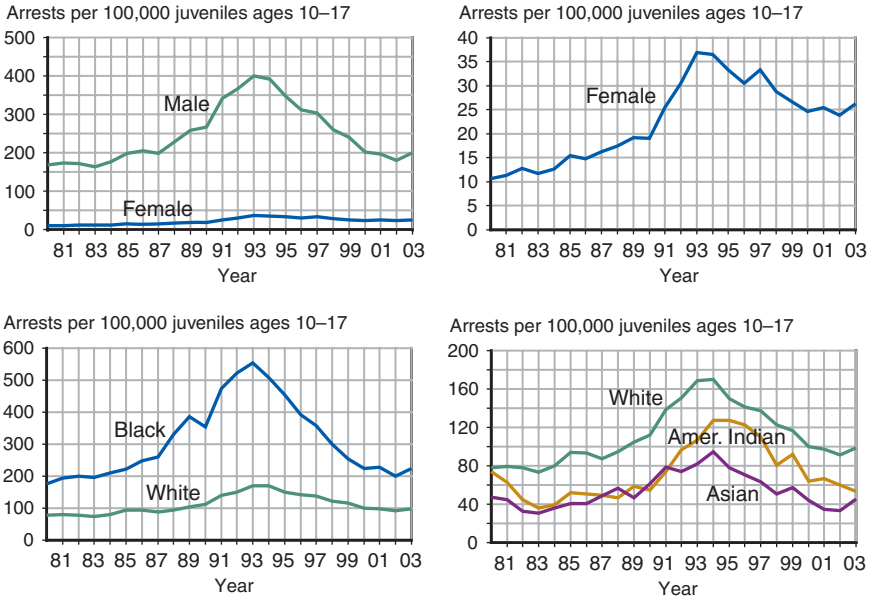
The juvenile arrest rate for weapons law violations grew 144% between 1980 and 1993; it then dropped 49% between 1993 and 2003, retreating to a level close to that of the mid-1980s. It must be remembered that these statistics do not reflect all arrests for weapons offenses. An unknown number of other arrests for more serious crimes also involved a weapons offense as a secondary charge, but the FBI's arrest statistics classifies such arrests by their most serious charge and not the weapons offense.

The pattern of large growth and then decline in juvenile arrest rates for weapons offenses over the 1980–2003 period occurred in the rates for males, females, and each racial group. In general, the decline almost balanced out the increase. Overall, the 2003 juvenile arrest rate for weapons law violations was 18% above its 1980 level. This pattern of a moderately higher juvenile arrest rate in 2003 than in 1980 was true for male (18%), white (26%), and black (27%) juveniles; the 2003 arrest rates for American Indian and Asian youth were actually below their 1980 levels. The one major exception to this pattern was the arrest rate for juvenile females. Between 1980 and 1993, the juvenile female arrest rate for weapons law violations increased almost 248%. This rate also generally declined between 1993 and 2003, but the decline was far less than that for the other juvenile subgroups. As a result, in 2003, the juvenile female arrest rate for weapons law violations was 147% above its 1980 level.

The juvenile arrest rate trend for weapons law violations generally paralleled the trends in juvenile violent crime arrests



Weapons law violation arrest rate trends by gender and race



- In 1980, the black juvenile arrest rate for weapons law violations was 2.3 times the white rate. Between 1980 and 1993, the rate increased more for blacks than whites (214% vs. 116%); however, the larger decline in the black rate between 1993 and 2003 (59% vs. 42% for whites) returned the rate ratio back to its 1980 level.

Source: Authors' analyses of arrest data from the FBI and population data from the U.S. Census Bureau. [See arrest rate source note at the end of this chapter for details.]

The juvenile drug arrest rate climbed 77% between 1993 and 1997 but has declined some since then

Racial disparity in drug arrests increased in the 1980s and early 1990s

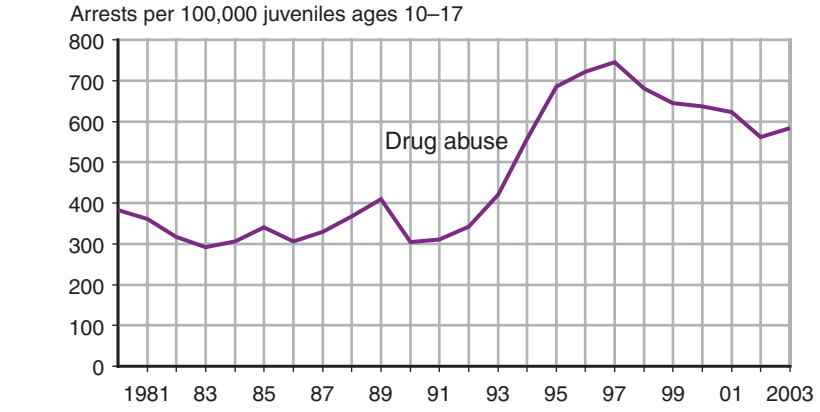
The annual juvenile arrest rate for drug abuse violations (a category that includes both drug possession and drug sales) varied within a limited range between 1980 and 1993. This consistency in drug arrest rates contrasts with the large decline in self-reported use of marijuana and other illicit drugs during the period.

A closer look at juvenile drug arrest rate trends over the period finds sharp racial differences. The white rate fell 28% between 1980 and 1993, compared with a 231% increase for blacks. In 1980, the white and black arrest rates were essentially equal, with black youth involved in 15% of all juvenile drug arrests. By 1993, the black rate was over four times the white rate, and black youth were involved in 46% of all juvenile drug arrests.

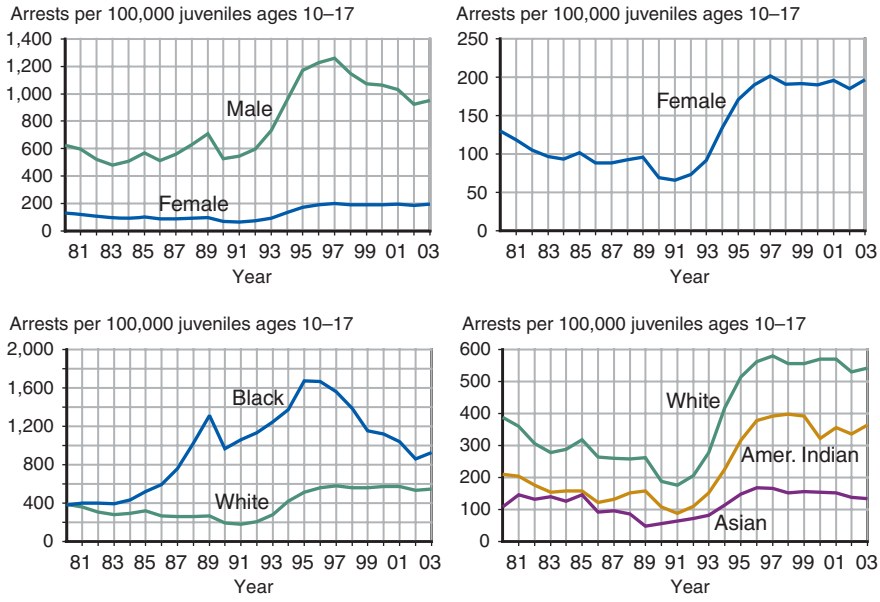
Drug arrests soared for all youth between 1993 and 1997

In contrast to the 1980–1993 period, the overall juvenile drug arrest rate increased by 77% in the short period between 1993 and 1997. Large increases were also seen in the rates of juvenile subgroups: male (72%), female (119%), white (109%), American Indian (160%), and Asian (105%). The black juvenile arrest rate for drug abuse violations, which had increased dramatically in the earlier period, increased an additional 25% between 1993 and 1997. Between 1997 and 2003, the juvenile drug arrest rate fell marginally (22%), with most of the overall decline attributable to a drop in arrests of blacks (41%) and males (24%).

The surge in the juvenile arrest rate for drug abuse violations between 1993 and 1997 occurred during a period when the juvenile violent crime arrest rate was declining



Drug abuse violation arrest rate trends by gender and race



Source: Authors' analyses of arrest data from the FBI and population data from the U.S. Census Bureau. [See arrest rate source note at the end of this chapter for details.]

The attributes of juvenile and adult violence differ when viewed from the perspective of law enforcement

Juvenile violence is less likely than adult violence to involve female victims and firearms

Based on an analysis of the FBI's National Incident-Based Reporting System (NIBRS) for 2001, the characteristics of violent crimes allegedly committed by juvenile offenders and by adult offenders show large differences in the types of victims, the location of the crime, and weapon possession. For example, violent crimes committed by juvenile offenders were far more likely to have juvenile victims than were violent crimes committed by adults: robberies (42% vs. 6%), aggravated assaults (53% vs. 9%), and simple assaults (61% vs. 10%). Robberies by juvenile offenders were less likely to involve strangers than were robberies by adults (66% vs. 73%), while the proportions of strangers involved did not differ in assaults committed by juvenile offenders and by adult offenders.

Violent crimes known to law enforcement and committed by adults were more likely to have female victims than were violent crimes committed by juveniles: robberies (29% vs. 22%), aggravated assaults (42% vs. 35%), and simple assaults (64% vs. 47%). Firearms were more common in violent crimes committed by adults: robberies (49% vs. 35%) and aggravated assaults (19% vs. 14%). Roughly equal proportions of victims were injured in violent crimes committed by juveniles and by adults: robberies (67% vs. 68%), aggravated assaults (42% vs. 38%), and simple assaults (51% vs. 47%).

Robberies committed by juveniles were more likely to occur outdoors than those committed by adults (46% vs. 28%). The same pattern held for aggravated assault (41% vs. 21%) and simple assault (22% vs. 10%).

Family members were the victim in a greater proportion of assaults committed by juvenile females than by juvenile males

	Robbery offender				Aggravated assault offender				Simple assault offender			
	Juvenile		Adult		Juvenile		Adult		Juvenile		Adult	
Characteristics	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Victim type												
Juvenile family	0%	0%	0%	0%	4%	7%	3%	6%	5%	5%	4%	7%
Juvenile acquaintance	22	29	2	2	45	40	4	4	54	49	4	5
Juvenile stranger	20	15	5	3	6	2	1	1	5	3	1	1
Adult family	0	1	1	2	12	21	21	25	17	23	34	32
Adult acquaintance	10	19	23	36	21	24	54	56	16	17	50	50
Adult stranger	47	35	70	57	12	6	16	7	4	3	7	5
Victim gender												
Female	19	56	28	40	26	67	43	40	32	78	69	47
Male	81	44	72	60	74	33	57	60	68	22	31	53
Location												
Residence	16	20	20	23	42	54	58	65	40	46	72	71
Outdoors	46	39	28	23	33	23	22	17	23	20	11	10
School	4	5	0	0	12	10	1	1	26	22	1	1
Commercial	34	37	52	54	13	12	20	17	12	12	17	18
Weapon												
Firearm	36	22	51	31	17	4	21	9	0	0	0	0
Personal	42	56	27	37	25	30	27	20	82	85	84	83
Other	13	14	15	22	56	64	50	69	8	6	5	6
None	9	8	8	10	2	2	2	2	10	10	11	11
Injury?												
Injury	68	54	69	62	43	37	39	36	52	50	46	49
No injury	32	46	31	38	57	63	61	64	48	50	54	51

- Of the aggravated assault victims of juvenile females, 28% were family members, compared with 16% of the victims of juvenile males. Similarly, 28% of the simple assault victims of juvenile females were family members, compared with 22% of the victims of juvenile males. This female-male disparity is present in aggravated assaults committed by adults, but not in their simple assaults.
- Schools were the location in 4% of robberies, 12% of aggravated assaults, and 26% of simple assaults committed by male juveniles; for females, schools were the location in 5%, 10%, and 22% of the respective crimes.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System master file* for 2001 [machine-readable data file].

Clearance figures implicate juveniles in 1 in 12 murders, 1 in 8 forcible rapes, and 1 in 7 robberies in 2003

Clearances give insight into the relative involvement of juveniles and adults in crime

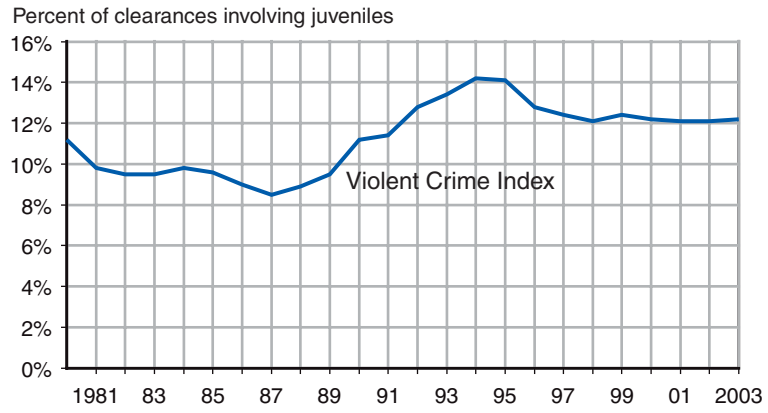
Clearance statistics measure the proportion of reported crimes that are resolved by an arrest or other, exceptional means (e.g., death of the offender, unwillingness of the victim to cooperate). A single arrest may result in many clearances if the arrestee committed several crimes. Or multiple arrests may result in a single clearance if the crime was committed by a group of offenders. The FBI reports information on the proportion of clearances that involved offenders under age 18. This statistic is a better indicator of the proportion of crime committed by this age group than is the arrest proportion, although there are some concerns that even the clearance statistic overestimates the juvenile proportion of crimes. Nevertheless, trends in clearance proportions are reasonable indicators of changes in the relative involvement of juveniles in various crimes.

The juvenile share of violent crime remains above the levels of the 1980s

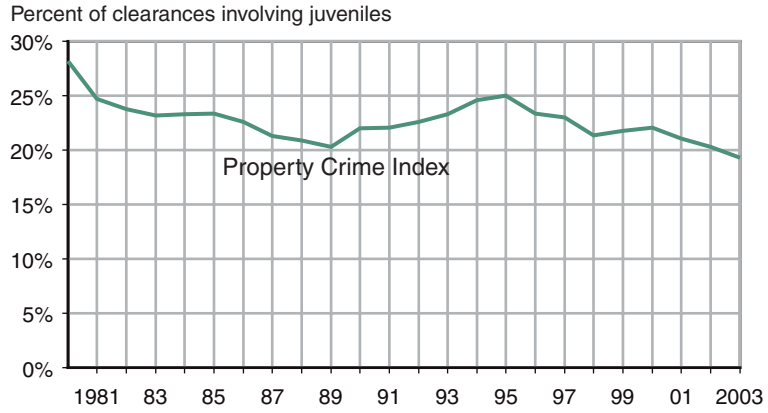
The FBI's *Crime in the United States* series shows that the proportion of violent crimes attributed to juveniles declined somewhat in recent years—but is still above the levels of the 1980s. The juvenile proportion of Violent Crime Index offenses cleared by arrest (or exceptional means) grew from an average of 9% in the 1980s to 14% in 1994, then fell to 12% in 1997, where it remained through 2003. Based on these data, it is fair to say a juvenile committed 1 in 8 violent crimes known to law enforcement in 2003.

Each of the four Violent Crime Index offenses showed an increase in juvenile clearances between 1980 and the mid-1990s. The juvenile proportion of murder clearances peaked in 1994 at 10% and then fell. Between 2000 and 2003, the proportion was 5%—the lowest since 1987. The juvenile proportion of cleared forcible rapes peaked in 1995 (15%) and then fell; however, the 2003 proportion (12%) was still above the levels of the 1980s (9%). The juvenile proportion of robbery clearances also peaked in 1995 (20%); it fell substantially by 2003 (to 14%) but was still above the average level of the 1980s (12%). The trend in the juvenile proportion of aggravated assault clearances differed from the others. In 2003 (at 12%), it was slightly below its peak in 1994 (13%) and substantially above the average level of the 1980s (9%).

After increasing in the mid-1980s to mid-1990s, the juvenile proportion of violent crimes cleared by arrest or exceptional means did not return to its earlier levels

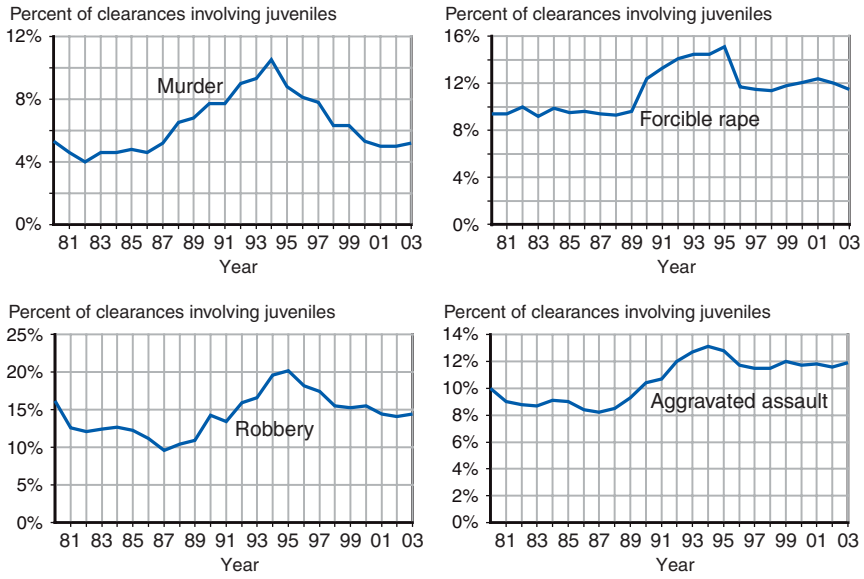


The juvenile share of property crime has fallen substantially since 1980

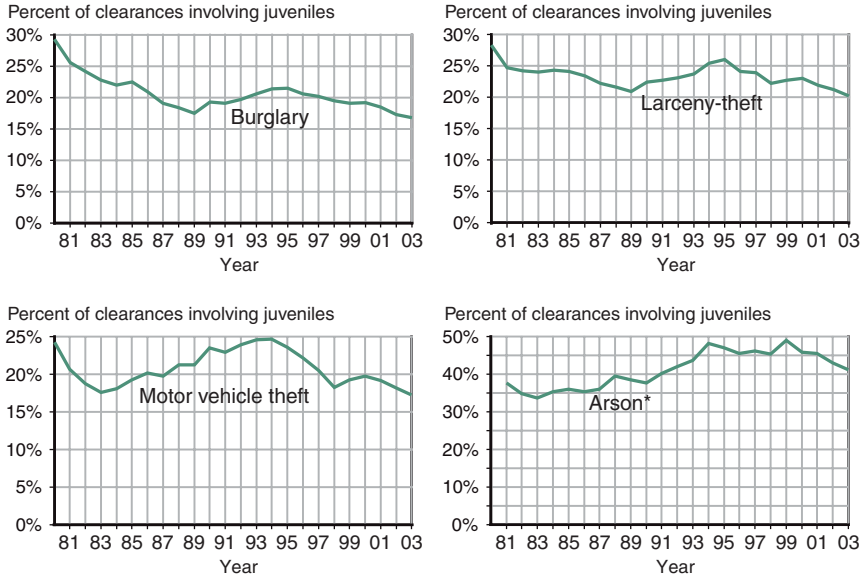


Source: Authors' analyses of the FBI's *Crime in the United States* reports for the years 1980 through 2003.

Clearance statistics imply that juvenile involvement in each of the violent offenses in 2003 was less than it was 10 years earlier



In 2003, the juvenile shares of clearances for burglary, larceny-theft, and motor vehicle theft were at their lowest points in more than 20 years



*Arson clearance data were first reported in 1981.

Source: Authors' analyses of the FBI's *Crime in the United States* reports for the years 1980 through 2003.

In 2003, a juvenile committed roughly 1 in 5 property crimes known to law enforcement

In the 1980s, the juvenile proportion of cleared Property Crime Index offenses decreased from 28% to 20%. This proportion then increased in the early 1990s, peaking in 1995 at 25%. After 1995, the juvenile proportion of clearances for Property Crime Index offenses fell, so that by 2003 it was at its lowest level since at least 1980 (19%).

By 2003, juvenile clearance proportions for the crimes of burglary, larceny-theft, and motor vehicle theft were at their lowest levels since 1980 (17%, 20%, and 17%, respectively). For arson, the juvenile proportion of clearances in 2003 was equal to its average for the 1980–2003 period.

The juvenile proportion of crimes cleared varied with community

In 2003, in nonmetropolitan areas (average population served per law enforcement agency about 10,000), 9.8% of Violent Crime Index clearances were attributed to juvenile arrest. In comparison, for communities located in metropolitan areas but outside of cities (average population served 37,000), the proportion was 12.7%. In small cities (average population served 3,000), the proportion was 14.6%, and in somewhat larger cities (average population served 35,000) it was 14.9%. Then, as city size increased, the proportion fell: in cities with populations over 1 million, for example, 9.0% of Violent Crime Index clearances were attributed to juvenile arrest. Property Crime Index clearances had a similar pattern.

In 2003, about one-fourth of the states had a juvenile violent crime arrest rate above the national average

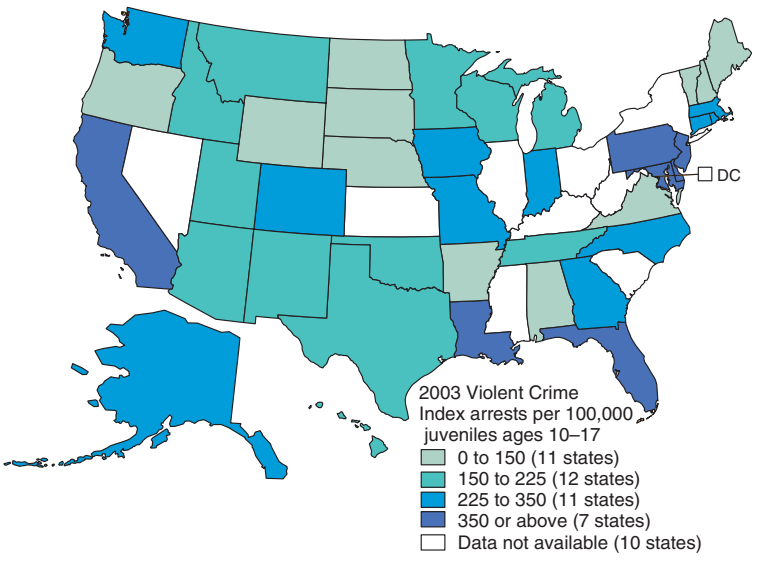
Among states with at least minimally adequate reporting, those with high juvenile violent crime arrest rates in 2003 were Delaware, Florida, Maryland, Pennsylvania, New Jersey, and California

State	Reporting population coverage	Arrests of juveniles under age 18 per 100,000 juveniles ages 10–17: Violent Crime Index	Robbery	Aggravated assault	Other assault	Weapons
United States	76%	291	77	198	738	116
Alabama	91	126	43	73	470	31
Alaska	97	243	28	180	557	85
Arizona	96	223	45	171	768	72
Arkansas	66	130	22	102	348	64
California	99	364	111	243	529	181
Colorado	71	231	48	167	756	168
Connecticut	65	290	84	190	946	90
Delaware	99	595	163	403	1,579	147
Dist. of Columbia	0	NA	NA	NA	NA	NA
Florida	100	524	99	404	993	109
Georgia	54	266	81	169	838	153
Hawaii	100	197	101	82	814	36
Idaho	94	160	11	136	849	122
Illinois	23	944	342	552	2,114	383
Indiana	74	317	36	273	444	28
Iowa	90	251	29	214	816	45
Kansas	48	131	12	107	868	25
Kentucky	26	229	47	175	394	56
Louisiana	73	355	64	267	1,357	61
Maine	100	78	11	53	762	26
Maryland	100	505	184	305	1,444	224
Massachusetts	70	269	40	219	387	28
Michigan	96	166	31	118	321	53
Minnesota	83	176	29	121	648	102
Mississippi	48	136	49	58	711	70
Missouri	97%	295	64	214	1,111	87
Montana	60	202	33	161	561	32
Nebraska	86	96	28	59	848	83
Nevada	0	NA	NA	NA	NA	NA
New Hampshire	69	71	22	43	717	9
New Jersey	93	386	144	233	654	214
New Mexico	55	220	33	178	673	174
New York	45	264	90	161	449	70
North Carolina	79	310	95	199	1,023	179
North Dakota	85	45	10	20	600	33
Ohio	49	150	46	84	774	70
Oklahoma	100	217	30	171	390	81
Oregon	91	149	34	105	503	53
Pennsylvania	84	402	139	239	734	123
Rhode Island	100	288	62	179	970	160
South Carolina	13	47	10	33	307	73
South Dakota	86	108	1	88	516	82
Tennessee	84	223	51	157	767	100
Texas	94	185	46	123	793	64
Utah	72	216	17	175	804	183
Vermont	77	81	0	62	347	11
Virginia	75	106	33	64	676	88
Washington	74	246	60	152	1,013	113
West Virginia	45	40	2	34	157	7
Wisconsin	76	184	36	121	558	176
Wyoming	95	88	4	79	1,062	80

NA = Arrest counts were not available for this state in the FBI's *Crime in the United States 2003*.

Notes: Arrest rates for jurisdictions with less than complete reporting may not be representative of the entire state. In the state map, rates were classified as "Data not available" when law enforcement agencies with jurisdiction over more than 50% of the state's population did not report. Readers should consult the related technical note at the end of the chapter.

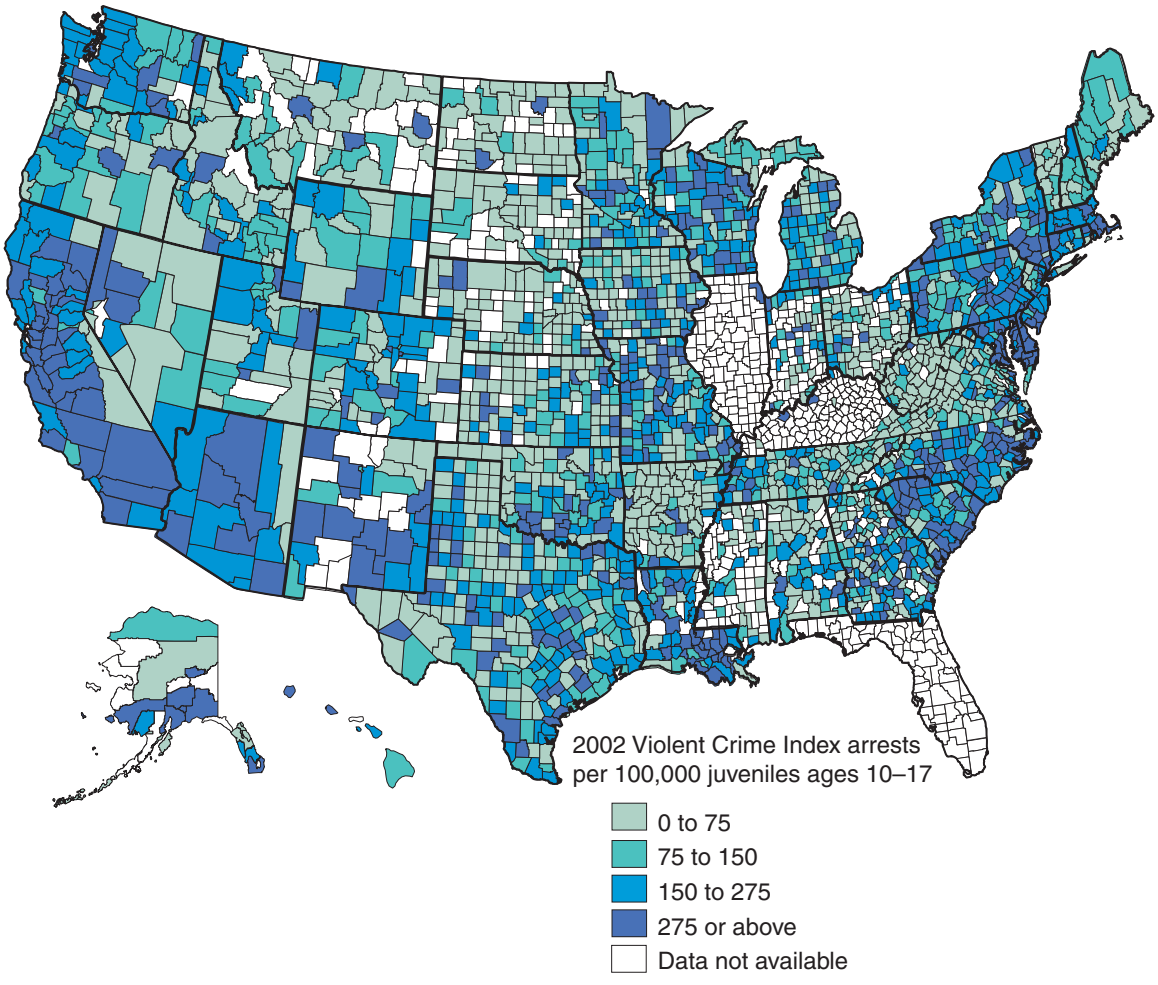
Source: Authors' analysis of arrest data from the FBI's *Crime in the United States 2003* and population data from the National Center for Health Statistics' *Estimates of the July 1, 2000–July 1, 2003, United States resident population from the vintage 2003 postcensal series by year, county, age, sex, race, and Hispanic origin* [machine-readable data files].



High violent crime arrest rates are found in a relatively small proportion of counties

In 2002, the national juvenile arrest rate for offenses included in the Violent Crime Index was 291 arrests of persons under age 18 for every 100,000 persons ages 10–17 in the U.S. population. In 2,544 of the 3,141 counties in the U.S. in 2002, law enforcement agencies with jurisdiction over at least 50% of their county's population reported arrest counts; arrest rates were calculated only for these counties. Seventeen percent (17%) of these counties had a juvenile violent crime arrest rate higher than the U.S. average. Six in 10 (58%) reporting counties had rates less than half the U.S. average, half had juvenile violent crime arrest rates less than 115 (making that the median rate), and nearly one-fourth of counties reported no juvenile violent crime arrests at all for the year. However, the fact that high rates of juvenile violent crime arrests are found in counties with small populations as well as in counties with large populations indicates that high levels of juvenile violence can occur in any community.

Juvenile violent crime arrest rates varied considerably among counties within a state in 2002



Note: Rates were classified as "Data not available" when agencies with jurisdiction over more than 50% of the county's population did not report.

Source: Authors' analysis of the Inter-university Consortium for Political and Social Research's *Uniform Crime Reporting Program data [United States]: County-level detailed arrest and offense data, 2002* [machine-readable data file].

High juvenile property crime arrest rates in 2003 did not necessarily mean high violent crime arrest rates

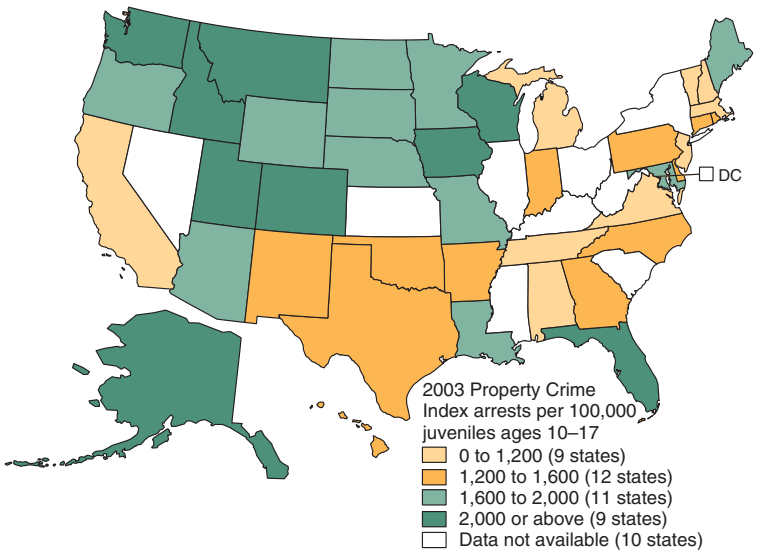
The states of Wisconsin, Utah, Alaska, Montana, Idaho, Florida, Washington, and Colorado reported the highest juvenile Property Crime Index arrest rates in 2003

		Arrests of juveniles under age 18 per 100,000 juveniles ages 10–17							Arrests of juveniles under age 18 per 100,000 juveniles ages 10–17				
State	Reporting population coverage	Property Crime Index	Burglary	Larceny-theft	Motor vehicle theft	Vandalism	State	Reporting population coverage	Property Crime Index	Burglary	Larceny-theft	Motor vehicle theft	Vandalism
United States	76%	1,442	271	1,012	136	310	Missouri	97%	1,728	271	1,232	193	502
Alabama	91	764	123	593	44	104	Montana	60	2,175	164	1,818	156	558
Alaska	97	2,202	344	1,600	229	359	Nebraska	86	1,820	196	1,494	87	605
Arizona	96	1,774	251	1,304	195	440	Nevada	0	NA	NA	NA	NA	NA
Arkansas	66	1,282	225	1,025	23	132	New Hampshire	69	674	93	57	43	275
California	99	1,180	326	678	153	302	New Jersey	93	934	188	66	50	396
Colorado	71	2,051	218	1,539	247	428	New Mexico	55	1,367	168	1,116	69	199
Connecticut	65	1,347	218	1,008	102	293	New York	45	1,218	268	847	79	417
Delaware	99	1,583	328	1,131	92	290	North Carolina	79	1,582	351	1,115	97	308
Dist. of Columbia	0	NA	NA	NA	NA	NA	North Dakota	85	1,866	185	1,479	177	649
Florida	100	2,128	501	1,405	207	167	Ohio	49	1,222	231	897	68	296
Georgia	54	1,411	239	1,017	132	126	Oklahoma	100	1,591	269	1,191	100	156
Hawaii	100	1,387	178	1,056	149	214	Oregon	91	1,721	259	1,284	115	512
Idaho	94	2,158	246	1,751	111	427	Pennsylvania	84	1,222	233	765	197	452
Illinois	23	2,074	349	900	811	454	Rhode Island	100	1,372	233	985	109	583
Indiana	74	1,219	141	966	97	232	South Carolina	13	214	67	139	7	59
Iowa	90	2,099	278	1,697	100	552	South Dakota	86	1,743	234	1,434	62	279
Kansas	48	1,055	211	752	71	318	Tennessee	84	1,064	178	776	93	219
Kentucky	26	1,435	232	1,130	56	185	Texas	94	1,282	227	955	84	206
Louisiana	73	1,842	389	1,362	77	363	Utah	72	2,511	174	2,166	126	644
Maine	100	1,866	314	1,423	99	406	Vermont	77	559	160	338	42	215
Maryland	100	1,950	411	1,135	348	391	Virginia	75	844	161	605	54	177
Massachusetts	70	512	106	355	40	136	Washington	74	2,088	354	1,565	127	416
Michigan	96	947	144	725	66	145	West Virginia	45	382	72	266	44	78
Minnesota	83	1,860	210	1,513	108	426	Wisconsin	76	2,813	338	2,247	199	713
Mississippi	48	1,497	296	1,075	69	148	Wyoming	95	1,885	175	1,616	82	368

NA = Arrest counts were not available for this state in the FBI's *Crime in the United States 2003*.

Notes: Arrest rates for jurisdictions with less than complete reporting may not be representative of the entire state. In the state map, rates were classified as "Data not available" when law enforcement agencies with jurisdiction over more than 50% of their state's population did not report. Readers should consult the related technical note at the end of the chapter.

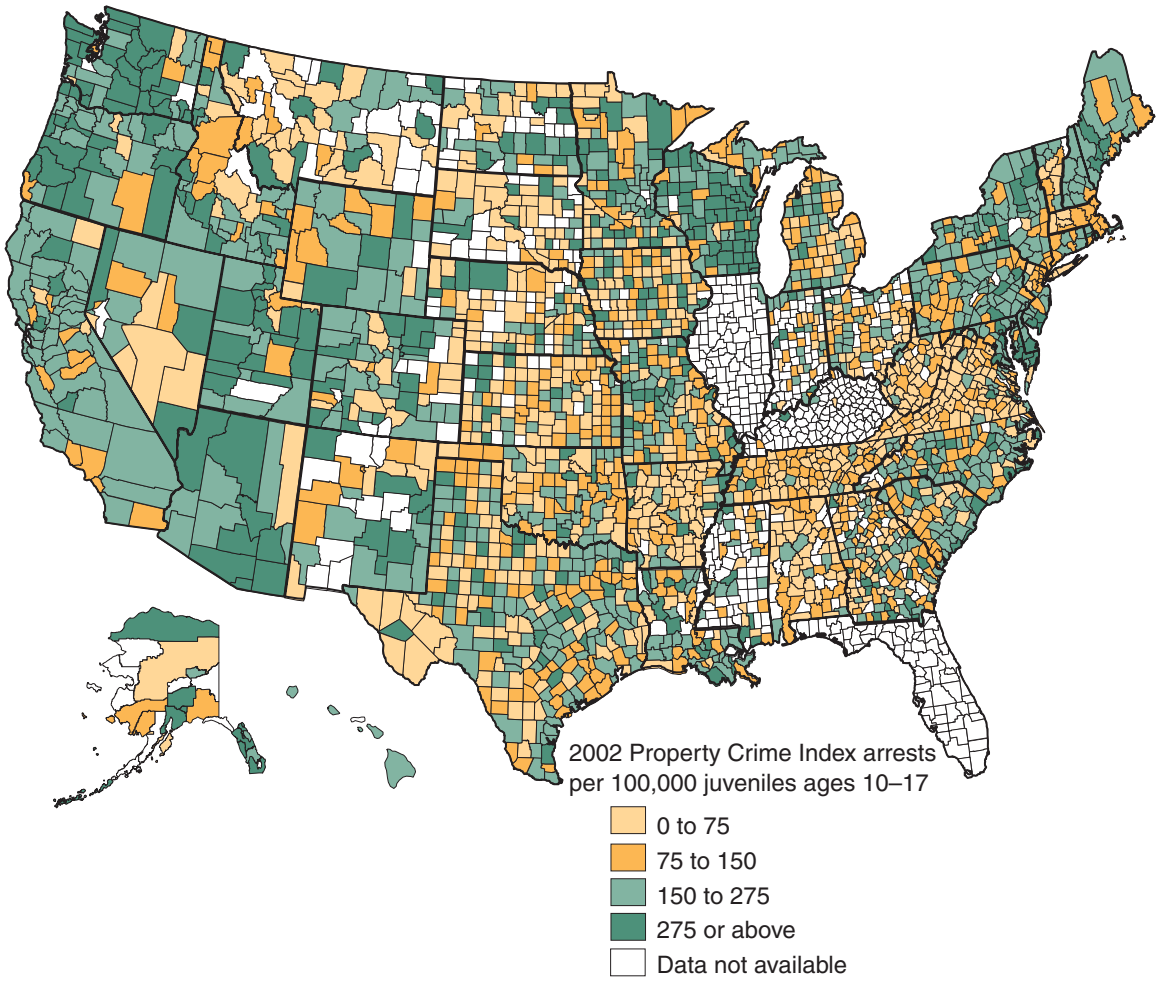
Source: Authors' analysis of arrest data from the FBI's *Crime in the United States 2003* and population data from the National Center for Health Statistics' *Estimates of the July 1, 2000–July 1, 2003, United States resident population from the vintage 2003 postcensal series by year, county, age, sex, race, and Hispanic origin* [machine-readable data files].



Property Crime Index arrest rates are a barometer of the flow of youth into the juvenile justice system

The Property Crime Index is dominated by the high-volume crime category of larceny-theft. For juveniles, shoplifting is the most common offense in this category and it is generally considered to be far less serious than other crimes in the Index such as home burglary, auto theft, and arson. Therefore, to assess the nature of juvenile property crimes within a jurisdiction, it is important to consider the various offense categories individually. Nevertheless, many still use the juvenile Property Crime Index arrest rate as a barometer of the flow of juveniles into the juvenile justice system. In 2002, the national juvenile property crime arrest rate was 1,442. More than 7 in 10 reporting counties had rates below the national average. Half of all reporting counties had rates below 924 (i.e., the median rate).

In 2002, counties within a state varied considerably in their juvenile Property Crime Index arrest rates



Note: Rates were classified as "Data not available" when agencies with jurisdiction over more than 50% of the county's population did not report.

Source: Authors' analysis of the Inter-university Consortium for Political and Social Research's *Uniform Crime Reporting Program data [United States]: County-level detailed arrest and offense data, 2002* [machine-readable data file].

What do police do with the juveniles they arrest?

Many large law enforcement agencies have specialized units that concentrate on juvenile justice issues

The Bureau of Justice Statistics' Law Enforcement Management and Administrative Statistics data collection for 2000 describes more than 800 state and local law enforcement agencies with 100 or more full-time sworn personnel. Among these larger law enforcement agencies are 501 municipal police departments, 222 sheriff's offices, 32 county police departments, and the 49 primary state law enforcement agencies. Together, these agencies employed approximately 402,000 full-time sworn personnel, including 241,000 uniformed officers assigned to respond to calls for service.

The 2000 survey included items about the types of special units agencies operated. Local law enforcement agencies operated a variety of full-time special units to address youth and family problems. For example, most local law enforcement agencies (i.e., county police departments and municipal police departments) had a special unit for drug education in schools (70%). Units targeting juvenile crime were also very common among local agencies (62%). About half of law enforcement agencies had gang units and units dealing with various types of child victimization. Among state agencies, the most common types of units were those for drug education in schools (39%) and missing children (31%).

Percent of agencies operating special units:

	Type of agency	
Special unit	Local	State
Drug education in schools	70%	39%
Juvenile crime	62	10
Gangs	45	18
Child abuse	46	8
Domestic violence	45	10
Missing children	48	31
Youth outreach	33	6

Most arrested juveniles were referred to court

In 13 states, statutes define some persons younger than age 18 as adults for prosecution purposes. These persons are not under the original jurisdiction of the juvenile justice system, but are under the jurisdiction of the criminal justice system. For arrested youth who are younger than 18 and under the original jurisdiction of their state's juvenile justice system, the FBI's UCR Program monitors what happens as a result of the arrest. This is the only aspect of the UCR data collection that is sensitive to state variations in the legal definition of a juvenile.

In 2003, 20% of arrests involving youth eligible in their state for processing in the juvenile justice system were handled within law enforcement agencies, 71% were referred to juvenile court, and 7% were referred directly to criminal court. The others were referred to a welfare agency or to another police agency. The proportion of juvenile arrests referred to juvenile court increased from 1980 to 2003 (from 58% to 71%).

In 2003, juvenile arrests were less likely to result in referral to juvenile court in large cities (population over 250,000) than in moderate size cities (population 100,000–250,000) or small cities (population less than 100,000). In large cities, 67% of juvenile arrests resulted in referral to juvenile court, compared with 74% in moderate size cities and 71% in small cities.

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Technical note

Although juvenile arrest rates may largely reflect juvenile behavior, comparisons of juvenile arrest rates across jurisdictions should be made with caution because many other factors can affect the magnitude of arrest rates. Arrest rates are calculated by dividing the number of youth arrests made in the year by the number of youth living in the jurisdiction. In general, jurisdictions that arrest a relatively large number of nonresident juveniles would have higher arrest rates than jurisdictions where resident youth behave similarly. For example, jurisdictions (especially small ones) that are vacation destinations or that are centers for economic activity in a region may have arrest rates that reflect the behavior of nonresident youth more than that of resident youth. Other factors that influence arrest rates in a given area include the attitudes of citizens toward crime, the policies of local law enforcement agencies, and the policies of other components of the justice system. Finally, in many counties, not all law enforcement agencies report their arrest data to the FBI; because a county's rate is based on data from reporting agencies, that rate may not accurately reflect the entire county's actual arrest rate (e.g., when a large urban police department does not report).

Arrest rate source note

Authors' analysis of arrest data from unpublished FBI reports for 1980 through 1997 and from the FBI's *Crime in the United States* reports for the years 1998 through 2003; population data for the years 1980 through 1989 from the U.S. Census Bureau's *U.S. population estimates by age, sex, race, and Hispanic origin: 1980 to 1999* [machine-readable data files]; population data for the years 1990 through 1999 from the National Center for Health Statistics' *Bridged-race intercensal estimates of the July 1, 1990–July 1, 1999 United States resident population by county, single-year of age, sex, race, and Hispanic origin* [machine-readable data files]; and population data for the years 2000 through 2003 from the National Center for Health Statistics' *Estimates of the July 1, 2000–July 1, 2003, United States resident population from the vintage 2003 postcensal series by year, county, age, sex, race, and Hispanic origin* [machine-readable data files].

Chapter 6

Juvenile offenders in court

Law enforcement agencies refer approximately two-thirds of all arrested youth to a court with juvenile jurisdiction for further processing. As with law enforcement, the court may decide to divert some juveniles away from the formal justice system to other agencies for service. Prosecutors may file some juvenile cases directly to criminal (adult) court. The net result is that juvenile courts formally process more than 1 million delinquency and status offense cases annually. Juvenile courts adjudicate these cases and may order probation or residential placement or they may waive jurisdiction and transfer certain cases from juvenile court to criminal court. While their cases are being processed, juveniles may be held in secure detention.

This chapter quantifies the flow of cases through the juvenile court system. It documents the nature of, and trends in, cases received and the court's response, and examines gender and race differences. (Chapter 4 on juvenile justice system structure and process describes the juvenile court process in general, the history of juvenile courts in the U.S., and state variations in current laws. Chapter 2 on victims discusses the handling of child maltreatment matters.) The chapter also discusses the measurement of racial disproportionality in the juvenile justice system—i.e., disproportionate minority contact, or DMC—and notes declines in certain DMC indicators since 1992.

The information presented in this chapter is drawn from the National Juvenile Court Data Archive, which is funded by OJJDP, and the Archive's primary publication, *Juvenile Court Statistics*.

The *Juvenile Court Statistics* report series details the activities of U.S. juvenile courts

Juvenile Court Statistics reports have provided data on court activity since the late 1920s

The *Juvenile Court Statistics* series is the primary source of information on the activities of the nation's juvenile courts. The first *Juvenile Court Statistics* report, published in 1929 by the Children's Bureau of the U.S. Department of Labor, described cases handled in 1927 by 42 courts. In the 1950s, the U.S. Department of Health, Education and Welfare took over the work, and in 1974, the newly established Office of Juvenile Justice and Delinquency Prevention (OJJDP) took on the project. Since 1975, the National Center for Juvenile Justice (NCJJ) has been responsible for this OJJDP project. The project, the National Juvenile Court Data Archive, not only produces the *Juvenile Court Statistics* reports, but conducts research and as an archive makes the data available to other researchers.

Throughout its history, the *Juvenile Court Statistics* series has depended on the voluntary support of courts with juvenile jurisdiction. Courts contribute data originally compiled to meet their own information needs. The data NCJJ receives are not uniform but reflect the natural variation that exists across court information systems. To develop national estimates, NCJJ restructures compatible data into a common format. In 2002, juvenile courts with jurisdiction over virtually 100% of the U.S. juvenile population contributed at least some data to the national reporting program. Because not all contributed data can support the national reporting requirements, the national estimates for 2002 were based on data from more than 2,100 jurisdictions containing nearly 75% of the nation's juvenile population (i.e., youth age 10 through the upper age of original juvenile court jurisdiction in each state).

Juvenile Court Statistics documents the number of cases courts handled

Just as the FBI's Uniform Crime Reporting Program counts arrests made by law enforcement (i.e., a workload measure, not a crime measure), the *Juvenile Court Statistics* series counts delinquency and status offense cases handled by courts with juvenile jurisdiction during the year. Each case represents the initial disposition of a new referral to juvenile court for one or more offenses. A youth may be involved in more than one case in a year. Therefore, the *Juvenile Court Statistics* series does not provide a count of individual juveniles brought before juvenile courts.

Cases involving multiple charges are categorized by their most serious offense

In a single case where a juvenile is charged with robbery, simple assault, and a weapons law violation, the case is counted as a robbery case (similar to the FBI Uniform Crime Reporting Program's hierarchy rule). Thus, the *Juvenile Court Statistics* series does not provide a count of the number of crimes committed by juveniles. In addition, given that only the most serious offense is used to classify the case, counts of—and trends for—less serious offenses must be interpreted cautiously.

Similarly, cases are categorized by their most severe or restrictive disposition. For example, a case in which the judge orders the youth to a training school and to pay restitution to the victim would be characterized as a case in which the juvenile was placed in a residential facility.

Juvenile Court Statistics describes delinquency and status offense caseloads

The *Juvenile Court Statistics* series describes delinquency and status offense cases handled by juvenile courts. The reports provide demographic profiles of the youth referred and the reasons for the referrals (offenses). The series documents the juvenile courts' differential use of petition, detention, adjudication, and disposition alternatives by case type. The series also can identify trends in the volume and characteristics of court activity. However, care should be exercised when interpreting gender, age, or racial differences in the analysis of juvenile delinquency or status offense cases, because reported statistics do not control for the seriousness of the behavior leading to each charge or the extent of a youth's court history.

The *Juvenile Court Statistics* series does not provide national estimates of the number of youth referred to court, their prior court histories, or their future recidivism. Nor does it provide data on criminal court processing of juvenile cases. Criminal court cases involving youth younger than age 18 who are defined as adults in their state are not included. The series was designed to produce national estimates of juvenile court activity, not to describe the law-violating careers of juveniles.

Juvenile courts handled 1.6 million delinquency cases in 2002—up from 1.1 million in 1985

Juvenile court caseloads have grown and changed

In 2002, U.S. courts with juvenile jurisdiction handled an estimated 1.6 million cases in which the juvenile was charged with a delinquency offense—an offense for which an adult could be prosecuted in criminal court. Thus, U.S. juvenile courts handled more than 4,400 delinquency cases per day in 2002. In comparison, approximately 1,100 delinquency cases were processed daily in 1960.

Changes in the juvenile court delinquency caseload over the years have strained the courts' resources and programs. The volume of delinquency cases handled by juvenile courts rose 41% between 1985 and 2002. Courts were asked to respond not only to more cases but also to a different type of caseload—one with more person offense and drug cases.

Law enforcement refers most delinquency cases to court

Delinquency and status offense cases are referred to juvenile courts by a number of different sources, including law enforcement agencies, social services agencies, victims, probation officers, schools, or parents.

Percent of cases referred by law enforcement agencies:

Offense	2002
Delinquency	82%
Person	87
Property	91
Drugs	90
Public order	61
Status offense (formal cases)	
Runaway	55%
Truancy	14
Ungovernability	30
Liquor	92

Youth were charged with a person offense in nearly one-quarter of the delinquency cases handled by juvenile courts in 2002

Most serious offense	Number of cases	Percent of total cases	Percent change 1985–2002	Percent change 1997–2002
Total delinquency	**1,615,400**	**100%**	**41%**	**–11%**
Person offense	**387,500**	**24**	**113**	**–2**
Violent Crime Index	75,300	5	13	–29
Criminal homicide	1,700	0	41	–25
Forcible rape	4,700	0	8	–14
Robbery	21,500	1	–13	–36
Aggravated assault	47,400	3	32	–26
Simple assault	270,700	17	174	6
Other violent sex offense	16,400	1	150	31
Other person offense	25,200	2	144	18
Property offense	**624,900**	**39**	**–10**	**–27**
Property Crime Index	431,000	27	–16	–29
Burglary	100,000	6	–29	–29
Larceny–theft	284,400	18	–13	–29
Motor vehicle theft	38,500	2	0	–30
Arson	8,100	0	18	–10
Vandalism	94,800	6	11	–18
Trespassing	50,800	3	–5	–24
Stolen property offense	22,100	1	–20	–32
Other property offense	26,200	2	45	–16
Drug law violation	**193,200**	**12**	**159**	**1**
Public order offense	**409,800**	**25**	**113**	**7**
Obstruction of justice	182,600	11	180	10
Disorderly conduct	108,500	7	145	18
Weapons offense	35,900	2	85	–19
Liquor law violation	28,200	2	57	96
Nonviolent sex offense	15,500	1	16	20
Other public order offense	39,000	2	23	–25

- Property crimes accounted for about 4 in 10 delinquency cases in 2002.
- Although juvenile court referrals increased substantially between 1985 and 2002, the recent trend (1997–2002) is one of decline.

Note: Detail may not add to totals because of rounding. Calculations are based on unrounded numbers.

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002.*

In 2002, 82% of delinquency cases were referred by law enforcement agencies. This proportion has changed little over the past two decades. Law enforcement agencies are generally much less likely to be the source of referral for formally handled status offense cases (involving offenses that are not crimes for adults) than delinquency cases. The exception is status liquor law violations (underage drinking and possession of alcohol).

The long-term growth trend for juvenile court caseloads has been tempered by recent declines

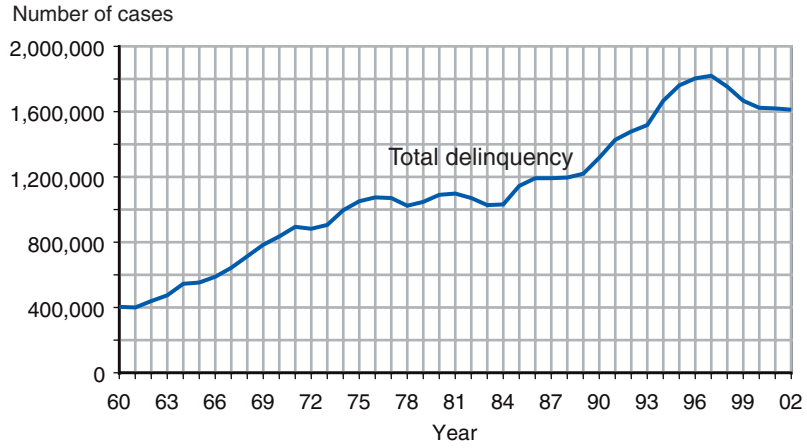
In most offense categories, juvenile court cases have decreased in recent years

Compared with 1997, cases involving offenses in the FBI's Violent Crime Index were down 29% in 2002. More specifically, criminal homicide was down 25%, forcible rape 14%, robbery 36%, and aggravated assault 26%.

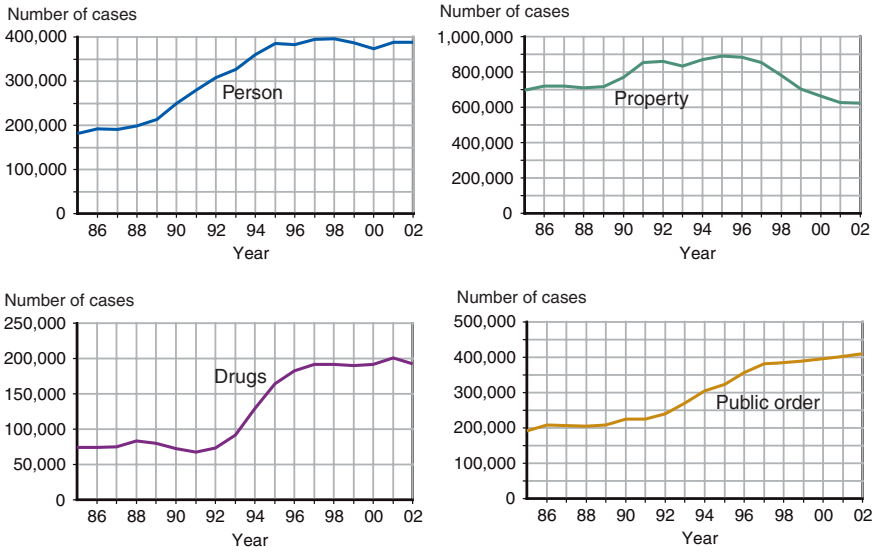
There were also large declines in cases involving property offenses—burglary and larceny-theft were down 29%, and motor vehicle theft 28%. Trespassing and stolen property offenses had declines greater than 30%. Declines were smaller for arson (10%) and vandalism (18%). Drug and public order offenses generally have not declined; however, they have leveled off since 1997.

Trends in juvenile court cases largely parallel trends in arrests of persons younger than 18. FBI data show that arrest rates for persons younger than 18 charged with Violent Crime Index offenses have dropped substantially since their peak in 1994. Similarly, juvenile arrest rates for Property Crime Index offenses were at their lowest level in three decades in 2002. Drug offenses are a noticeable exception—the FBI data show juvenile drug arrest rates peaking in 1997 and falling 25% through 2002. The court data show no such decline in the juvenile court's drug caseload. The data do not fully explain this pattern, but the pattern underscores the fact that not all arrests result in a juvenile court case and that juvenile court cases also come from sources other than police.

Juvenile courts handled four times as many delinquency cases in 2002 as in 1960



Delinquency cases, by offense category



- Between 1985 and 2002, the volume of delinquency cases handled by juvenile courts nationwide increased 41%. Delinquency cases dropped 11% from their 1997 peak to 2002.
- Caseloads increased in three of the four general offense categories. Person offense and public order offense cases each rose 113% and drug cases rose 159%. Person and public order cases together accounted for 90% of the growth in the delinquency caseload between 1985 and 2002. In contrast, property cases dropped 10%

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002.*

An offense classification may encompass situations with a wide range of seriousness

The four general offense categories—person, property, drugs, and public order—are each very broad in terms of the seriousness of the offenses they comprise. Within these general categories, individual offenses (e.g., aggravated assault, robbery) may also encompass a wide range of seriousness. For example:

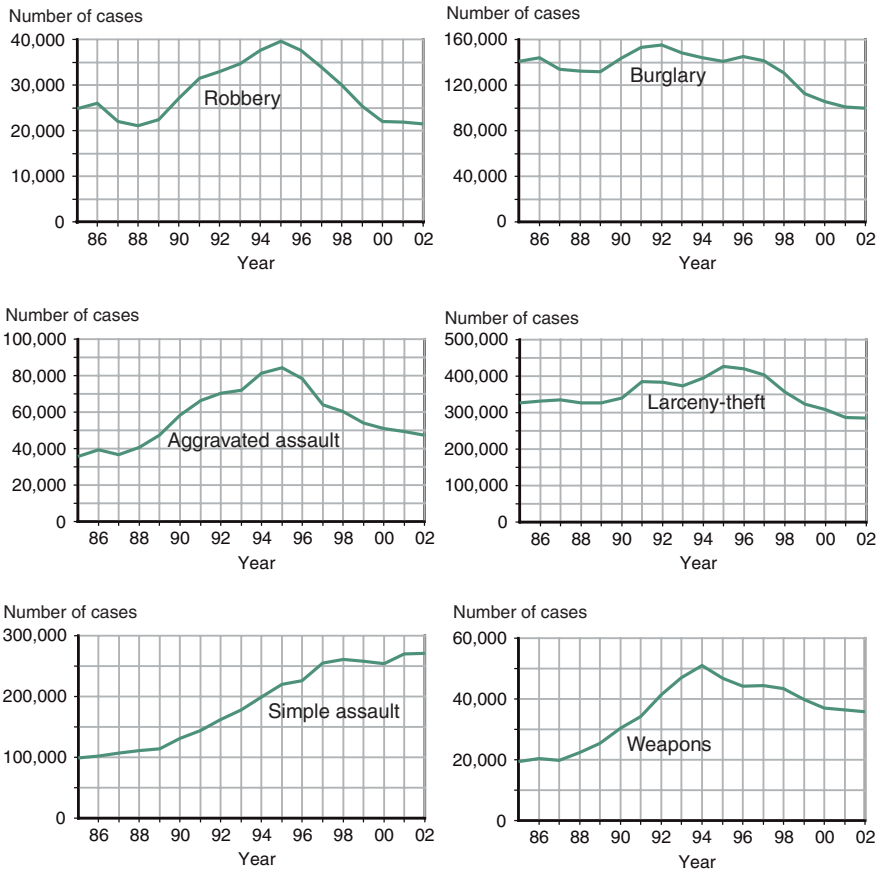
Aggravated assault is the unlawful intentional infliction of serious bodily injury or unlawful threat or attempt to inflict bodily injury or death by means of a deadly or dangerous weapon with or without actual infliction of injury. Aggravated assault includes the following situations:

- A gang attempts to kill a rival gang member in a drive-by shooting, but he survives the attack.
- A son fights with his father, causing injuries that require treatment at a hospital.
- A student raises a chair and threatens to throw it at a teacher but does not.

Robbery is the unlawful taking or attempted taking of property in the immediate possession of another person by force or threat of force. Robbery includes the following situations:

- Masked gunmen with automatic weapons demand cash from a bank.
- A gang of young men beat up a tourist and steal his wallet and valuables.
- A school bully says to another student, "Give me your lunch money, or I'll punch you."

Trend patterns for juvenile court caseloads from 1985 through 2002 varied substantially across offense categories



- Robbery cases peaked in 1995, near 40,000, then fell to levels of the late 1980s.
- Aggravated assault cases peaked in 1995, at 84,400, then fell off sharply. In contrast, simple assault cases climbed steadily through 1997, then leveled off at around 270,000 in 2001 and 2002.
- Burglary caseloads were relatively flat until 1997—since then, they have dropped to their lowest level since at least 1985.
- Larceny-theft cases peaked in 1995 at nearly 426,000 and have also dropped to their lowest level since at least 1985.
- Within the public order category, weapons offense cases peaked in 1994 at 51,100 and have dropped steadily since then.

Source: Authors' analyses of the National Center for Juvenile Justice's *National Juvenile Court Data Archive: Juvenile Court Case Records 1985–2002* [machine-readable data file].

Cases increased for males and females through the mid-1990s; since then cases have declined for males

Females account for a relatively small share of delinquency cases

In 2002, juvenile courts handled more than 423,000 delinquency cases involving female juveniles—just over one-quarter of all delinquency cases handled in 2002. Females made up a fairly large share of cases in some offense categories—larceny-theft (38%), disorderly conduct (33%), simple assault (32%), and liquor law cases (32%). For other offense categories, the female share of the caseload was relatively small—violent sex offenses other than rape (5%), robbery (9%), burglary (10%), arson (13%), and weapons offenses (14%).

Most serious offense	Female proportion
Total delinquency	26%
Person offense	28
Violent Crime Index	20
Criminal homicide	13
Forcible rape	3
Robbery	9
Aggravated assault	26
Simple assault	32
Other violent sex offense	5
Other person offense	27
Property offense	26
Property Crime Index	30
Burglary	10
Larceny-theft	38
Motor vehicle theft	23
Arson	13
Vandalism	16
Trespassing	19
Stolen property offense	15
Other property offense	32
Drug law violation	18
Public order offense	28
Obstruction of justice	29
Disorderly conduct	33
Weapons offense	14
Liquor law violation	32
Nonviolent sex offense	19
Other public order offense	25

For most offenses, female caseloads have grown more or decreased less than male caseloads

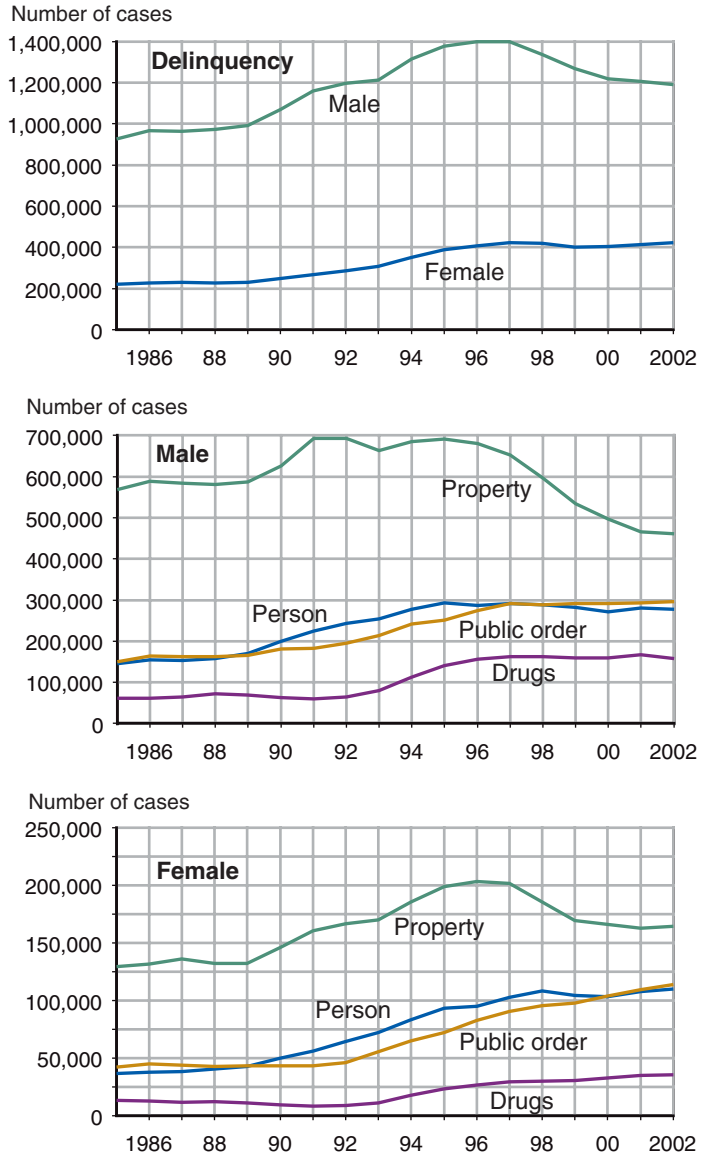
	Percent change			
	1985–2002		1997–2002	
Most serious offense	Male	Female	Male	Female
Total delinquency	**29%**	**92%**	**–15%**	**0%**
Person offense	**91**	**202**	**–5**	**7**
Violent Crime Index	9	70	–30	–23
Criminal homicide	39	58	–25	–25
Forcible rape	7	63	–14	6
Robbery	–16	18	–36	–42
Aggravated assault	20	84	–28	–19
Simple assault	152	238	4	12
Other violent sex offense	147	240	29	62
Other person offense	111	322	11	42
Property offense	**–19**	**27**	**–29**	**–18**
Property Crime Index	–26	23	–32	–20
Burglary	–31	–5	–30	–25
Larceny-theft	–27	25	–35	–19
Motor vehicle theft	–7	41	–31	–25
Arson	15	44	–10	–6
Vandalism	5	65	–20	–8
Trespassing	–8	12	–25	–16
Stolen property offense	–23	6	–33	–23
Other property offense	30	92	–18	–12
Drug law violation	**156**	**171**	**–3**	**20**
Public order offense	**97**	**171**	**2**	**26**
Obstruction of justice	169	210	4	26
Disorderly conduct	117	241	12	35
Weapons offense	73	223	–21	–3
Liquor law violation	38	123	79	143
Nonviolent sex offense	16	18	16	42
Other public order offense	17	45	–27	–21

- Between 1985 and 2002, the overall delinquency caseload for females increased 92%, compared with a 29% increase for males.
- Among females, the number of aggravated assault cases rose substantially (up 84%) from 1985 to 2002. In comparison, among males, aggravated assault cases were up 20%.
- Between 1997 and 2002, the number of aggravated assault cases dropped for both males and females, but the decline for males (28%) was greater than the decline for females (19%).

Note: Detail may not total 100% because of rounding. Calculations are based on unrounded numbers.

Source: Authors' analyses of the National Center for Juvenile Justice's *National Juvenile Court Data Archive: Juvenile Court Case Records 1985–2002* [machine-readable data file].

Juvenile court caseload trends are different for males and females, and the differences vary by offense category

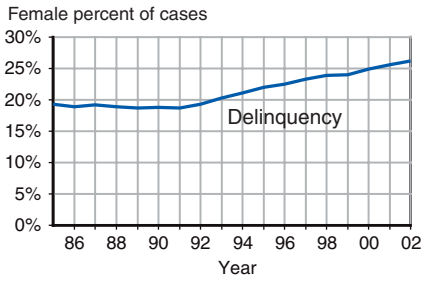


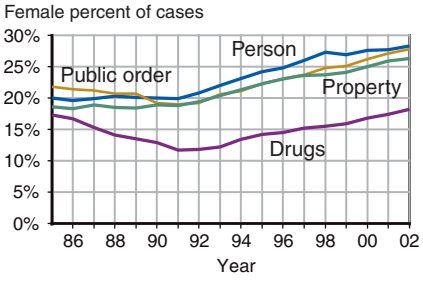
- Male delinquency caseloads have been on the decline since the mid-1990s. Female caseloads have not shown a similar decline, although they seem to have leveled off in recent years.
- The decline in male caseloads has been driven by a sharp reduction in the volume of property cases—down 34% from the 1994 peak to 2002.
- For females, the largest 1985–2002 increase was in person offense cases (202%). Drug and public order cases also rose substantially (each 171%).

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002.*

The female share of delinquency cases increased steadily from 1991 through 2002

The proportion of delinquency cases that involved females was 19% in 1991; by 2002, it had increased 7 percentage points to 26%. The female share of person offense cases rose 8 percentage points over the same period to 28%. Property cases also saw an 8-point increase in the proportion of females, to 26% in 2002. The female proportion of drug cases went from 12% in 1991 to 18% in 2002, an increase of 6 points. Public order cases had the greatest increase in the proportion of females—9 percentage points from 1991 to 2002, up to 28%.





In 2002, male and female offense profiles were similar, but not as similar as they were in 1985

For both males and females, 2002 caseloads had smaller shares of property crimes and more person crimes than in 1985

Compared with offense profiles in 1985, both male and female delinquency caseloads had greater proportions of person offense cases in 2002.

Offense profile by sex:

Offense	Male	Female
2002		
Delinquency	100%	100%
Person	23	26
Property	39	39
Drugs	13	8
Public order	25	27
1985		
Delinquency	100%	100%
Person	16	16
Property	61	59
Drugs	7	6
Public order	16	19

Note: Detail may not total 100% because of rounding.

Both male and female caseloads saw substantial reductions in the proportion of cases that involved property crimes. Despite the reduction in the property crime share of delinquency cases, property cases were still the most common type of case for both males and females in 2002.

Compared with males, females had a greater proportion of person offense cases and a smaller proportion of drug offense cases in 2002. In 1985, the offense profiles for cases involving males and females differed less than in 2002.

Although males accounted for more than twice as many delinquency cases as females in 2002, their offense profiles were similar

	Male		Female	
Most serious offense	Number of cases	Percent of cases	Number of cases	Percent of cases
Total delinquency	**1,192,300**	**100%**	**423,100**	**100%**
Person offense	**277,900**	**23**	**109,700**	**26**
Violent Crime Index	60,600	5	14,700	3
Criminal homicide	1,500	0	200	0
Forcible rape	4,500	0	200	0
Robbery	19,500	2	2,000	0
Aggravated assault	35,100	3	12,300	3
Simple assault	183,400	15	87,300	21
Other violent sex offense	15,600	1	800	0
Other person offense	18,300	2	6,900	2
Property offense	**460,400**	**39**	**164,500**	**39**
Property Crime Index	301,600	25	129,400	31
Burglary	89,900	8	10,100	2
Larceny-theft	174,300	15	110,100	26
Motor vehicle theft	30,300	3	8,200	2
Arson	7,000	1	1,000	0
Vandalism	80,800	7	14,100	3
Trespassing	41,500	3	9,300	2
Stolen property offense	18,900	2	3,100	1
Other property offense	17,600	1	8,600	2
Drug law violation	**158,100**	**13**	**35,100**	**8**
Public order offense	**296,000**	**25**	**113,800**	**27**
Obstruction of justice	130,700	11	51,900	12
Disorderly conduct	73,500	6	35,000	8
Weapons offense	30,900	3	5,000	1
Liquor law violation	19,200	2	9,000	2
Nonviolent sex offense	12,800	1	2,800	1
Other public order offense	28,900	2	10,100	2

- Compared with males, the female juvenile court caseload had a greater proportion of simple assault and larceny-theft cases and a smaller proportion of robbery, burglary, vandalism, and drug cases.

Note: Detail may not add to totals because of rounding. Calculations are based on unrounded numbers.

Source: Authors' analyses of the National Center for Juvenile Justice's *National Juvenile Court Data Archive: Juvenile Court Case Records 1985–2002* [machine-readable data file].

A disproportionate number of delinquency cases involved black juveniles

In 2002, blacks constituted 16% of the juvenile population but 29% of the delinquency caseload

Although a majority of delinquency cases handled in 2002 involved white youth (1,086,700 or 67%), a disproportionate number of cases involved blacks (473,100 or 29%), given their proportion of the juvenile population. In 2002, white youth made up 78% of the juvenile population (youth ages 10 through the upper age of juvenile court jurisdiction in each state), black youth 16%, and youth of other races 6%.*

Racial profile of delinquency cases:

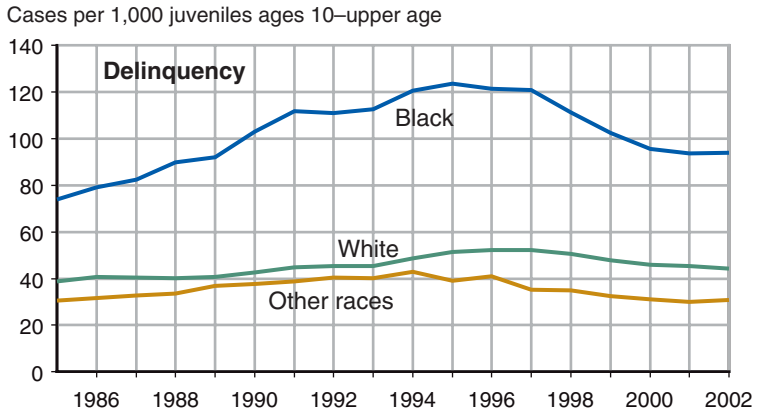
Offense	White	Black	Other races	Total
2002				
Delinquency	67%	29%	3%	100%
Person	60	37	3	100
Property	68	28	4	100
Drugs	76	21	3	100
Public order	68	29	3	100
1985				
Delinquency	68	28	3	100
Person	58	39	2	100
Property	74	23	3	100
Drugs	79	19	2	100
Public order	77	21	2	100

Note: Detail may not total 100% because of rounding.

The racial profile of delinquency cases overall was essentially the same in 1985 and 2002, although some of the general offense categories had noticeable changes. The proportion of black juveniles changed from 23% in 1985 to 28% in 2002 for property cases and from 21% to 29% for public order cases.

* Throughout this chapter, juveniles of Hispanic ethnicity can be any race; however, most are included in the white racial category.

The delinquency case rate rose from 1985 to 2002 for all races, but the rate for blacks remained well above the rates for other groups



- The delinquency case rate for white juveniles increased 35% from 1985 to its 1997 peak then dropped 15% by 2002 for an overall increase from 1985 to 2002 of 15%. Among black juveniles, the delinquency case rate increased 67% from 1985 to its 1995 peak then dropped 24% by 2002 for an overall increase from 1985 to 2002 of 27%. The delinquency case rate for juveniles of other races increased 40% from 1985 to its 1994 peak then dropped 28% by 2002 for an overall increase from 1985 to 2002 of 1%.
- In 2002, the delinquency case rate for blacks (94) was more than 2 times the rate for whites (44) and just over 3 times the rate for youth of other races (31).

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002.*

Offense profiles for whites and blacks differed

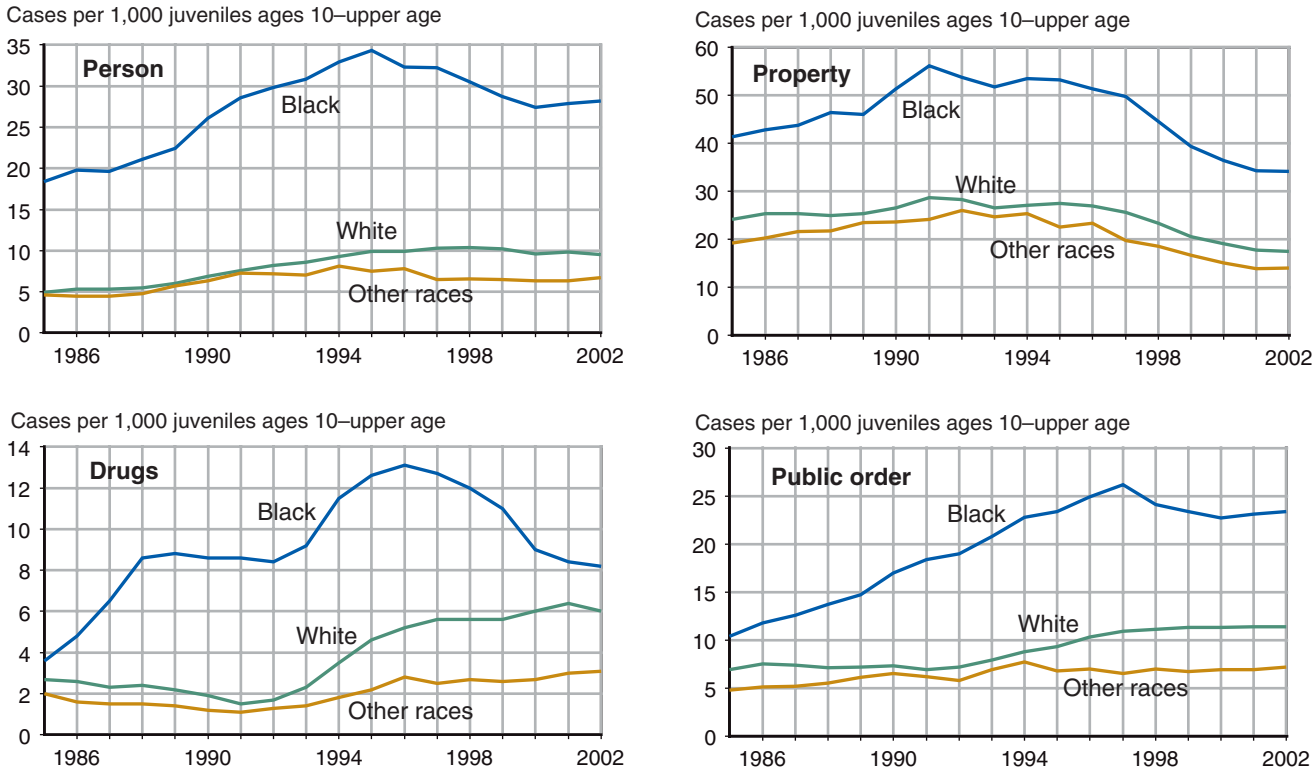
Delinquency caseloads for black juveniles contained a greater proportion of person offenses than did caseloads for white juveniles and those of other races. For all racial groups, property offenses accounted for the largest proportion of cases and drug offenses the smallest proportion. Compared with 1985, for all racial groups, person and public order offenses made up a larger share and property offenses a smaller share of delinquency cases in 2002.

Offense profile of delinquency cases:

Offense	White	Black	Other races
2002			
Delinquency	100%	100%	100%
Person	22	30	22
Property	39	36	45
Drugs	13	9	10
Public order	26	25	23
1985			
Delinquency	100%	100%	100%
Person	13	25	15
Property	62	56	63
Drugs	7	5	7
Public order	18	14	16

Note: Detail may not total 100% because of rounding.

Case rate trends varied across race and offense, but in all offense categories from 1985 through 2002, the rates for black youth were substantially higher than the rates for other youth



- Compared with 1985, 2002 person offense case rates were higher for all racial groups—up 93% for whites, 53% for blacks, and 47% for youth of other races. All racial groups experienced recent declines in person offense case rates—down 9% from the 1998 peak for whites, down 18% from the 1995 peak for blacks, and down 17% from the 1994 peak for other races.
- Property case rates dropped for all races between 1985 and 2002—down 28% for whites, 17% for blacks, and 27% for youth of other races. Property case rates for both white and black youth in 2002 were 39% below their 1991 peaks. The rate for youth of other races was highest in 1992 and was down 46% by 2002.
- Case rates for drug offenses more than doubled from 1985 to 2002 for both white (118%) and black (128%) youth. Among youth of other races, the drug case rate rose 52%. For black youth, the drug case rate peaked in 1996 and was down 37% by 2002. For white youth, the rate peaked in 2001 and then dropped 6% in 2002. For youth of other races, the drug offense case rate was higher in 2002 than any year since at least 1985.
- For white youth, the public order case rate was higher in 2002 than any year since at least 1985. Their 2002 rate was 66% higher than the 1985 rate. For blacks, the public order case rate was highest in 1997 and dropped 11% by 2002. Nevertheless, the 2002 rate was 125% above the 1985 rate. Similarly, for youth of other races, the rate in 2002 was 6% below the 1994 rate but still 52% above the 1985 rate.

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002.*

In 2002, the disparity between rates for black youth and white youth was lowest for drug cases

In 2002, case rates for black juveniles were substantially higher than rates for other juveniles in all offense categories, but the degree of disparity varied. The person offense case rate for black juveniles (28.2 per 1,000) was nearly 3 times the rate for white juveniles (9.5), the public order case rate for black juveniles (23.4) was more than 2 times the rate for white juveniles (11.4), and the property case rate for black juveniles (34.2) was nearly 2 times the rate for white juveniles (17.5).

In comparison, in 2002, the drug offense case rate for black juveniles (8.2) was less than 1.5 times the rate for white juveniles (6.0). Although the disparity between black and white drug case rates was relatively small in 2002, that was not always true. In fact, in 1991, the drug offense case rate for black juveniles was more than 5.5 times the rate for white juveniles. No other offense reached this extent of disparity between black and white case rates.

The racial profile for delinquency cases was similar for males and females in 2002

Among females referred to juvenile court in 2002 for person offenses, blacks accounted for 38% of cases—the greatest overrepresentation among black juveniles. The black proportion among males referred for person offenses was just slightly smaller at 36%.

Racial profile of delinquency cases by gender, 2002:

Offense	White	Black	Other races	Total
Male				
Delinquency	67%	29%	3%	100%
Person	61	36	3	100
Property	69	28	4	100
Drugs	73	24	3	100
Public order	69	28	3	100
Female				
Delinquency	67	30	4	100
Person	59	38	3	100
Property	68	28	4	100
Drugs	87	10	3	100
Public order	66	30	3	100

Note: Detail may not total 100% because of rounding.

Among females referred for drug offenses, blacks were underrepresented. Although they account for 16% of the population of juvenile females, blacks made up just 10% of drug cases involving females in 2002.

Youth of other races make up 6% of the juvenile population; they accounted for less than 5% of cases across all gender and offense groups.

Offense profiles for both males and females varied somewhat across racial groups

Among males in 2002, blacks had a greater proportion of person offense cases than whites or youth of other races. In addition, black males had a somewhat smaller proportion of property cases than white males or males of other races.

Offense profile of delinquency cases by race and gender, 2002:

Offense	White	Black	Other races
Male			
Delinquency	100%	100%	100%
Person	21	29	22
Property	39	36	45
Drugs	14	11	11
Public order	25	24	23
Female			
Delinquency	100%	100%	100%
Person	23	34	21
Property	40	36	47
Drugs	11	3	8
Public order	27	27	24

Note: Detail may not total 100% because of rounding.

Among females, person offenses accounted for 34% of the cases involving blacks, compared with 23% of the cases involving whites and 21% of the cases involving youth of other races. The drug offense share of cases involving females was greater for whites (11%) than for blacks (3%) or youth of other races (8%).

Compared with whites and blacks, the property offense share of delinquency cases was greater among youth of other races. This was true for both males and females.

Although older teens dominate delinquency caseloads, trends are similar for all age groups

For all ages, 2002 delinquency case rates were lower than rates in the mid- to late 1990s

In 2002, juvenile courts handled 51.5 delinquency cases for every 1,000 juveniles (youth subject to original juvenile court jurisdiction) in the U.S. population. The overall delinquency case rate peaked in 1996, 43% above the 1985 rate, and then declined 17% to the 2002 level. For all ages, delinquency case rates showed similar trend patterns, although the peak years varied from one age to another. Case rates for older juveniles peaked in 1994 or 1995 and rates for younger juveniles tended to peak in the later 1990s. Case rate declines were smaller for juveniles younger than 15 than for older teens.

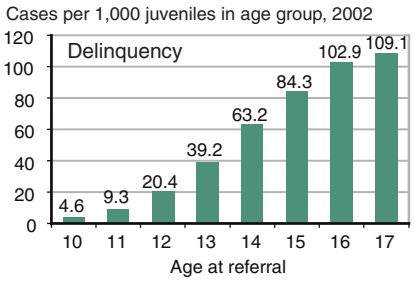
Most delinquency cases involve older teens

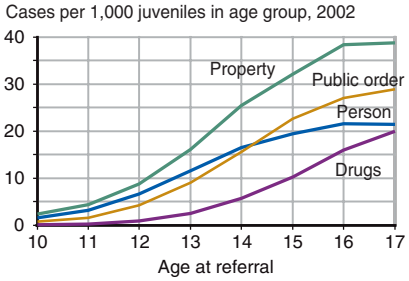
High-school-age juveniles (ages 14 and older) made up 80% of the delinquency caseload in 2002, older teens (ages 16 and older) accounted for 42%. In comparison, middle-school-age juveniles (ages 12 and 13) were involved in 16% of delinquency cases, while juveniles younger than 12 accounted for 5%. The 2002 age profile of delinquency cases was similar to the 1985 profile.

Age profile of delinquency cases:

Age	1985	2002
Total	100%	100%
Under 12	6	5
12	5	5
13	10	10
14	17	16
15	22	21
16	23	23
17	16	17
Over 17	2	2

Delinquency case rates generally increase with age





- In 2002, the delinquency case rate for 16-year-olds was 1.6 times the rate for 14-year-olds and the rate for 14-year-olds was 3.1 times the rate for 12-year-olds.
- The increase in rates between age 13 and age 17 was sharpest for drug offenses; the rate for drug offenses for 17-year-old juveniles was 8 times the rate for 13-year-olds.
- The growth in age-specific case rates was less dramatic for person offense cases. Person offense rates increased steadily through age 16 then dropped off at age 17, unlike rates for other offenses that increased through age 17. The person case rate for 17-year-olds was 84% higher than the rate for 13-year-olds.

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002.*

Age profiles varied somewhat across offenses but have not changed substantially since 1985.

Age profile of delinquency cases, 2002:

Age	Person	Property	Drugs	Public order
Total	100%	100%	100%	100%
Under 12	7	6	1	3
12	7	6	2	4
13	13	11	5	9
14	18	17	12	16
15	20	21	21	23
16	20	22	30	24
17	14	15	26	18
Over 17	1	2	3	4

Why do juvenile courts handle more 16- than 17-year-olds?

Although comparable numbers of 17-year-olds and 16-year-olds were arrested in 2002, the number of juvenile court cases involving 17-year-olds (271,600) was lower than the number involving 16-year-olds (376,900). The explanation lies primarily in the fact that 13 states exclude 17-year-olds from the original jurisdiction of the juvenile court (see Chapter 4). In these states, all 17-year-olds are legally adults and are referred to criminal court rather than to juvenile court. Thus, far fewer 17-year-olds than 16-year-olds are subject to original juvenile court jurisdiction. Of the more than 31 million youth under juvenile court jurisdiction in 2002, youth ages 10 through 15 accounted for 80%, 12% were age 16, and 8% were age 17.

In 2002, offense profiles of younger and older youth differed

Compared with caseloads of older juveniles in 2002, the caseload of juveniles younger than 14 had larger

proportions of person and property offenses and smaller proportions of drug and public order offenses. In 1985, the proportions of person offense cases were similar for younger and older youth.

Compared with 1985 caseloads, person offenses were a substantially larger proportion of 2002 caseloads for all age groups. This shift was greatest for the youngest juveniles: person offenses increased from 16% of cases in 1985 to 34% in 2002. Public order offenses also accounted for a greater share of cases in 2002 than in 1985 across all age groups. These increases were offset by the declining share of property offenses.

Offense profile of delinquency cases by age:

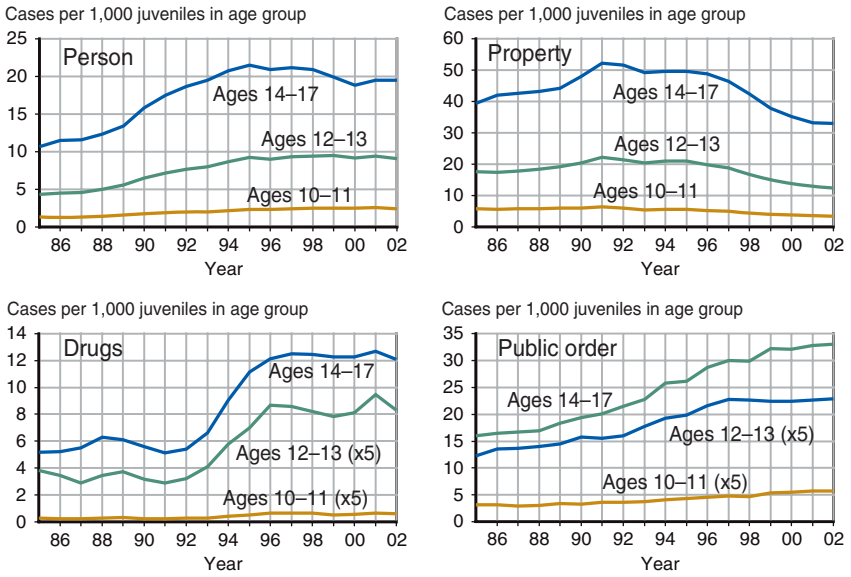
Offense	Under age 12	Ages 12–13	Over age 13
2002			
Delinquency	100%	100%	100%
Person	34	31	22
Property	48	42	38
Drugs	1	6	14
Public order	16	22	27
1985			
Delinquency	100%	100%	100%
Person	16	17	16
Property	75	68	58
Drugs	1	3	8
Public order	8	12	18

Note: Detail may not total 100% because of rounding.

The age profile of delinquency cases did not differ substantially by gender or race in 2002

At each age, the proportion of cases was not more than 3 percentage points different for males compared to females. Among males, the largest proportion of delinquency cases involved 16-year-olds; among females, the largest proportion involved 15-year-olds. Age profiles across racial groups were also similar.

Between 1985 and 2002, trends in case rates were generally similar across age groups



- The person offense case rate for youth ages 14–17 rose from 1985 through 1995 then dropped off. Youth ages 12–13 had a similar pattern. For youth ages 10–11, the person offense rate was highest in 2001.
- For all age groups, property case rates peaked in 1991 and declined steadily thereafter.
- Drug offense case rates were relatively flat for all age groups from the mid-1980s to the mid-1990s, when they began to rise sharply. Rates flattened out again after 1996 for all ages.

Note: Because of the low volume of drug and public order cases involving younger juveniles, their case rates are inflated by a factor of 5 to display the trends over time.

Source: Authors' analyses of Stahl et al.'s *Easy Access to Juvenile Court Statistics: 1985–2002* [data analysis application].

Age profile of delinquency cases by gender, 2002:

Age	Male	Female
Total	100%	100%
Under 12	5	3
12	5	5
13	10	12
14	15	18
15	21	23
16	24	22
17	18	15
Over 17	2	2

Note: Detail may not total 100% because of rounding.

Age profile of delinquency cases by race, 2002:

Age	White	Black	Other races
Total	100%	100%	100%
Under 12	4	6	5
12	5	7	6
13	9	12	11
14	16	17	16
15	21	22	20
16	24	22	21
17	18	13	18
Over 17	3	2	3

Note: Detail may not total 100% because of rounding.

In 1 in 5 delinquency cases, the youth is detained between referral to court and case disposition

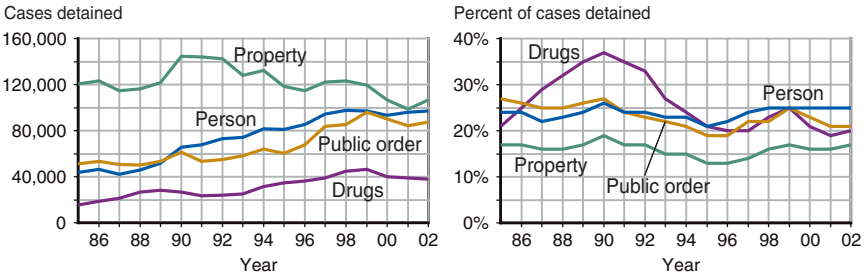
When is secure detention used?

A youth may be placed in a secure juvenile detention facility at various points during the processing of a case. Although detention practices vary from jurisdiction to jurisdiction, a general model of detention practices is useful.

When a case is referred to juvenile court, intake staff may decide to hold the youth in a detention facility while the case is being processed. In general, detention is used if there is reason to believe the youth is a threat to the community, will be at risk if returned to the community, or may fail to appear at an upcoming hearing. The youth may also be detained for diagnostic evaluation purposes. In most delinquency cases, however, the youth is not detained.

In all states, law requires that a detention hearing be held within a few days (generally within 24 hours). At that time, a judge reviews the decision to detain the youth and either orders the youth released or continues the detention. National juvenile court statistics count the number of cases that involve detention during a calendar year. As a case is processed, the youth may be detained and released more than once between referral and disposition. Juvenile court data do not count individual detentions, nor do they count the number of youth detained. In addition, although in a few states juveniles may be committed to a detention facility as part of a disposition order, the court data do not include such placements in the count of cases involving detention.

The number of cases involving detention was higher in 2002 than in 1985 for all but property cases



- The number of delinquency cases involving detention increased 42% between 1985 and 2002, from 234,600 to 329,800. The largest relative increase was for drug cases (140%), followed by person cases (122%) and public order cases (72%). In contrast, the number of detained property cases declined 12% during this period.
- Despite the growth in the volume of delinquency cases involving detention, the proportion of cases detained was the same in 2002 as in 1985 (20%). The percent of cases detained was highest in 1990 (23%) and lowest in 1995 and 1996 (17%).
- Property cases were the least likely to involve detention—youth were detained in 17% of property cases in 2002. In comparison, youth were detained in 21% of public order cases, 20% of drug cases, and 25% of person cases.
- In 1990, youth were detained in 37% of drug cases—the highest proportion of cases detained for any offense during the 1985–2002 period. In fact, no other offense category ever had more than 27% of cases detained.

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002.*

The proportion of detained cases involving property offenses has declined

Although property offense cases were the least likely to involve detention in 2002, they still accounted for the largest volume of cases involving detention because they represent the largest share of juvenile court caseloads. Property offense cases represented 32% of all detained delinquency cases in 2002, while person offenses accounted for 29% and public order cases 27%. Drug offense cases made up the smallest share of detained cases at 11%.

Compared with the offense profile of detained cases in 1985, the 2002 detention caseload had a substantially smaller proportion of property offense cases. This was offset by a larger proportion of person offense cases.

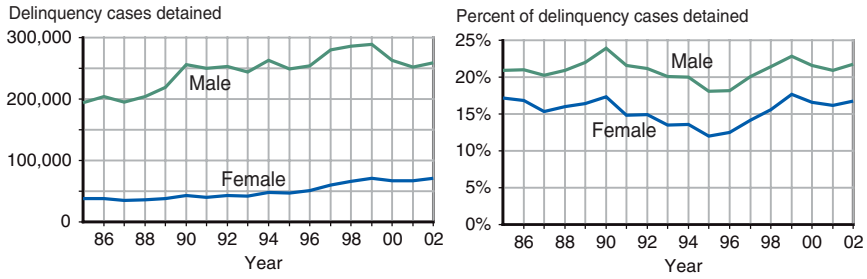
Offense profile of delinquency cases:

	All cases		Detained cases	
Offense	1985	2002	1985	2002
Delinquency	100%	100%	100%	100%
Person	16	24	19	29
Property	61	39	52	32
Drugs	7	12	7	11
Public order	17	25	22	27

Note: Detail may not total 100% because of rounding.

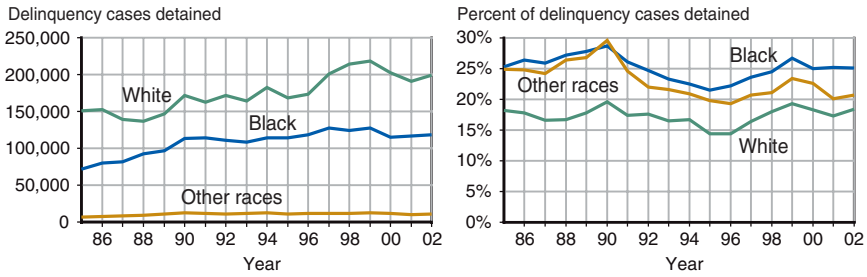
Use of detention varied not only by offense but also by gender, race, and age

Males accounted for most delinquency cases involving detention and were consistently more likely than females to be detained



- The number of male cases detained rose 49% from 1985 to 1999 and then dropped 10% for an overall increase of 34%. Females had an 87% increase in detained cases between 1985 and 1999. Between 1999 and 2002, the number of female cases detained changed little—the peak year was 1999 and the overall increase was 87%.
- The likelihood of detention was higher for males than for females, but the 1985-2002 trend lines for the percent of cases detained ran in tandem.

White youth accounted for the largest number of delinquency cases involving detention, although they were the least likely to be detained



- The number of delinquency cases involving white youth who were detained rose 44% from 1985 to its peak in 1999 and then dropped 9% for an overall increase of 32%. For black youth, the number of cases detained rose 77% from 1985 to its 1999 peak and then dropped 7% for an overall increase of 64%.
- The number of delinquency cases involving youth of other races who were detained peaked in 1990—79% above the 1985 figure. Between 1990 and 2002, the figure dropped 12% for an overall increase of 57%.
- For all racial groups, trends in the likelihood of detention followed similar patterns, although the proportion of cases involving detention remained lower for white youth than for black youth or youth of other races.
- For all racial groups, the likelihood of detention peaked in 1990 and showed a smaller rise in the late 1990s and subsequent fall into 2000

Source: Authors' analyses of Stahl et al.'s *Easy access to juvenile court statistics: 1985–2002* [online analysis].

In 2002, the gender disparity in the likelihood of detention was least for drug cases

In 2002, the likelihood of detention in delinquency cases for males was 1.3 times the likelihood for females (22% vs. 17%). Males were more likely than females to be detained in each of the four general offense categories: 1.6 times more likely for property offenses, 1.3 times for public order offenses, 1.2 for person offenses, and 1.1 for drug offenses.

Percent of cases detained, 2002:

Offense	Male	Female
Delinquency	22%	17%
Person	26	22
Property	19	12
Drugs	20	18
Public order	23	18

The degree of racial disparity in the likelihood of detention varied across offense

In 2002, the likelihood of detention was greatest for black youth for all but public order offenses—youth of other races had a slightly greater percent of public order cases detained (24%) than black youth (23%). The overall percent of cases detained for blacks was 1.4 times that for whites and 1.2 times that for other races. The greatest disparity between blacks and whites or other races was in the likelihood of detention in drug cases—the proportion for blacks was more than 2 times that for whites and nearly 2 times that for youth of other races.

Percent of cases detained, 2002:

Offense	White	Black	Other races
Delinquency	18%	25%	21%
Person	23	28	27
Property	15	22	17
Drugs	16	33	17
Public order	21	23	24

The racial profile for detained delinquency cases was similar for males and females in 2002

In 2002, the black proportion of detained delinquency cases (36%) was substantially greater than the black proportion of the juvenile population (16%) and also greater than the black proportion of delinquency cases handled during the year (29%). The overrepresentation of black juveniles in the detention caseload was greater among person offenses (41%) than other offenses. The black proportion of detained person offense cases was similar among males (40%) and females (41%). Across offenses, for males and females, the black proportion of detained cases was in the 30%–40% range. The one exception was among detained females referred for drug offenses. Blacks accounted for just 19% of this group—close to their representation in the juvenile population (16%).

Racial profile of detained cases by gender, 2002:

Offense	White	Black	Other races	Total
Total				
Delinquency	61%	36%	3%	100%
Person	56	41	3	100
Property	60	36	4	100
Drugs	61	36	2	100
Public order	66	31	4	100
Male				
Delinquency	60	36	3	100
Person	56	40	4	100
Property	60	36	4	100
Drugs	58	40	2	100
Public order	66	31	4	100
Female				
Delinquency	62	35	4	100
Person	56	41	3	100
Property	61	35	4	100
Drugs	78	19	4	100
Public order	64	32	4	100

Note: Detail may not total 100% because of rounding.

The offense profile of detained cases varied by race and by gender in 2002

For males, the person offense share of delinquency cases was greater among detained cases involving black youth (31%) than among detained cases involving white youth (26%) or youth of other races (28%). For male youth of other races, drug offense cases accounted for 8% of detained cases, compared with 12% for white males and 13% for black males.

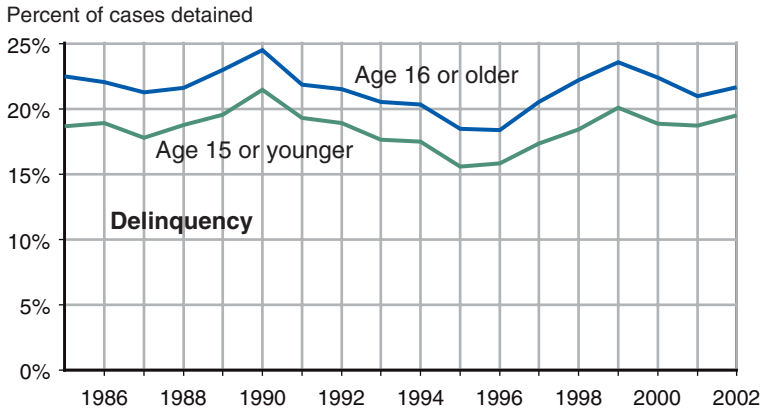
Among females, blacks had a higher proportion of person offenses in the detention caseload (41%) than did either whites (31%) or youth of other races (27%). For white females, drug offense cases accounted for 11% of detained cases, compared with 5% for black females and 9% for females of other races.

Offense profile of detained cases by race and gender, 2002:

Offense	White	Black	Other races
Total			
Delinquency	100%	100%	100%
Person	27	33	28
Property	32	32	36
Drugs	12	12	8
Public order	29	23	28
Male			
Delinquency	100%	100%	100%
Person	26	31	28
Property	34	33	38
Drugs	12	13	8
Public order	29	22	26
Female			
Delinquency	100%	100%	100%
Person	31	41	27
Property	27	28	32
Drugs	11	5	9
Public order	30	26	32

Note: Detail may not total 100% because of rounding.

Each year from 1985 through 2002, delinquency cases involving youth age 16 or older were more likely to be detained than were cases involving youth age 15 or younger



Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002.*

The petitioned caseload increased 80% from 1985 to 2002 as formal case handling became more likely

In a formally processed case, petitioners ask the court to order sanctions

Formal case handling involves the filing of a petition requesting that the court hold an adjudicatory or waiver hearing. Decisionmakers (police, probation, intake, prosecutor, or other screening officer) may consider informal case handling if they believe that accountability and rehabilitation can be achieved without formal court intervention. Compared with informally handled (nonpetitioned) cases, formally processed (petitioned) delinquency cases tend to involve more serious offenses, older juveniles, and juveniles with longer court histories.

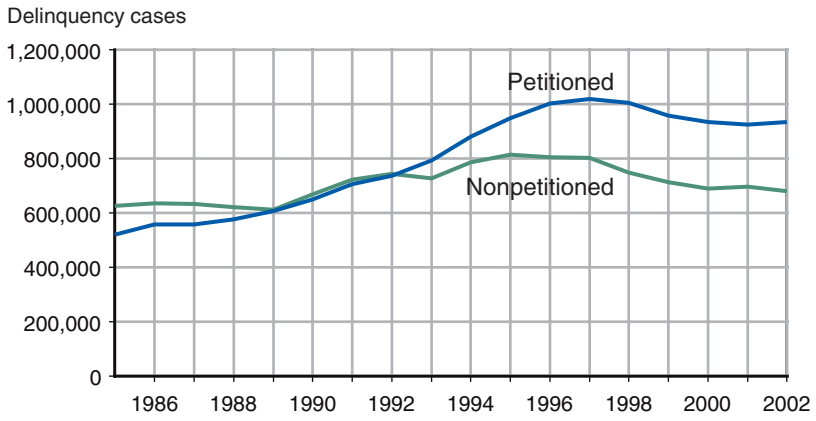
If the court decides to handle the matter informally, the offender agrees to comply with one or more sanctions such as community service, victim restitution, or voluntary probation supervision. Informal cases are generally held open pending successful completion of the disposition. If the court's conditions are met, the charges are dismissed. If, however, the offender does not fulfill the conditions, the case is likely to be petitioned for formal processing.

The use of formal handling has increased

In 1985, juvenile courts formally processed 45% of delinquency cases. By 2002, that proportion had increased to 58%. Cases in each of the four general offense categories were more likely to be handled formally in 2002 than in 1985.

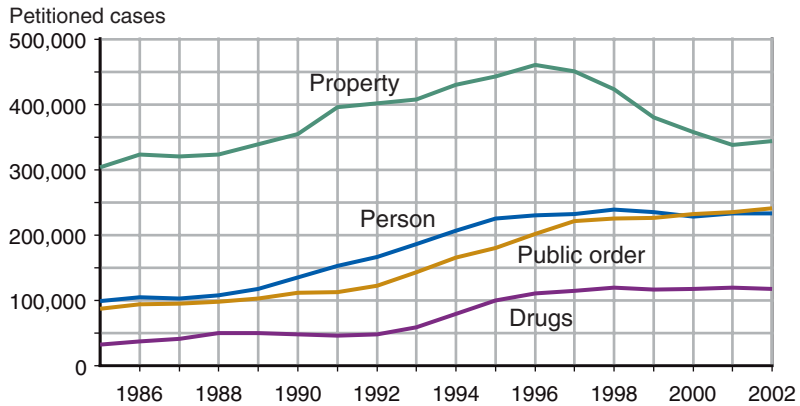
In 2002, property offense cases were the least likely to be petitioned for formal handling, and drug cases were the most likely. In fact, from 1985 to 2002, drug offense cases went from least likely to most

The number of petitioned delinquency cases increased 96% between 1985 and the peak in 1997, then declined 8% by 2002



- The number of delinquency cases petitioned in 2002 (934,900) was 80% more than the number petitioned in 1985 (520,200). In comparison, the overall number of delinquency cases referred increased 41% in that time.
- Compared with the trend for the petitioned caseload, the trend for nonpetitioned cases was flatter. The number of nonpetitioned delinquency cases increased 28% between 1985 and the peak in 1997 then declined 15% by 2002 for an overall increase of 9%.

Between 1985 and 2002, the petitioned caseload increased for each of the four general offense categories



- Between 1985 and 2002, petitioned person offense cases increased 137%, property cases 13%, drug offense cases 26%, and public order cases 178%.
- The up-and-down trend in the petitioned caseload for delinquency cases overall was driven by property cases. The number of petitioned property cases increased 52% between 1985 and the peak in 1996 then declined 25% by 2002. Among the other offense categories, the number of petitioned cases increased and then leveled off but did not decline noticeably.

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002.*

likely to be petitioned. The 61% petitioning rate for drug cases in 2002, however, was substantially lower than the peak rate of 68% in 1991. No other offense category experienced such an upsurge in petitioning between 1985 and 2002.

Percent of delinquency cases petitioned:

Offense	1985	2002
Delinquency	45%	58%
Person	54	60
Property	44	55
Drugs	43	61
Public order	45	59

The proportion of petitioned cases increased from 1985 to 2002 for all demographic groups

The likelihood of formal case processing increased from 1985 to 2002 for both males and females and for all races and ages.

Percent of delinquency cases petitioned:

Characteristic	1985	2002
Gender		
Male	48%	61%
Female	35	50
Race		
White	42	55
Black	56	65
Other races	44	58
Age		
15 or younger	42	55
16 or older	50	61

In 2002, as in 1985, courts petitioned a larger share of delinquency cases involving males than females. This was true for each of the general offense categories. Courts petitioned a larger share of delinquency cases involving blacks than whites or youth of other races.

In 2002, juvenile courts petitioned nearly 6 in 10 delinquency cases for formal handling and adjudicated youth delinquent in nearly 7 in 10 of those petitioned cases

Most serious offense	Number of petitioned cases	Percent of delinquency cases petitioned	Number of adjudicated cases	Percent of petitioned cases adjudicated
Total delinquency	**934,900**	**58%**	**624,500**	**67%**
Person offense	**233,300**	**60**	**145,800**	**62**
Violent Crime Index	56,400	75	37,000	66
Criminal homicide	1,400	82	800	57
Forcible rape	3,700	78	2,500	68
Robbery	18,600	86	11,900	64
Aggravated assault	32,700	69	21,900	67
Simple assault	147,900	55	90,500	61
Other violent sex offense	13,300	81	9,100	68
Other person offense	15,800	63	9,200	58
Property offense	**343,500**	**55**	**233,600**	**68**
Property Crime Index	237,600	55	166,700	70
Burglary	77,800	78	58,300	75
Larceny-theft	124,100	44	83,600	67
Motor vehicle theft	30,300	79	21,500	71
Arson	5,400	67	3,400	63
Vandalism	49,100	52	31,800	65
Trespassing	23,900	47	13,600	57
Stolen property offense	16,500	75	10,200	62
Other property offense	16,500	63	11,300	68
Drug law violation	**117,100**	**61**	**79,100**	**68**
Public order offense	**240,900**	**59**	**166,000**	**69**
Obstruction of justice	129,500	71	92,800	72
Disorderly conduct	47,900	44	29,900	62
Weapons offense	21,400	60	14,700	69
Liquor law violation	9,800	35	6,000	61
Nonviolent sex offense	8,500	55	6,100	72
Other public order offense	23,800	61	16,500	69

- Generally, more serious offenses were more likely to be petitioned for formal processing than were less serious offenses.
- For criminal homicide, robbery, and violent sex offenses other than rape, more than 80% of cases were petitioned. The proportion of cases petitioned was lower than 50% for liquor law violations, disorderly conduct, larceny-theft, and trespassing.
- For most offenses, the youth was adjudicated delinquent in more than 60% of petitioned cases.

Note: Detail may not add to totals because of rounding. Calculations are based on unrounded numbers.

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002*.

From 1985 to 2002, the number of cases in which the youth was adjudicated delinquent rose 85%

Adjudication was more likely for some types of cases than others

Youth were adjudicated delinquent in a smaller proportion of person offense cases than in cases involving other categories of offenses. This lower rate of adjudication in person offense cases may reflect, in part, reluctance to divert these cases from the formal juvenile justice system without a judge's review.

Adjudication rates also varied by gender, race, and age of the youth. The likelihood of adjudication in 2002 was somewhat less for females than for males. This was true across offense categories. Black youth were less likely to be adjudicated than were white youth or youth of other races. Cases involving youth age 15 or younger were slightly more likely to result in adjudication than cases involving older youth, although older youth had a greater share of cases waived to criminal court.

Percent of petitioned delinquency cases adjudicated:

Offense	1985	2002
Gender		
Male	66%	67%
Female	62	64
Race		
White	67	71
Black	59	58
Other races	72	75
Age		
15 or younger	66	67
16 or older	64	66

Offense profiles for petitioned and adjudicated cases show a shift away from property cases

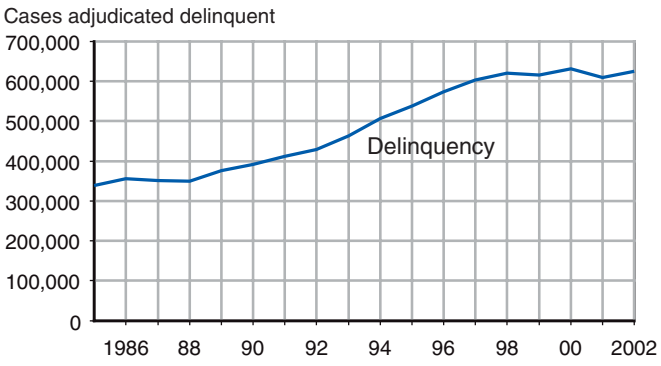
Compared with 1985, both petitioned and adjudicated cases had increased proportions of person, drug, and public order offenses in 2002. The 2002 offense profile for adjudicated cases was very similar to the profile for petitioned cases.

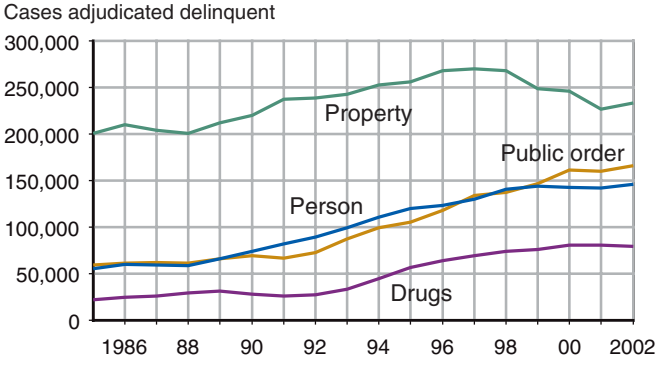
Offense profile of delinquency cases:

Offense	1985	2002
Petitioned cases	100%	100%
Person	19	25
Property	58	37
Drugs	6	13
Public order	17	26
Adjudicated cases	100%	100%
Person	16	23
Property	59	37
Drugs	7	13
Public order	18	27

Note: Detail may not total 100% because of rounding.

The number of cases in which the youth was adjudicated delinquent rose steadily from 1985 to 2002; except for property cases, the offense-specific trends followed the same pattern





- The number of cases in which the youth was adjudicated delinquent increased for all offense categories between 1985 and 2002 (person 162%, property 16%, drugs 257%, and public order 180%). Only property offenses had a decline in adjudicated cases in recent years—down 13% between 1997 and 2002.

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002*.

Most adjudicated delinquency cases result in residential placement or formal probation

Residential placement and formal probation caseloads saw a shift away from property cases

Compared with 1985, both residential placement and formal probation cases had increased proportions of person, drug, and public order offenses in 2002. In 2002, cases ordered to residential placement had a greater share of person and public order cases and a smaller share of drug cases than cases ordered to formal probation.

Offense profile of delinquency cases:

Offense	1985	2002
Residential placement	100%	100%
Person	18	26
Property	56	37
Drugs	5	10
Public order	22	28
Formal probation	100%	100%
Person	16	24
Property	61	38
Drugs	7	13
Public order	16	25

Note: Detail may not total 100% because of rounding.

Residential placement and probation caseloads increased between 1985 and 2002

The number of delinquency cases in which adjudicated youth were ordered out of the home to some form of residential placement rose 44% between 1985 and 2002, from 100,400 to 144,000. In comparison, the number of delinquency cases receiving formal probation as the most severe initial disposition following adjudication more than doubled from 1985 to 2002, from 189,600 to 385,400. The growth in formal probation cases was greater than the growth in delinquency cases at referral (41%) and adjudication (85%).

The number of adjudicated cases receiving other sanctions (e.g.,

In 2002, residential placement or formal probation was ordered in 85% of cases in which the youth was adjudicated delinquent

	Adjudicated cases			
Most serious offense	Number ordered to placement	Percent ordered to placement	Number ordered to probation	Percent ordered to probation
Total delinquency	**144,000**	**23%**	**385,400**	**62%**
Person offense	**37,200**	**25**	**92,000**	**63**
Violent Crime Index	12,500	34	20,900	56
Criminal homicide	400	50	300	43
Forcible rape	1,000	39	1,100	44
Robbery	5,000	42	6,000	50
Aggravated assault	6,100	28	13,400	62
Simple assault	20,000	22	59,200	65
Other violent sex offense	2,700	30	5,800	64
Other person offense	1,900	21	6,200	68
Property offense	**52,700**	**23**	**147,300**	**63**
Property Crime Index	39,600	24	106,200	64
Burglary	15,500	27	37,400	64
Larceny-theft	15,900	19	54,100	65
Motor vehicle theft	7,400	35	12,400	58
Arson	700	21	2,200	64
Vandalism	5,400	17	20,800	65
Trespassing	2,300	17	8,600	63
Stolen property offense	3,100	30	5,500	54
Other property offense	2,200	19	6,100	54
Drug law violation	**14,400**	**18**	**50,900**	**64**
Public order offense	**39,800**	**24**	**95,200**	**57**
Obstruction of justice	28,400	31	52,500	57
Disorderly conduct	3,900	13	17,600	59
Weapons offense	3,200	22	9,600	65
Liquor law violation	600	10	3,500	59
Nonviolent sex offense	1,700	28	3,800	62
Other public order offense	1,900	12	8,200	50

- Cases involving youth adjudicated for serious person offenses, such as homicide, rape, or robbery, were the most likely cases to result in residential placement.
- Probation was the most restrictive disposition used in 385,400 cases adjudicated delinquent in 2002—62% of all such cases handled by juvenile courts.
- Obstruction of justice cases had a relatively high residential placement rate, stemming from the inclusion in the category of certain offenses (e.g., escapes from confinement and violations of probation or parole) that have a high likelihood of placement.

Note: Detail may not add to totals because of rounding. Calculations are based on unrounded numbers.

Source: Authors' analyses of the National Center for Juvenile Justice's *National Juvenile Court Data Archive: Juvenile court case records 1985–2002* [machine-readable data file].

community service, restitution) as their most severe disposition rose 140% from 1985 to 2002, from 35,400 to 85,000. However, the majority of cases resulting in other sanctions were handled informally.

Probation was more likely than residential placement

In 23% of adjudicated delinquency cases, the court ordered the youth to residential placement such as a training school, treatment center, boot camp, drug treatment or private placement facility, or group home. In 62% of adjudicated delinquency cases, probation was the most severe sanction ordered.

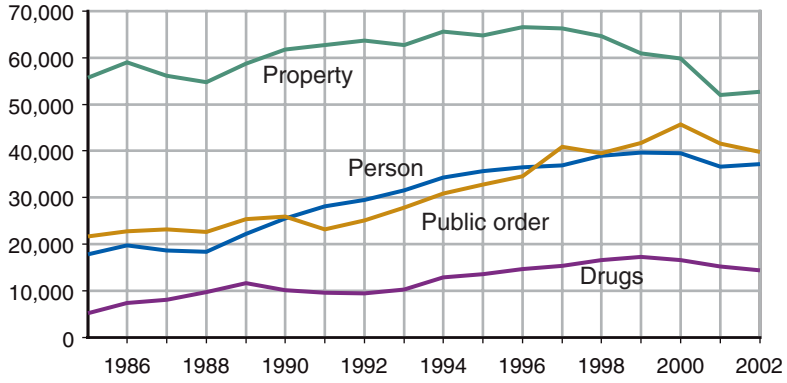
Percent of adjudicated delinquency cases, 2002:

Characteristic	Residential placement	Formal probation
Total	23%	62%
Gender		
Male	25	61
Female	18	65
Race		
White	21	62
Black	27	63
Other races	25	54
Age		
15 or younger	22	65
16 or older	25	58

Once adjudicated, females were less likely than males, and white youth were less likely than black youth or youth of other races, to be ordered to residential placement. These demographic patterns in the use of residential placement and probation, however, do not control for criminal histories and other risk factors related to dispositional decisions and increased severity of sanctions.

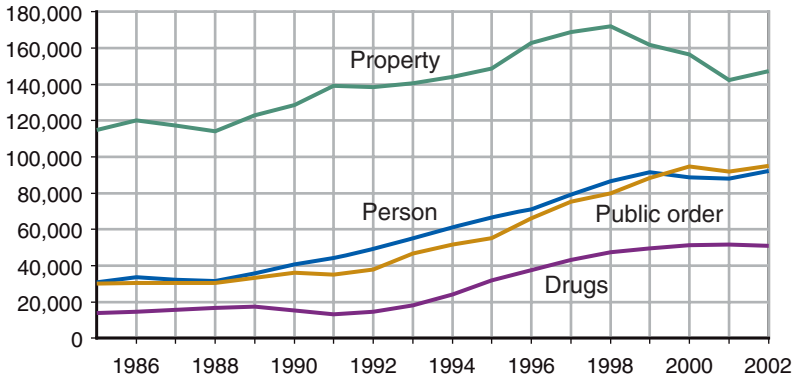
Trends in the number of adjudicated property offense cases ordered to residential placement or probation were different from trends for other offenses

Cases adjudicated delinquent resulting in residential placement



- The number of adjudicated cases in which the youth was ordered to residential placement increased 44% from 1985 to 2002. Residential placement cases rose 179% for drug offenses, 109% for person offenses, and 83% for public order offenses. For property offenses, the number of adjudicated cases resulting in residential placement decreased 5%.

Cases adjudicated delinquent resulting in probation



- Between 1985 and 2002, the number of cases in which the youth was adjudicated delinquent and ordered to formal probation increased for all offense categories (person 198%, property 28%, drugs 267%, and public order 218%). Only property offenses had a substantial decline in recent years in adjudicated cases ordered to formal probation—down 14% between 1998 and 2002.

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002.*

Probation conditions are designed to control and rehabilitate

Probation is the oldest and most widely used community-based corrections program. Probation is used both for first-time, low-risk offenders and as an alternative to institutional confinement for more serious offenders. During a period of probation supervision, a juvenile offender remains in the community and can continue normal activities such as school and work. However, the juvenile must comply with certain conditions.

Compliance with probation conditions may be voluntary: the youth agrees to conditions in lieu of formal adjudication. Or compliance may be mandatory following adjudication: the youth is formally ordered to a term of probation and must comply with the conditions established by the court. Most (62%) juvenile probation dispositions in 2002 were formal (i.e., enacted under court order following adjudication).

In addition to being required to meet regularly with a probation officer, a juvenile assigned to probation may be ordered to adhere to a curfew, complete a specified period of community service, or pay restitution. More serious offenders may be placed on intensive supervision requiring more frequent contact with their probation officer and stricter conditions. Typically, probation can be revoked if the juvenile violates the conditions. If probation is revoked, the court may reconsider its disposition and impose stricter sanctions.

Black youth account for a disproportionate share of cases at all stages of case processing

Racial profile, 2002:

Stage/ offense	White	Black	Other races	Total
Referred				
Delinquency	67%	29%	3%	100%
Person	60	37	3	100
Property	68	28	4	100
Drugs	76	21	3	100
Public order	68	29	3	100
Detained				
Delinquency	61	36	3	100
Person	56	41	3	100
Property	60	36	4	100
Drugs	61	36	2	100
Public order	66	31	4	100
Petitioned				
Delinquency	64	33	3	100
Person	57	40	3	100
Property	65	31	4	100
Drugs	70	28	3	100
Public order	66	31	3	100
Waived to criminal court				
Delinquency	62	35	3	100
Person	55	41	4	100
Property	71	26	3	100
Drugs	58	39	2	100
Public order	65	32	4	100
Adjudicated				
Delinquency	67	29	4	100
Person	61	36	4	100
Property	68	27	4	100
Drugs	74	23	3	100
Public order	69	27	4	100
Ordered to residential placement				
Delinquency	63	33	4	100
Person	58	37	4	100
Property	65	30	5	100
Drugs	59	38	3	100
Public order	65	31	4	100
Ordered to formal probation				
Delinquency	67	29	3	100
Person	61	36	3	100
Property	68	28	4	100
Drugs	75	22	3	100
Public order	69	28	3	100
Juvenile population				
Ages 10 to upper age	78	16	6	100

Note: Detail may not total 100% because of rounding.

The overrepresentation of black youth was greatest for person offense cases. At most stages of case processing, the share of white youth was greater for drug offenses than other offense categories. At all stages of the system, youth of other races made up 5% or less of the caseload.

The proportion of cases that involved black youth was the same for adjudicated cases as for cases overall (29%). In fact, the racial profile of cases was similar at referral and adjudication for all offense categories.

The largest proportion of black youth was found in detained and waived person offense cases, where black youth accounted for 41% of cases.

How were delinquency cases processed in juvenile courts in 2002?

Juvenile courts can impose a range of sanctions

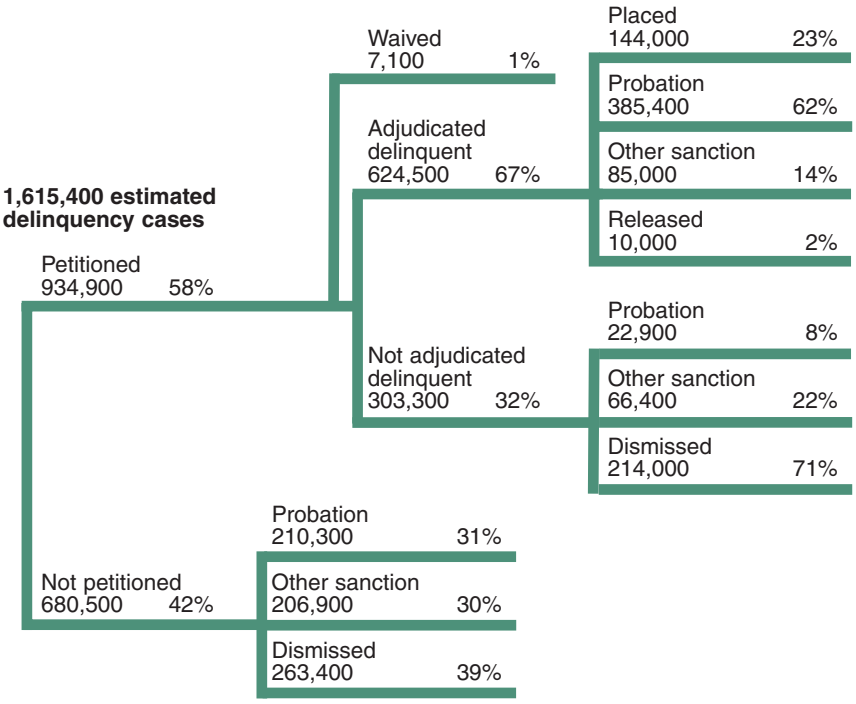
Although juvenile courts handled more than 4 of 10 delinquency cases without the filing of a petition, more than half of these nonpetitioned cases received some sort of sanction. Juveniles may have agreed to informal probation, restitution, or community service, or the court may have referred them to another agency for services. Although probation staff monitor the juvenile's compliance with the informal agreement, such dispositions generally involve little or no continuing supervision by probation staff.

In 32% of all petitioned delinquency cases, the youth was not adjudicated delinquent. The court dismissed 71% of these cases. The court-dismissed cases, together with the cases that were dismissed at intake, accounted for 477,400 cases (or 295 of 1,000 cases handled).

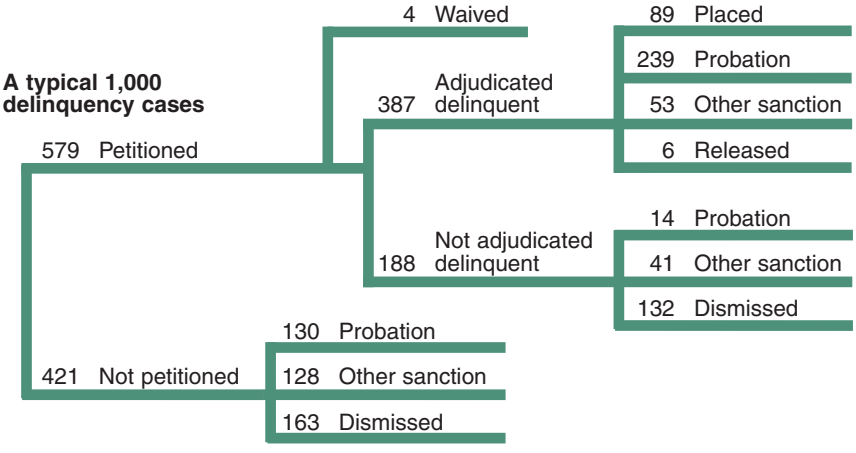
In a relatively small number of cases (10,000), the juvenile was adjudicated delinquent but was released with no further sanction or consequence. These cases accounted for about 2% of adjudicated cases (or 6 of 1,000 cases processed during the year).

In 66% of all petitioned cases, the courts imposed a formal sanction or waived the case to criminal court. Thus, of every 1,000 delinquency cases handled formally in 2002, 385 resulted in waiver or a court-ordered sanction.

In 2002, the most severe sanction ordered in 85,000 adjudicated delinquency cases (14%) was something other than residential placement or probation, such as restitution or community service



Adjudicated cases receiving sanctions other than residential placement or probation accounted for 53 out of 1,000 delinquency cases processed during the year

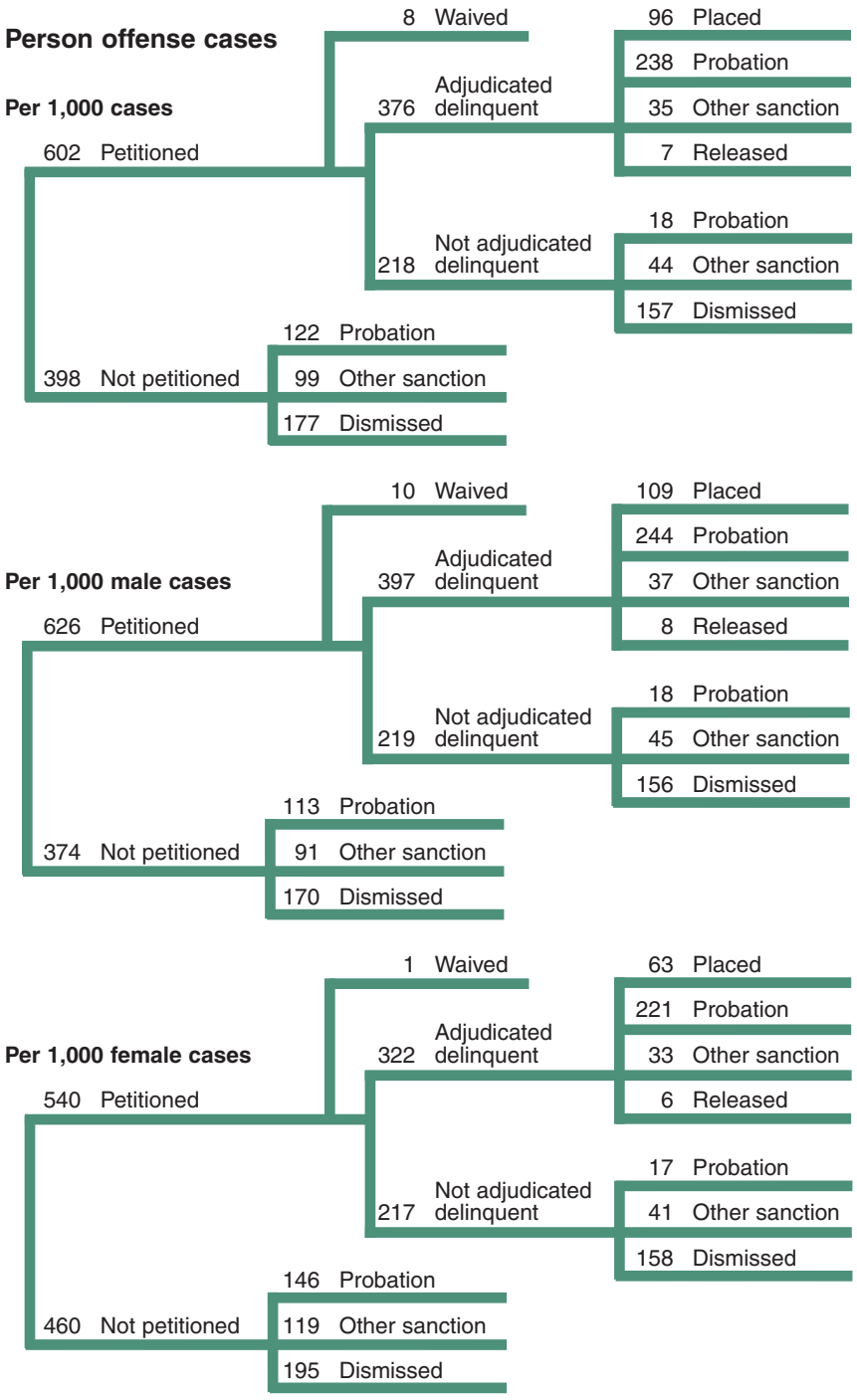


Notes: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002.*

Delinquency case processing varied by offense, gender, and race

In 2002, person offense cases involving males were more likely to result in court-ordered sanctions than cases involving females

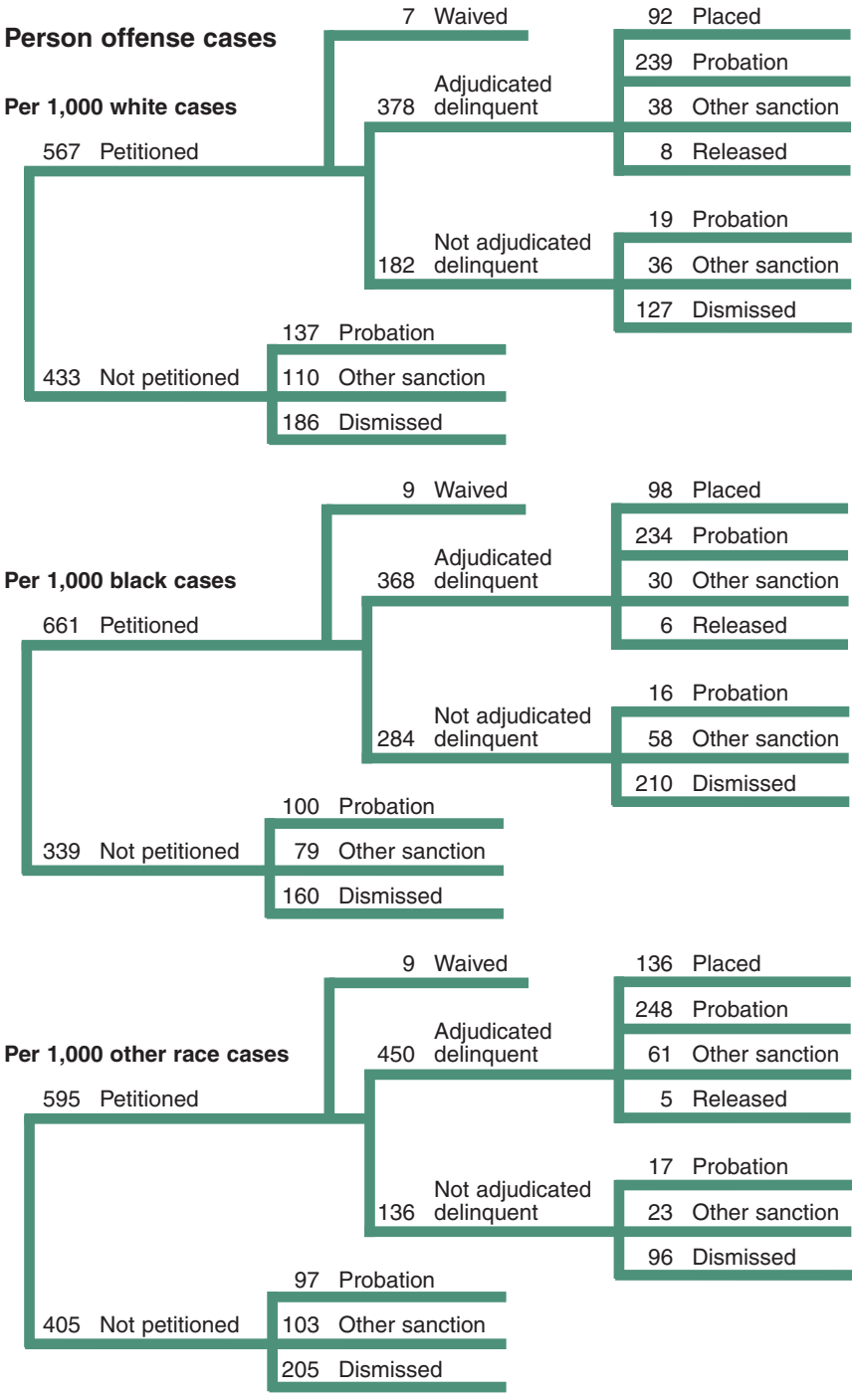


- Among males, 109 of 1,000 person offense cases handled in 2002 resulted in court-ordered placement in a residential facility. In comparison, 63 of 1,000 person offense cases involving females resulted in court-ordered residential placement.
- The male-female difference in residential placement rates among person offense cases reflects the fact that male cases were more likely to be petitioned (63% vs. 54%); if petitioned, were more likely to be adjudicated (63% vs. 60%); and finally, if adjudicated, were more likely to receive residential placement as a sanction (27% vs. 19%).
- Of 1,000 person offense cases involving males, 390 resulted in some sort of court-ordered sanction (residential placement, formal probation, restitution, community service, etc.) following adjudication. The comparative figure for females is 317.
- Person offense cases involving males were more likely to be waived to criminal court (10 in 1,000) than were cases involving females (1 in 1,000).
- These gender differences in the overall handling of person offense cases do not control for differences in offense seriousness, criminal histories, and other risk factors related to dispositional decisions and increased severity of sanctions.

Notes: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' adaptation of the Office of Juvenile Justice and Delinquency Prevention's Juveniles in court. *OJJDP statistical briefing book*.

For person offense cases in 2002, juvenile courts ordered sanctions after adjudication at similar rates for white youth (369 of 1,000 cases) and black youth (362 of 1,000 cases)

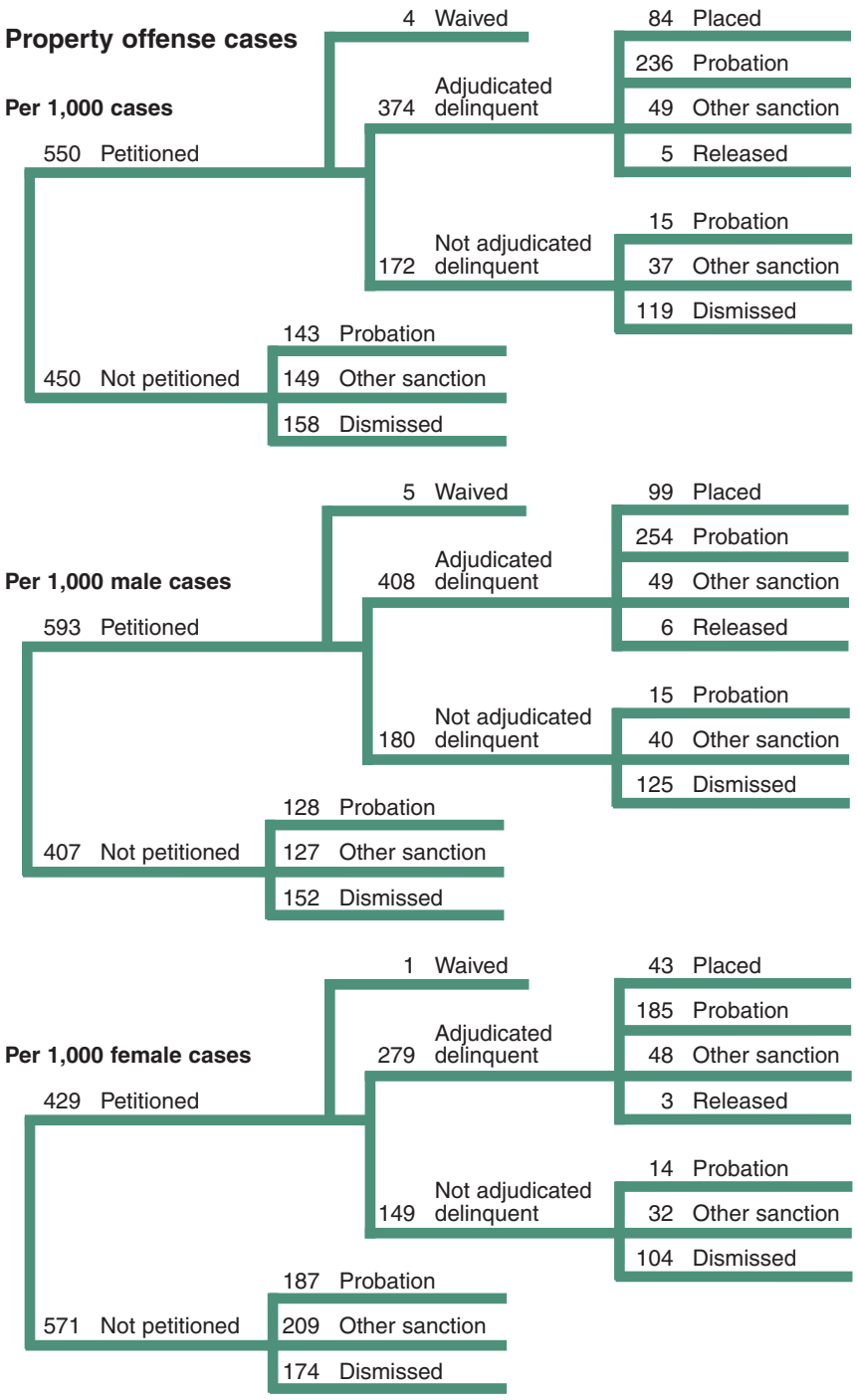


- Person offense cases involving black youth were substantially more likely to be petitioned to court for formal processing than were cases involving white youth or youth of other races. Among black youth, 661 of 1,000 person cases were petitioned, compared with 567 for white youth and 595 for youth of other races.
- The large disparity between white and black youth in the petitioning of person cases disappeared at adjudication. Of 1,000 person cases involving white youth, 378 were adjudicated delinquent. The figure for black youth was 368 of 1,000. Among youth of other races, however, the youth was adjudicated delinquent in 450 of 1,000 person cases.
- Of 1,000 person offense cases involving white youth, 92 resulted in court-ordered residential placement. The comparative figures for black youth and youth of other races are 98 and 136, respectively.
- Juvenile courts waived to criminal court 7 in 1,000 person cases involving white youth. The waiver rate for person cases was 9 in 1,000 for black youth and for youth of other races.
- These racial differences in the overall handling of person offense cases do not control for differences in offense seriousness, criminal histories, and other risk factors related to dispositional decisions and increased severity of sanctions.

Notes: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' adaptation of the Office of Juvenile Justice and Delinquency Prevention's Juveniles in court. *OJJDP statistical briefing book*.

Substantial gender differences existed in the handling of property cases in 2002

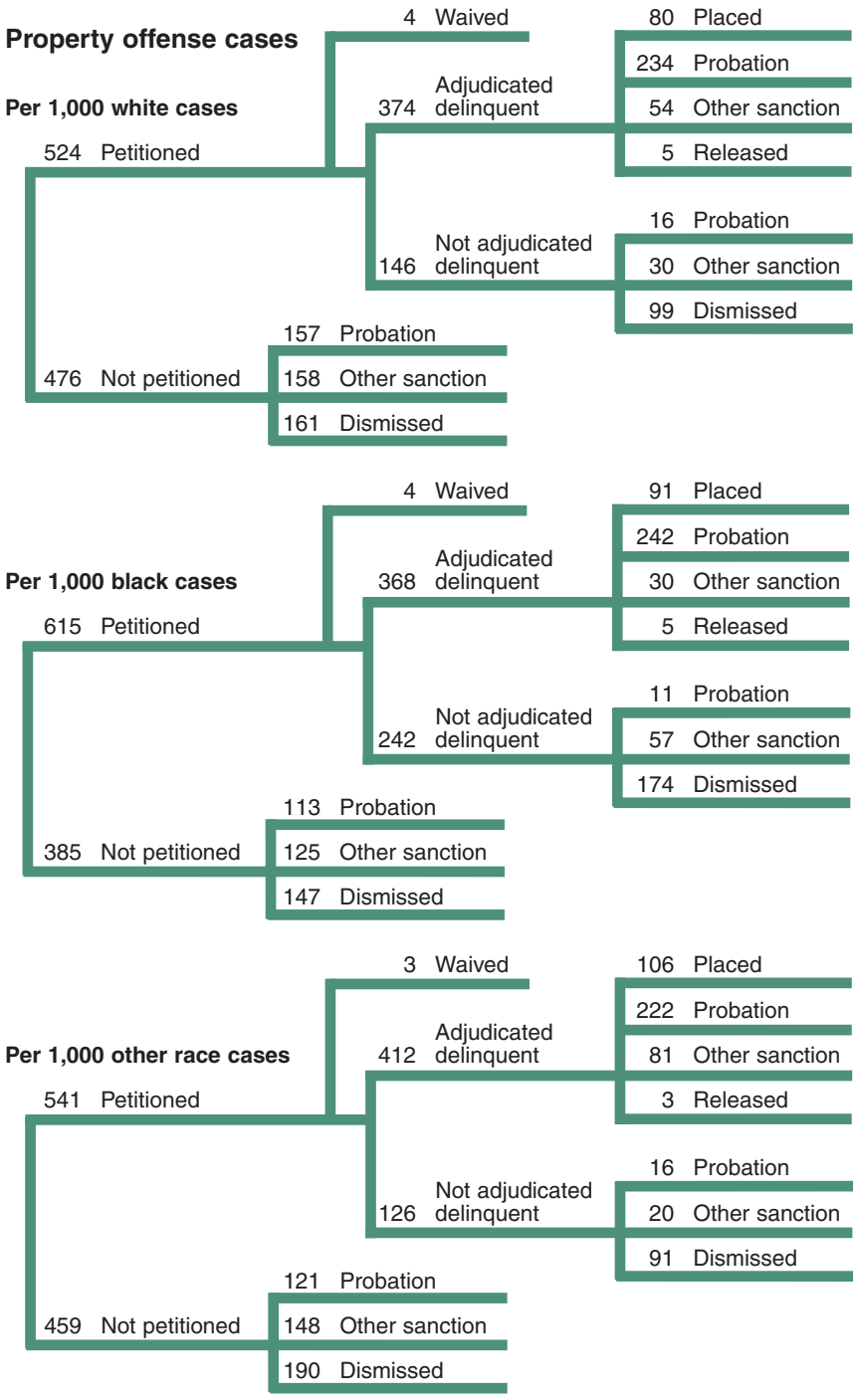


- Of 1,000 property offense cases involving males, 99 resulted in court-ordered placement in a residential facility and an additional 254 resulted in formal probation. For females, 43 property offense cases per 1,000 were ordered to residential placement and 185 were ordered to formal probation.
- As with person cases, property cases involving males were petitioned at a higher rate than cases involving females (59% vs. 43%); if petitioned, were adjudicated at a higher rate (69% vs. 65%); and if adjudicated, were ordered to residential placement at a higher rate (24% vs. 16%).
- Males and females were equally likely to have their property cases dismissed or otherwise released without the imposition of formal or informal sanctions. Of 1,000 property cases involving males, 283 were dismissed or released. Of 1,000 property cases involving females, 281 were dismissed or released.
- These gender differences in the overall handling of property offense cases do not control for differences in offense seriousness, criminal histories, and other risk factors related to dispositional decisions and increased severity of sanctions.

Notes: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' adaptation of the Office of Juvenile Justice and Delinquency Prevention's Juveniles in court. *OJJDP statistical briefing book*.

In 2002, property cases involving white or black youth were less likely to result in court-ordered sanctions than those involving youth of other races

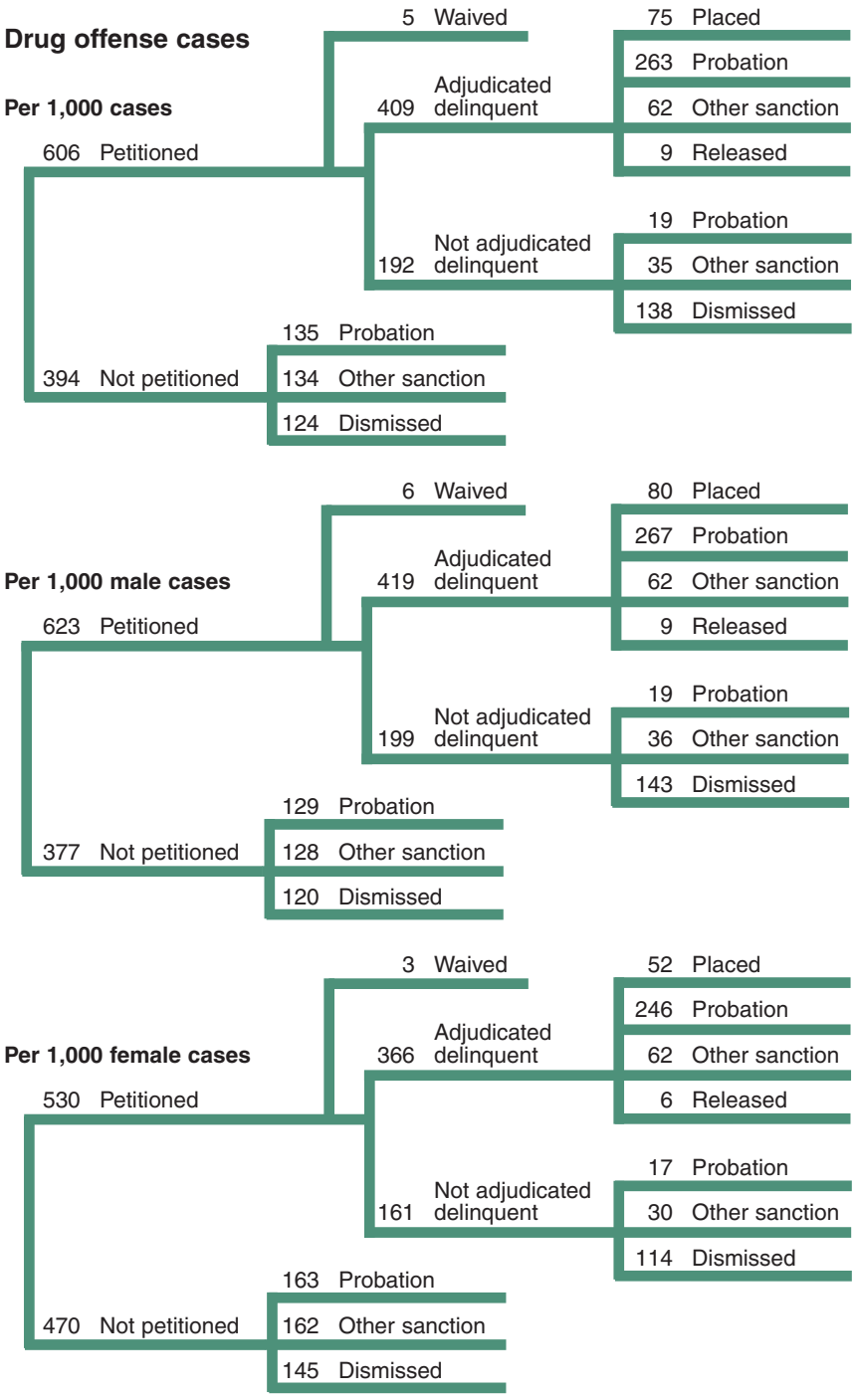


- The court ordered sanctions after adjudication for 368 in 1,000 property cases involving whites, 363 in 1,000 cases involving blacks, and 409 in 1,000 cases involving youth of other races.
- Of 1,000 property offense cases involving white youth, the court ordered 80 to residential placement. The figure was 91 for black youth and 106 for youth of other races.
- Court-ordered sanctions other than residential placement or formal probation were less likely in property cases involving black youth (30 in 1,000) than in cases involving white youth (54) or youth of other races (81).
- Black youth were the most likely to have their property offense cases dismissed or otherwise released without the imposition of formal or informal sanctions. Of 1,000 property cases involving black youth, 326 were dismissed or released. Of 1,000 property cases involving white youth, 265 were dismissed or released. For youth of other races, the figure was 284.
- These racial differences in the overall handling of property offense cases do not control for differences in offense seriousness, criminal histories, and other risk factors related to dispositional decisions and increased severity of sanctions.

Notes: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' adaptation of the Office of Juvenile Justice and Delinquency Prevention's Juveniles in court. *OJJDP statistical briefing book.*

Gender differences in juvenile court handling of drug cases in 2002 diminished as cases proceeded through the system

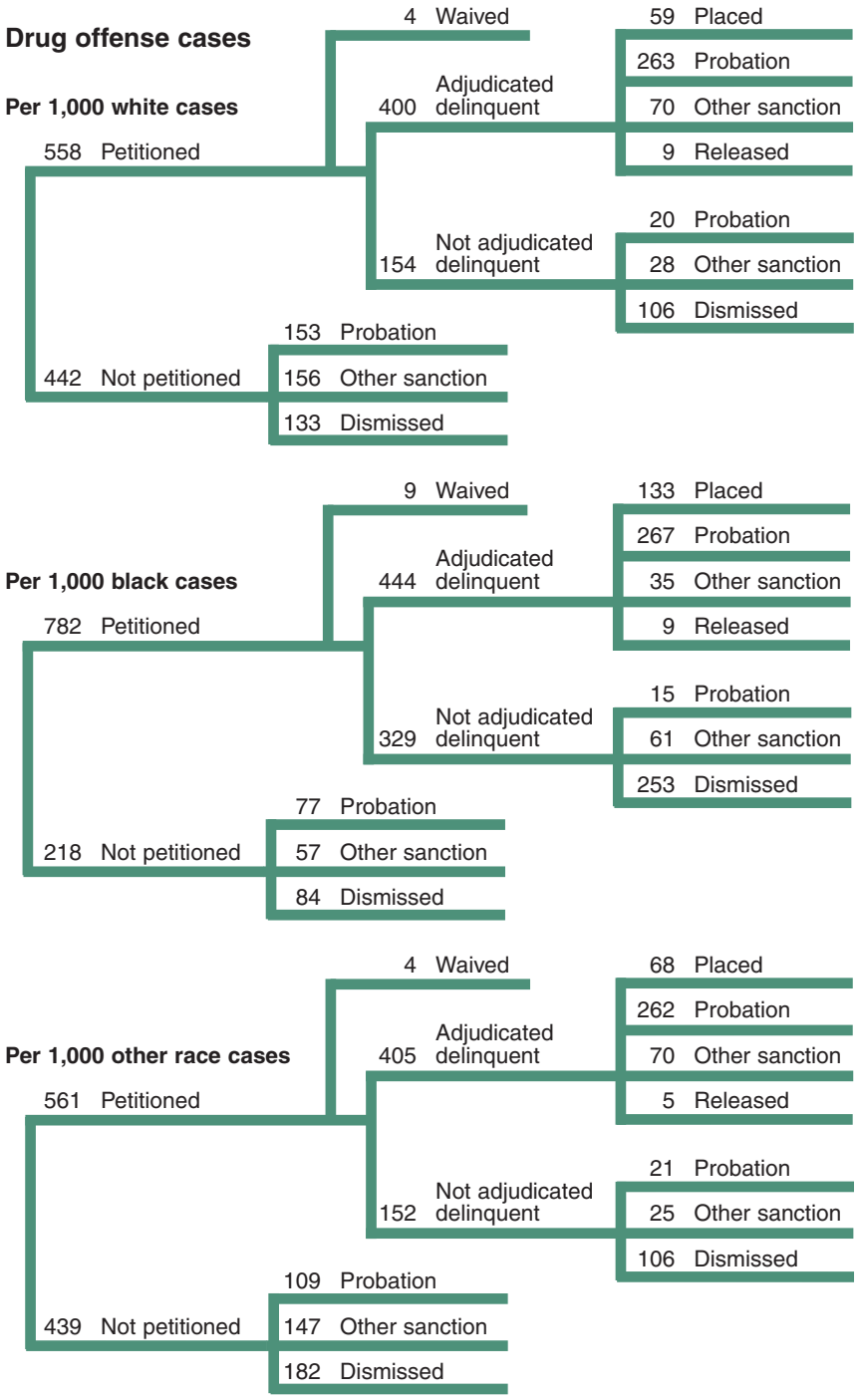


- Of 1,000 drug cases involving males, 409 resulted in some sort of court-ordered sanction (residential placement, formal probation, restitution, community service, etc.) after adjudication. The comparative figure for females is 360.
- This apparent gender difference in the handling of drug cases stems from a large difference between males and females in the proportion of cases petitioned for formal processing. Among males, 62% of drug cases were petitioned, compared with 53% for females. For both males and females, juvenile courts imposed formal sanctions in 98% of cases in which the juvenile was adjudicated delinquent.
- Males and females in drug cases were equally likely to receive court-ordered sanctions other than placement or probation, such as referral to another agency for treatment. Of 1,000 drug cases involving males, 62 received such sanctions. The figure was the same for females.
- These gender differences in the overall handling of drug offense cases do not control for differences in offense seriousness, criminal histories, and other risk factors related to dispositional decisions and increased severity of sanctions.

Notes: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' adaptation of the Office of Juvenile Justice and Delinquency Prevention's Juveniles in court. *OJJDP statistical briefing book*.

Substantial racial differences existed in the processing of drug offense cases in 2002

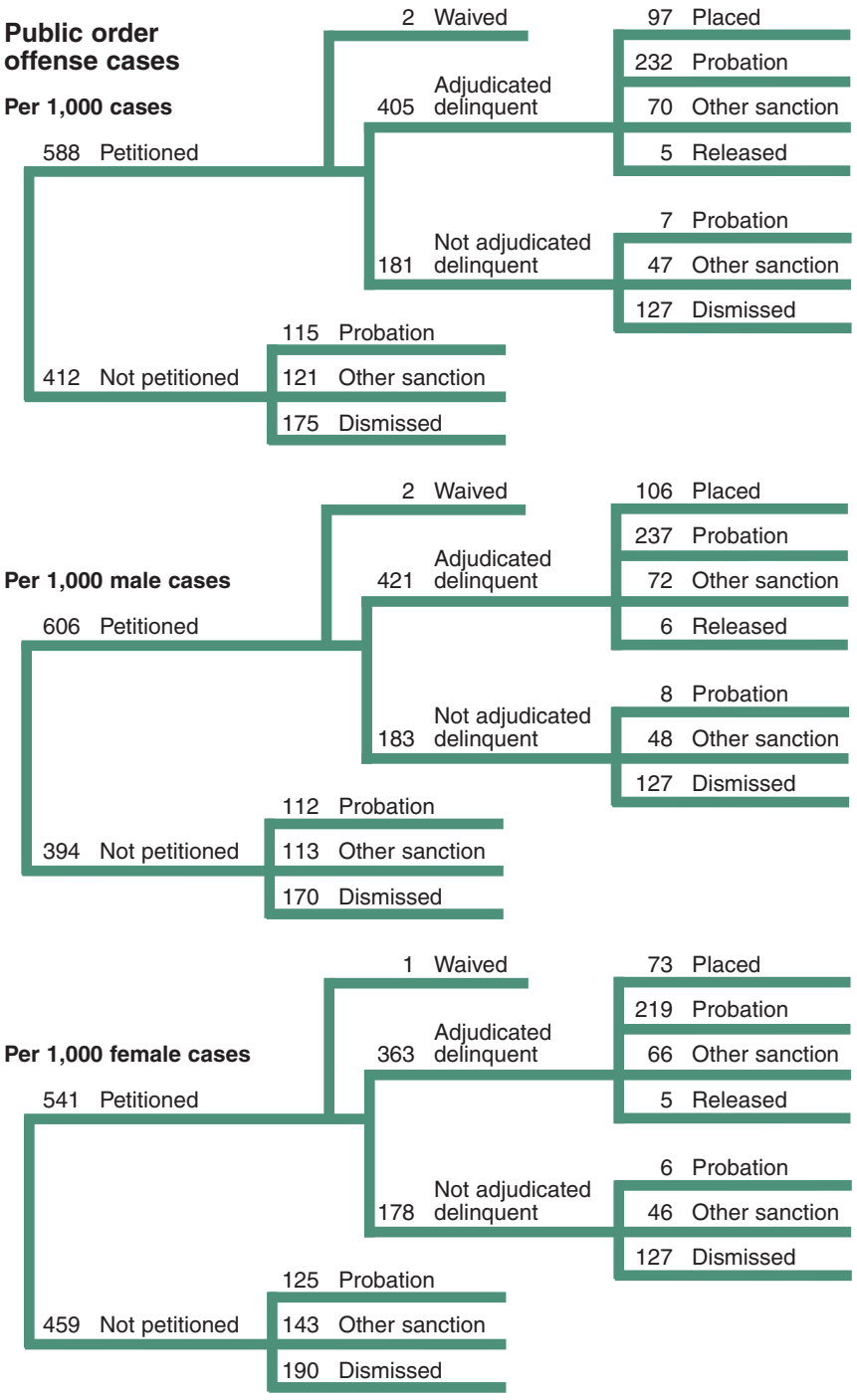


- Drug cases involving black youth were much more likely than cases involving white youth or youth of other races to be petitioned at intake. Among blacks, 782 drug cases in 1,000 were petitioned. The figure was 558 among whites and 561 among youth of other races.
- Black youth were substantially more likely than white youth or youth of other races to have their drug cases dismissed or otherwise released without the imposition of formal or informal sanctions. Of 1,000 drug cases involving black youth, 346 were dismissed or released. The majority of such cases (253) were dismissed following an adjudicatory hearing in which the youth was not adjudicated delinquent. Of 1,000 drug cases involving white youth, 248 were dismissed or released. For youth of other races, the figure was 293. Unlike black youth, both white youth and youth of other races were most often dismissed at intake, without an adjudicatory hearing.
- The proportion of drug cases placed on formal probation was similar across racial groups (263 in 1,000 for whites, 267 for blacks, and 262 for other races).
- These racial differences in the overall handling of drug offense cases do not control for differences in offense seriousness, criminal histories, and other risk factors related to dispositional decisions and increased severity of sanctions.

Notes: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' adaptation of the Office of Juvenile Justice and Delinquency Prevention's Juveniles in court. *OJJDP statistical briefing book.*

Juvenile courts ordered residential placement for 73 in 1,000 public order cases involving females and 106 in 1,000 involving males

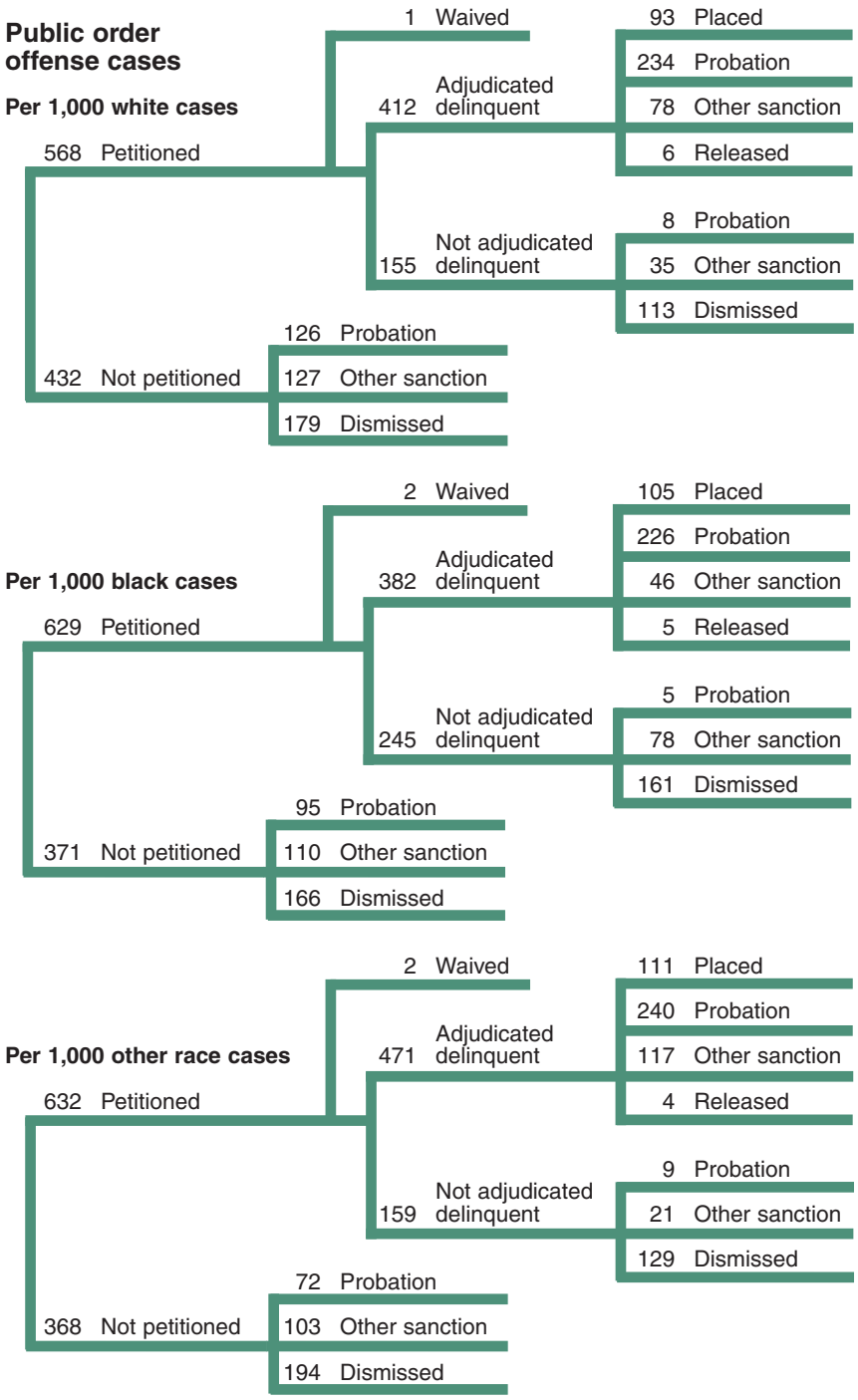


- Of 1,000 public order cases involving males, 237 resulted in court-ordered probation. The figure for females was 219. However, in terms of the proportion of adjudicated public order cases, females were more likely to receive formal probation as their most severe disposition (60%) than were males (56%).
- Residential placement was ordered for 106 of 1,000 public order cases involving males—about the same rate as that for person offense cases involving males (109). This relatively high placement rate reflects this category's inclusion of offenses such as weapons law violations, escape from custody, and probation or parole violations.
- Among females, 73 of 1,000 public order cases resulted in court-ordered residential placement.
- These gender differences in the overall handling of public order offense cases do not control for differences in offense seriousness, criminal histories, and other risk factors related to dispositional decisions and increased severity of sanctions.

Notes: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' adaptation of the Office of Juvenile Justice and Delinquency Prevention's Juveniles in court. *OJJDP statistical briefing book*.

Regardless of race, juvenile courts waived relatively few public order cases to criminal court in 2002



- Black youth and youth of other races had their public order cases petitioned at about the same rate (629 per 1,000 for blacks and 632 per 1,000 for youth of other races). However, courts adjudicated youth of other races at a higher rate (471) than black youth (382).
- Youth of other races were more likely than black youth or white youth to have their public order cases result in court-ordered sanctions other than residential placement or formal probation.
- These racial differences in the overall handling of public order offense cases do not control for differences in offense seriousness, criminal histories, and other risk factors related to dispositional decisions and increased severity of sanctions.

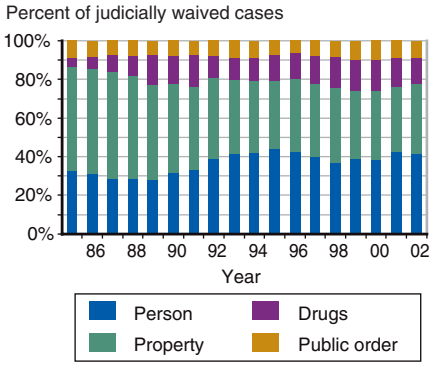
Notes: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' adaptation of the Office of Juvenile Justice and Delinquency Prevention's Juveniles in court. *OJJDP statistical briefing book*.

Courts waived fewer cases in 2002 than in 1985—2001 had the fewest waivers of any year since 1985

The profile of waived cases has changed

In the late 1980s, property cases accounted for at least half of all delinquency cases judicially waived from juvenile court to criminal court. In the early 1990s, the property offense share of waived cases diminished as the person offense share grew. By 1993, the waiver caseload had a greater proportion of person offense cases than property cases (41% vs. 39%). Drug and public order cases made up smaller proportions of waived cases across all years. For example, in 2002, 14% of waived cases were drug offenses and 9% were public order cases.



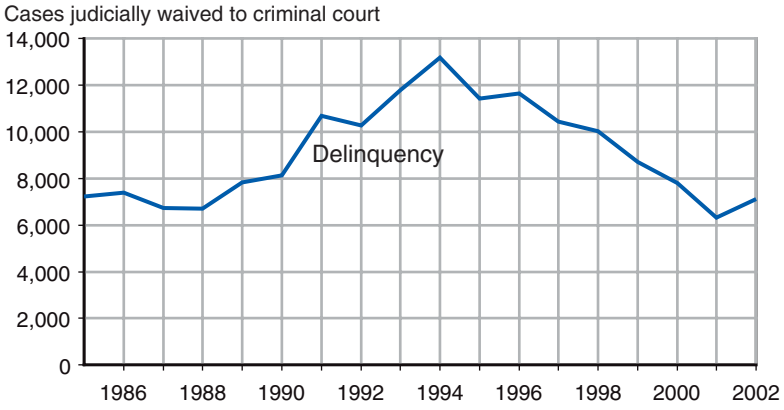
The demographic characteristics of judicially waived cases have also changed since the 1980s.

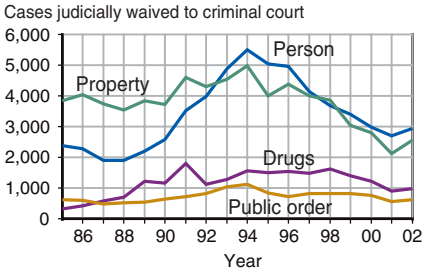
Demographic profiles of judicially waived delinquency cases:

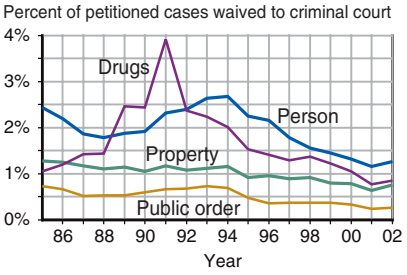
Characteristic	1985	1994	2002
Gender			
Male	95%	95%	93%
Female	5	5	7
Race			
White	58	53	62
Black	41	43	35
Other races	2	4	3
Age			
15 or younger	6	12	13
16 or older	94	88	87

Note: Detail may not total 100% because of rounding.

Juvenile courts waived 46% fewer delinquency cases to criminal court in 2002 than in 1994







- The number of delinquency cases waived to criminal court climbed 83% from 1985 to 1994, from 7,200 to 13,200. By 2001, waived cases were down to 6,300—below the 1985 level. The slight upturn in waived cases for 2002 left the number of waivers in 2002 1% below the number in 1985.
- For most of the period from 1993 through 2002, person offenses outnumbered property offenses among waived cases. Prior to 1993, property cases outnumbered person offense cases among waivers—sometimes by a ratio of nearly 2 to 1.
- The number of waived person offense cases increased 130% from 1985 to 1994 then declined 47% to 2002 for an overall increase of 23% between 1985 and 2002. Over this period, waived property offense cases were down 33% and waived public order offense cases were down 2%.
- The overall proportion of petitioned delinquency cases that were waived was 1.4% in 1985, reached 1.5% in 1991 and 1993, and then dropped to 0.8% by 2002.
- For most years between 1985 and 2002, person offense cases were the most likely type of case to be waived to criminal court. The exception was 1989–1991, when drug offense cases were the most likely to be waived.

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002.*

Although the proportions of judicially waived cases involving females and younger juveniles increased between 1985 and 2002, the vast majority of waived cases involved males age 16 or older. However, the proportion of males age 16 or older among judicially waived cases decreased somewhat, from 89% in 1985 to 80% in 2002.

The likelihood of waiver varied across case characteristics

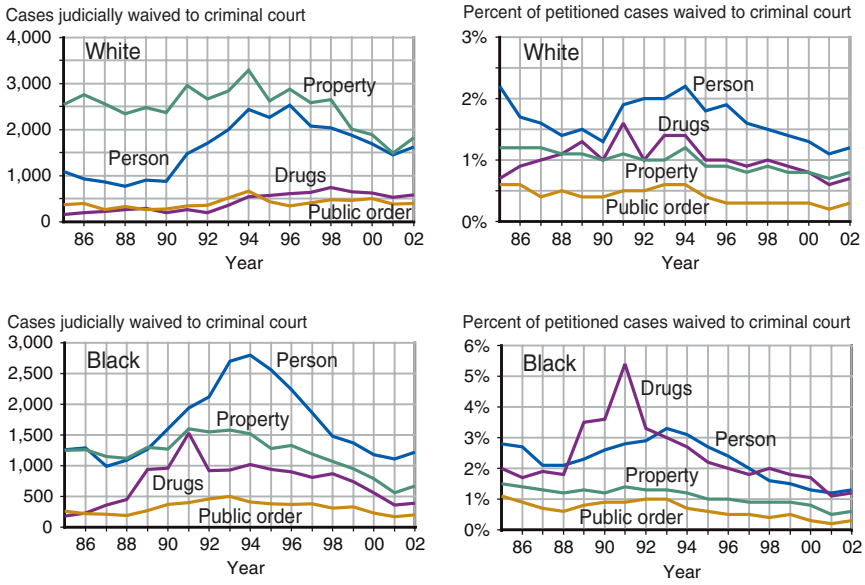
In 2002, the proportion of cases waived was greater for males than for females. This was true in each of the four general offense categories. For example, males charged with person offenses were six times as likely as females charged with person offenses to have their cases waived to criminal court. However, this comparison does not control for differences in the seriousness of offenses or a juvenile's offense history.

Percent of petitioned cases judicially waived to criminal court, 2002:

Offense	Male	Female
Delinquency	0.9%	0.3%
Person	1.6	0.3
Property	0.9	0.3
Drugs	0.9	0.5
Public order	0.3	0.1

In 2002, black youth were more likely than other youth to be waived for drug offenses. White youth were more likely than other youth to be waived for property offenses. Youth of other races were more likely than white youth or black youth to be waived for person offenses. Regardless of race, person offenses were more likely to be waived than cases involving other offenses.

Racial differences in case waivers stem primarily from differences in person and drug offense cases



- Both whites and blacks experienced sharp increases between 1985 and 1994—and substantial drops between 1994 and 2002—in the number of person offense cases waived.
- For most of the period from 1985 to 2002, the likelihood of waiver was greater for black youth than for white youth regardless of offense category. These data, however, do not control for racial differences in offense seriousness within the general offense categories or differences in the seriousness of juveniles' offense histories.

Source: Authors' analyses of Stahl et al.'s *Easy access to juvenile court statistics: 1985–2002* [online analysis].

Percent of petitioned cases judicially waived to criminal court, 2002:

Offense	White	Black	Other races
Delinquency	0.7%	0.8%	0.7%
Person	1.2	1.3	1.5
Property	0.8	0.6	0.6
Drugs	0.7	1.2	0.7
Public order	0.3	0.3	0.3

Cases involving younger juveniles were less likely to be waived than were cases involving older juveniles. This was true for each of the four general offense categories. For example, among person offense cases, youth age 16 or older were seven times more likely to be waived than youth age 15 or younger.

Percent of petitioned cases judicially waived to criminal court, 2002:

Offense	Age 15 or younger	Age 16 or older
Delinquency	0.2%	1.5%
Person	0.4	2.7
Property	0.1	1.6
Drugs	0.0	1.4
Public order	0.1	0.5

Monitoring racial disproportionality in the justice system can reveal potential sources of discrimination

Research finds evidence of disparity in juvenile case processing

While research findings are not completely consistent, reviews (by Pope and Feyerherm and by Pope, Lovell, and Hsia) of existing research literature found that minority (especially black) youth are overrepresented at most stages of the juvenile justice system. Since that review, a rather large body of research has accumulated across numerous geographic regions that reinforces these earlier findings. Based on this research and the fact that juvenile justice systems are fragmented and administered at the local level, it is likely that racial/ethnic disparities exist in some jurisdictions but not in others and that these differences may vary over time.

The extent to which research links disparity to demographic characteristics (thereby implying discrimination) may be affected in part by the research design. For example, the simple proportion of adjudicated youth placed in an out-of-home facility may be greater for minority youth than white youth; however, when the research study controls for the nature of the crimes for which the youth were adjudicated, the statistical effect of race on justice decisionmaking is generally reduced. One could argue that if researchers considered all the factors that decisionmakers consider (e.g., the number and attributes of past offenses, gang involvement, victims' statements, compliance with previous dispositional orders, and family/community support), the statistical effect of race on decisionmaking could be further reduced and possibly even removed. Given that disparity and overrepresentation may exist in the absence of discrimination, it is a challenge for research to determine if there is a unique effect of discrimination on justice system decisionmaking.

Racial/ethnic disparities occur at various decision points within the juvenile justice system

When racial/ethnic disparities do occur, they can be found at any stage of processing within the juvenile justice system. Research suggests that disparity is most pronounced at arrest, the beginning stage, and that when racial/ethnic differences exist, their effects accumulate as youth are processed through the justice system.

One factor to consider in understanding overrepresentation is that outcomes often depend on the jurisdiction in which the youth is processed (Feld's concept of "justice by geography"). For example, juvenile court cases in urban jurisdictions are more likely to receive severe outcomes (e.g., detention prior to adjudication, out-of-home placement following adjudication) than are cases in nonurban areas. Because minority populations are concentrated in urban areas, this geographical effect may work to overrepresent minority youth at each stage of processing when case statistics are summarized at the state level—even when there is no disparity at the local level.

The terms overrepresentation, disparity, and discrimination have different meanings

Overrepresentation refers to a situation in which a larger proportion of a particular group is present at various stages within the juvenile justice system (such as intake, detention, adjudication, and disposition) than would be expected based on its proportion in the general population.

Disparity means that the probability of receiving a particular outcome (e.g., being detained vs. not being detained) differs for different groups. Disparity may in turn lead to overrepresentation.

Discrimination occurs when juvenile justice system decisionmakers treat one group differently from another group based wholly, or in part, on their gender, race, and/or ethnicity.

Neither overrepresentation nor disparity necessarily implies discrimination, although it is one possible explanation. If racial discrimination is a part of justice system decisionmaking, minority youth can face higher probabilities of being arrested, referred to court intake, held in short-term detention, petitioned for formal processing, adjudicated delinquent, and confined in a secure juvenile facility.

Disparity and overrepresentation, however, can result from behavioral and legal factors rather than discrimination. For example, if minority youth commit proportionately more (and more serious) crimes than white youth, they will be overrepresented in secure facilities, even when there was no discrimination by system decisionmakers. In any given jurisdiction, either or both of these causes of overrepresentation/disparity may be operating.

Research is necessary to reveal the decision points at which disparity occurs and to uncover the dynamics that lead to overrepresentation.

The meaning and measurement of DMC have changed

Prior to 2002, the Juvenile Justice and Delinquency Prevention Act required states to assess their level of disproportionate minority confinement (DMC) by using a statistic that divided the proportion of a given minority group of youth who were detained or confined in a state's secure detention facilities, secure correctional facilities, jails, and lockups by the proportion that group represented in the general population. If this statistic (known as the DMC Index) was significantly greater than 1.0 (which was most often the case), the state was required to develop and implement a plan to reduce the disproportionality.

Problems interpreting the DMC Index soon became apparent. First, comparing one jurisdiction's Index to another's was difficult. For example, assume one community's youth population was 3% minority and its juvenile custody population was 12% minority, resulting in a DMC Index of 4. Now assume the other community's youth population was 50% minority and its custody population was 100% minority, resulting in a DMC Index of 2. Which community's juvenile justice system processing is most racially disparate? Clearly, the value of the DMC Index was related in part to the proportion of minority youth in the general population. Communities with low minority proportions could have very high DMC Indexes while communities with high percentages of minority youth could not.

Another problem with the DMC Index was that it provided limited guidance on where to look for the source(s) of disparity. Was disparity introduced at all stages of the system and did it accumulate from beginning to end, or was it introduced only at the earliest stage and then remained through the end stages?

Recognizing that disparity may exist at many decision points (not just detention and corrections), in 2002, the Juvenile Justice and Delinquency Prevention Act broadened the concept labeled "DMC" from disproportionate minority confinement to disproportionate minority contact. Under this new conceptualization, as youth pass through the different stages of the juvenile justice system, they make contact with a series of decisionmakers, each of whom could render a decision that potentially could result in racial disparity. Measuring the disparity at each decision point gives a better understanding of where disparity is introduced and/or magnified in the handling of cases by the juvenile justice system. To address problems with the DMC Index, OJJDP has developed a tool to measure the levels of disparity at each decision point. This tool is called the DMC Relative Rate Index (RRI).

The national Relative Rate Index matrix for 2002 finds more racial disparity at arrest and detention than at other decision points

Decision points	White	Black	Relative Rate Index
Juvenile arrests	1,576,400	625,500	
Cases referred to juvenile court	1,086,700	473,100	
Cases detained	199,700	118,600	
Cases petitioned	596,800	306,000	
Cases judicially waived to criminal court	4,400	2,500	
Cases adjudicated delinquent	421,400	179,000	
Adjudicated cases resulting in placement	90,400	47,500	
Rates (per 100)			
Juvenile arrests to population*	6.1	11.5	1.9
Cases referred to juvenile arrests	68.9	75.6	1.1
Cases detained to cases referred	18.4	25.1	1.4
Cases petitioned to cases referred	54.9	64.7	1.2
Cases waived to cases petitioned	0.7	0.8	1.1
Cases adjudicated to cases petitioned	70.6	58.5	0.8
Placements to cases adjudicated	21.5	26.5	1.2

- For every 100 white youth ages 10–17 in the U.S. population, there were 6.1 arrests of white youth under age 18. The rate for black youth was 11.5, yielding an RRI for the arrest decision of 1.9. The black rate was almost double the white rate.
- Except for the adjudication decision point, the RRI shows a degree of racial disparity for black youth. This disparity accumulates throughout the process, so that in the end, while black youth were 16% of the youth population and were involved in 28% of the arrests of youth in 2002, they accounted for 33% of the juvenile court cases that resulted in an out-of-home placement.

* Population ages 10–17 = 25,994,400 (white) and 5,431,300 (black).

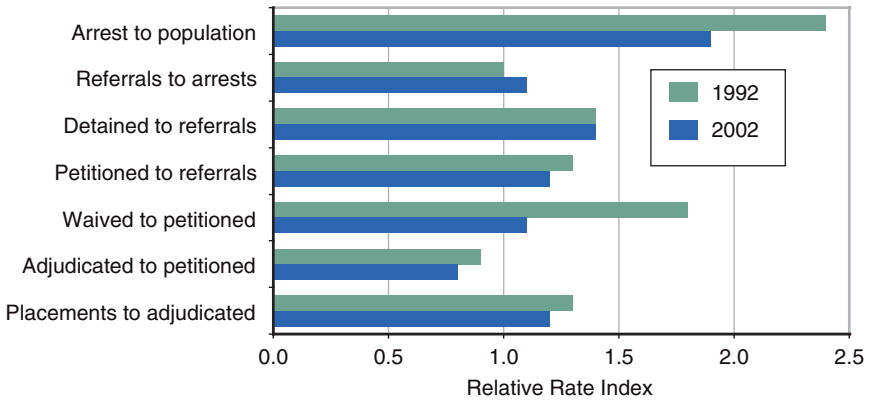
Source: Authors' analysis of Puzzanchera et al.'s *Easy access to juvenile populations* [online analysis], Stahl et al.'s *Easy access to juvenile court statistics 1985–2002* [online analysis], and the FBI's *Crime in the United States 2002*.

The RRI measures disparity at each decision point

The RRI tests for disparity at a series of decision points, typically arrest, referral to juvenile court, detention, petitioning, transfer to criminal court, adjudication, and out-of-home placement following adjudication. (The actual set of decision points used by states and local jurisdictions depends on the structure of their juvenile justice systems and the quality of available data.) The key idea behind the RRI is to quantify the nature of the decisions at each decision point for each racial group and then compare these decisions.

For example, after arrest, law enforcement must decide if the youth should be referred to juvenile court intake. The RRI compares the proportions (or rates) of white and black arrests that are referred to court intake. If, for example, the rate of referral to court intake was 60 out of 100 arrests for whites and 80 out of 100 for blacks, then black arrests were more likely than white arrests to result in referral to juvenile court. There is disparity at this decision point. If the rates had been similar, there would be no evidence of disparity at this decision point. To simplify the comparison of these statistics, the RRI divides the black rate by the white rate at each decision point, and if this ratio (i.e., the Relative Rate Index) is near or equal to 1.0, there is no evidence of disparity; if the ratio is greater than 1.0 (i.e., if the black rate is larger than the white rate), there is evidence of disparity, and this decision process needs further study to understand why.

The degree of racial disparity in the juvenile justice system declined between 1992 and 2002, especially at two decision points: arrest and waiver to criminal court



Source: Authors' analysis of Puzzanchera et al.'s *Easy access to juvenile populations* [online analysis], Stahl et al.'s *Easy access to juvenile court statistics 1985–2002* [online analysis], and the FBI's *Crime in the United States 1992* and *Crime in the United States 2002*.

Each decision point has a preceding stage with which it is compared (e.g., arrests are compared to population, court referrals to arrest, detentions to court referrals, petitions to court referrals, adult court transfers to petitions, adjudications to petitions, and out-of-home placements to adjudications). Together this set of decision points and their relative rate indexes form the Relative Rate Index Matrix, a table that can reveal the nature of decision disparities—including their magnitude and differences—in a juvenile justice system that is interdependent though fragmented.

The Relative Rate Index Matrix is a diagnostic tool that can be used by juvenile justice professionals to assess decisionmaking disparity within a jurisdiction for subgroups other than those defined solely by their racial/ethnic classification. For example, the tool could compare the processing of white and minority youth charged with a drug offense or the processing decisions for white and minority youth at their first referral to juvenile court intake. Or it could compare the processing of juvenile males and females, older and younger juveniles, youth from different neighborhoods or school districts, youth with different family structures, or youth with different needs and/or risks. Disparity can exist for many reasons. Although the Relative Rate Index does not diagnose the reasons for disparity, it distills data into statistics that decisionmakers can use to assess the vital signs of the local juvenile justice system and, in doing so, target areas of concern.

The formal status offense caseload differs substantially from the delinquency caseload

What are status offenses?

Status offenses are behaviors that are law violations only if committed by a person of juvenile status. Such behaviors include running away from home, ungovernability (being beyond the control of parents or guardians), truancy, and underage drinking (which also applies to young adults through age 20). A number of other behaviors may be considered status offenses (e.g., curfew violations, tobacco offenses), but they are not detailed in these analyses.

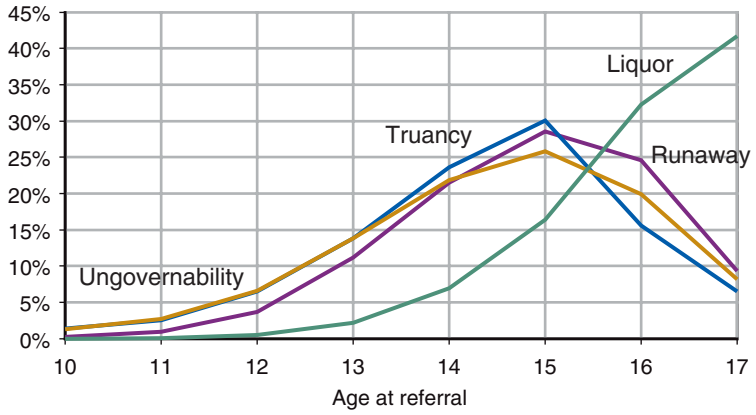
In many jurisdictions, agencies other than juvenile courts are responsible for handling status offense cases. In some communities, for example, family crisis units, county attorneys, and social services agencies have assumed this responsibility. If status offense cases are referred to juvenile court, the court may divert some of these youth away from the formal justice system to other agencies for service rather than filing a petition for formal processing. The analyses presented here are based on juvenile court data and are, thus, limited to cases petitioned to court for formal processing between 1985 and 2002.*

Of petitioned status offense cases handled by juvenile courts between 1985 and 2002 involving charges of truancy or liquor law violations, running away from home, or ungovernability, the most common were truancy violations (34%), followed by liquor law violations (30%), running away (19%), and ungovernability (17%).

*Available data cannot support national estimates of the trends and volume of petitioned status offense cases. Data are presented as sample-based profiles of cases disposed during the period 1985–2002.

The volume of petitioned truancy, runaway, and ungovernability cases peaks at age 15

Percent of cases within offense category, 1985–2002



■ For status liquor law violation cases, the proportion of cases increases substantially throughout the juvenile years.

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002*.

Females account for most runaway cases

A major difference between delinquency and status offense cases is the large proportion of status cases that involve females.

Percent of petitioned status offense cases involving females, 1985–2002

Offense	Female proportion
Runaway	61%
Truancy	46
Ungovernability	46
Liquor	30

Runaway cases were less likely to be adjudicated than other types of status offense cases

Percent of petitioned status offense cases adjudicated, 1985–2002

Offense	Total	Male	Female
Runaway	46%	47%	45%
Truancy	63	63	63
Ungovernability	63	63	62
Liquor	63	64	61

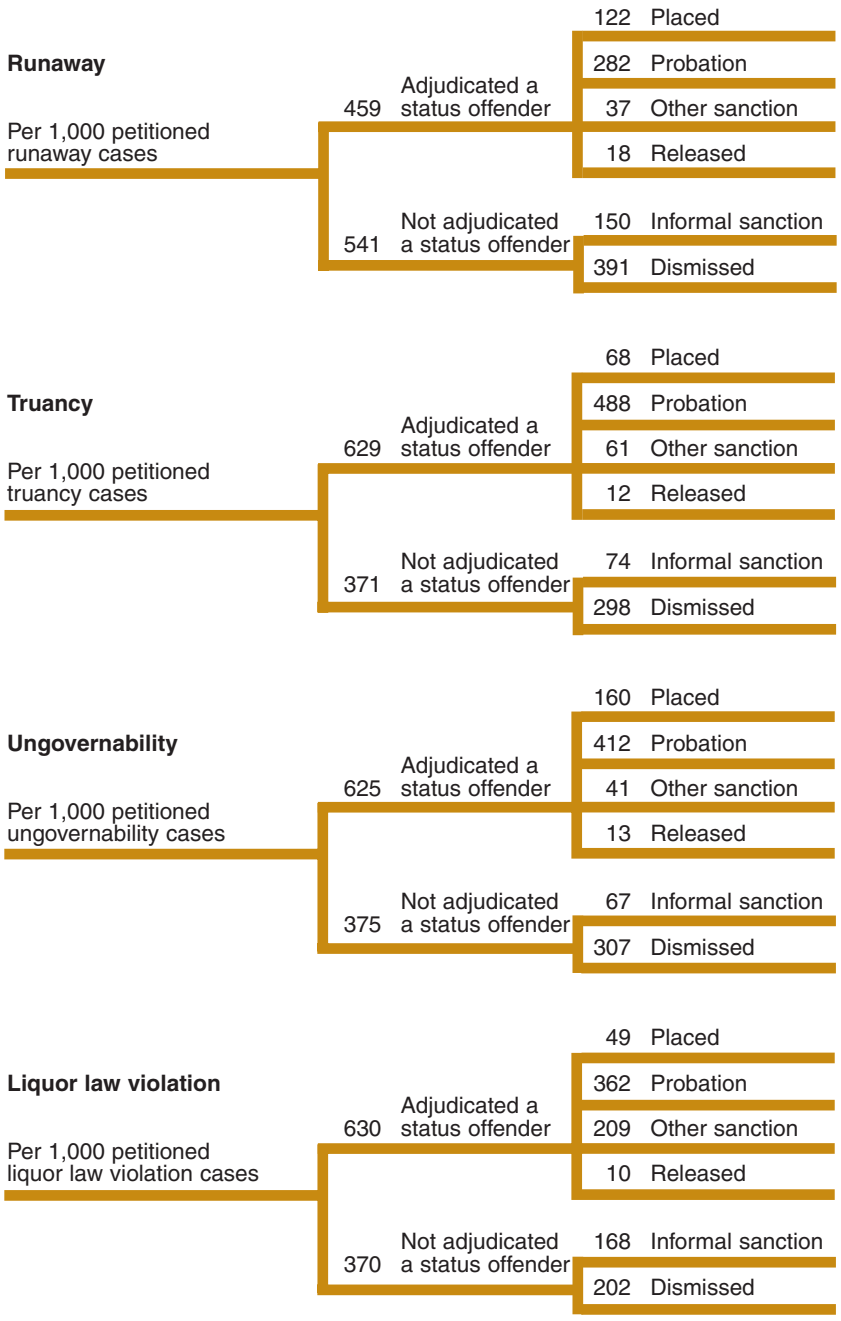
The juvenile court ordered probation in most adjudicated status offense cases

From 1985 through 2002, among adjudicated runaway, truancy, ungovernability, and liquor law violation cases, formal probation was the most likely disposition. Some cases resulted in out-of-home (residential) placement, and some (primarily liquor cases) resulted in other sanctions such as fines, community service, restitution, or referrals to other agencies for services. The remaining few were released with no additional sanction.

Percent of adjudicated status offense cases receiving disposition, 1985–2002

Offense	Residential placement	Formal probation
Runaway	27%	61%
Truancy	11	78
Ungovernability	26	66
Liquor	8	57

From 1985 through 2002, juvenile courts were less likely to order probation in runaway cases than in other status offense cases



- Of 1,000 petitioned runaway cases, 282 were ordered to formal probation. In comparison, the figure was 488 for truancy cases, 412 for ungovernability cases, and 362 for liquor law violation cases.
- Among petitioned runaway cases, the youth was not adjudicated in 541 of 1,000 cases. Of these 541 cases, 150 received informal sanctions or were referred to a social services agency for handling, and 391 were dismissed.
- Of 1,000 petitioned truancy cases, 629 were adjudicated, and 617 received some sort of formal sanction. Use of informal sanctions was relatively uncommon in formally processed truancy cases (74 of 1,000).
- Juvenile courts were more likely to order youth to residential placement in petitioned ungovernability cases (160 of 1,000) than in other types of status offense cases, but formal probation was the most likely court-ordered disposition for ungovernability cases (412 of 1,000).
- Among petitioned liquor law violation cases, the most likely outcome was formal probation (362 of 1,000), although the court often ordered formal sanctions other than residential placement or probation (209 of 1,000).

Note: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002.*

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Chapter 7

Juvenile offenders in correctional facilities

Juvenile correctional systems have many different components. Some juvenile correctional facilities look very much like adult prisons. Others seem very much like "home." Private facilities continue to play a substantial role in the long-term custody of juveniles, in contrast to adult correctional systems. In fact, nationwide there are more than twice as many privately operated juvenile facilities as publicly operated facilities, although private facilities hold less than half as many juveniles as are held in public facilities.

This chapter describes the population of juveniles detained in and committed to public and private facilities in terms of demographics, offenses, average time in the facility, and facility type. The chapter also includes information on recidivism and descriptions of juveniles reentering the general population after confinement, those held in adult jails and prisons, and those on death row.

The information is based on several data collection efforts by the Office of Juvenile Justice and Delinquency Prevention: Census of Juveniles in Residential Placement; Juvenile Residential Facility Census; Survey of Youth in Residential Placement; and Children in Custody Census of Juvenile Detention, Correctional, and Shelter Facilities. Much of the information on juveniles held in adult correctional facilities is drawn from the Bureau of Justice Statistics' Jail Census, Annual Survey of Jails, and National Corrections Reporting Program.

OJJDP's custody data are the primary source of information on juveniles in residential placement

Detailed data are available on juveniles in residential placement and the facilities that hold them

Since its inception, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has collected information on the juveniles held in juvenile detention and correctional facilities. Until 1995, these data were gathered through the biennial Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities, better known as the Children in Custody (CIC) Census. In the late 1990s, OJJDP initiated two new data collection programs to gather comprehensive and detailed information about juvenile offenders in custody and about the facilities that house them:

- Census of Juveniles in Residential Placement (CJRP)
- Juvenile Residential Facility Census (JRFC).

CJRP and JRFC are administered in alternating years and collect information from all secure and nonsecure residential placement facilities that house juvenile offenders, defined as persons younger than 21 who are held in a residential setting as a result of some contact with the justice system (they are charged with or adjudicated for an offense). This encompasses both status offenders and delinquent offenders, including those who are either temporarily detained by the court or committed after adjudication for an offense.

These censuses do not include federal facilities or those exclusively for drug or mental health treatment or for abused/neglected youth. Nor do they capture data from adult prisons or jails. Therefore, CJRP does not include all juveniles sentenced to incarceration by criminal courts.

CJRP asks all juvenile residential facilities in the U.S. to describe each offender under age 21 assigned a bed in the facility on the fourth Wednesday in October. Facilities report individual-level information on gender, date of birth, race, placement authority, most serious offense charged, court adjudication status, admission date, and security status.

JRFC also uses the fourth Wednesday in October as its census date, but it also gathers past-month and past-year information. JRFC collects information on how facilities operate and the services they provide. It includes detailed questions on facility security, crowding, injuries and deaths in custody, and facility ownership, operation, and services.

The Survey of Youth in Residential Placement (SYRP) is the third component of OJJDP's multitiered effort to collect information on the juvenile custody population. SYRP collects a broad range of self-report information (on youth's custody experience, past offense histories, education, and other important life events) from interviews with individual youth in residential placement.

One-day count and admission data give different views of residential populations

CJRP provides 1-day population counts of juveniles in residential placement facilities. Such counts give a picture of the standing population in facilities. One-day counts are substantially different from annual admission and release data, which provide a measure of facility population flow.

Juveniles may be committed to a facility as part of a court-ordered disposition, or they may be detained prior to adjudication or after adjudication while awaiting disposition or placement elsewhere. In addition, a small proportion of juveniles may be admitted voluntarily in lieu of adjudication as part of a diversion agreement. Because detention stays tend to be short compared with commitment placements, detained juveniles represent a much larger share of population flow data than of 1-day count data.

State variations in upper age of juvenile court jurisdiction influence custody rates

Although state custody rate statistics control for upper age of original juvenile court jurisdiction, comparisons among states with different upper ages are problematic. Youth ages 16 and 17 constitute 25% of the youth population ages 10–17, but they account for nearly 50% of arrests of youth under age 18, nearly 40% of delinquency court cases, and more than 50% of juveniles in residential placement. If all other factors were equal, one would expect higher juvenile custody rates in states where older youth are under juvenile court jurisdiction.

Differences in age limits of extended jurisdiction also influence custody rates. Some states may keep a juvenile in custody for several years beyond the upper age of original jurisdiction; others cannot. Laws that control the transfer of juveniles to criminal court also have an impact on juvenile custody rates. If all other factors were equal, states with broad transfer provisions would be expected to have lower juvenile custody rates than other states.

Demographic variations among jurisdictions should also be considered. The urbanicity and economy of an area are thought to be related to crime and custody rates. Available bedspace also influences custody rates, particularly in rural areas.

The basic profile of juvenile custody facility residents did not change much from 1997 to 2003

Most residents in juvenile residential placement facilities were juvenile offenders

The majority of residents in juvenile residential placement facilities on October 22, 2003, were accused or adjudicated juvenile offenders (88%). Juvenile offenders held for delinquency offenses accounted for 78% of all residents and 95% of all juvenile offenders. Delinquency offenses are behaviors that would be criminal law violations for adults. The remaining 5% of offenders were status offenders. Status offenses are behaviors that are not law violations for adults, such as running away, truancy, and ungovernability. Some residents were held in a juvenile residential placement facility but were not charged with or adjudicated for an offense (e.g., youth referred for abuse, neglect, emotional disturbance, or mental retardation, or those referred by their parents). Other residents (nonoffenders and youth age 21 or older) accounted for 12% of all residents.

Private facilities are an important custody resource

Private facilities are operated by private nonprofit or for-profit corporations or organizations; staff in these facilities are employees of the private corporation or organization. State or local government agencies operate public facilities; staff in these facilities are state or local government employees. Private facilities tend to be smaller than public facilities. Thus, although private facilities are more numerous than public facilities nationwide, public facilities hold the majority of juvenile offenders on any given day.

Private and public facilities hold different populations. Compared with public facilities, private facilities have a greater proportion of court-committed juveniles and a smaller proportion of detained juveniles (who are awaiting adjudication, disposition, or placement elsewhere). Juveniles in placement voluntarily as part of a diversion agreement are rare, regardless of facility type.

6 in 10 juvenile facilities holding offenders were private; public facilities held more than 6 in 10 juvenile offenders

	Residential placement facilities					
	Number				Percent of total	
Type of facility	1997	1999	2001	2003	1997	2003
All	2,842	2,938	2,980	2,861	100%	100%
Public	1,106	1,134	1,197	1,170	39	41
State	508	533	533	501	18	18
Local	598	601	664	669	21	23
Private	1,736	1,795	1,774	1,682	61	59
Tribal		9	9	9	0	0

	Juvenile offenders in residential placement					
	Number				Percent of total	
Population held	1997	1999	2001	2003	1997	2003
All facilities						
All residents	116,701	120,996	118,008	109,225	100%	100%
Juvenile offenders	105,055	107,856	104,413	96,655	90	88
Other residents	11,646	13,140	13,595	12,570	10	12
Public facilities						
All residents	77,798	78,519	75,461	67,917	67	62
Juvenile offenders	75,600	76,379	73,328	66,210	65	61
Other residents	9,354	11,082	11,509	10,862	8	10
State facilities						
All residents	48,185	49,011	45,224	38,470	41	35
Juvenile offenders	46,516	47,504	43,669	37,335	40	34
Other residents	2,586	2,293	2,376	1,855	2	2
Local facilities						
All residents	29,613	29,508	30,237	29,447	25	27
Juvenile offenders	29,084	28,875	29,659	28,875	25	26
Other residents	9,354	10,908	11,315	10,738	8	10
Private facilities						
All residents	38,903	42,298	42,353	41,177	33	38
Juvenile offenders	29,455	31,303	30,891	30,321	25	28
Other residents	1,669	1,507	1,555	1,135	1	1
Tribal facilities		179	194	131	0	0
Juvenile offenders		174	194	124	0	0
Other residents		5	0	7	0	0

Notes: Other residents include youth age 21 or older and those held in the facility but not charged with or adjudicated for an offense. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997, 1999, 2001, and 2003 [machine-readable data files].

Custody status profile, 2003:

Custody status	Facility operation			
	Total	Public	Private	Tribal
Total	100%	100%	100%	100%
Committed	74	70	85	53
Detained	25	30	14	45
Diversion	0	0	1	2

Note: Detail may not total 100% because of rounding.

Nationally, nearly 92,000 delinquents were held in residential placement facilities on October 22, 2003

Compared with public facilities, private facilities hold a smaller share of delinquents and a larger share of status offenders

On the census date in 2003, public facilities held 7 in 10 delinquents in custody and 3 in 10 status offenders. However, public facilities housed more than three-quarters of those held for homicide, robbery, aggravated assault, weapons, and technical violations of probation or parole. In contrast, fewer than 6 in 10 juveniles held for drug offenses other than trafficking were in public facilities. Nevertheless, public and private facilities had fairly similar offense profiles in 2003.

Offense profile by facility type, 2003:

Most serious offense	All	Public	Private
Total	100%	100%	100%
Delinquency	95	98	89
Person	34	35	32
Homicide	1	1	0
Sexual assault	8	7	9
Robbery	6	8	4
Aggr. assault	8	9	6
Simple assault	8	8	10
Other person	3	3	3
Property	28	28	27
Burglary	11	11	10
Theft	6	6	6
Auto theft	6	6	6
Arson	1	1	1
Other property	5	5	4
Drug	8	7	10
Drug trafficking	2	2	2
Other drug	6	5	9
Public order	10	10	9
Weapons	3	4	2
Other public order	7	7	7
Technical violation	15	16	11
Status offense	5	2	11
Ungovernability	2	0	5
Running away	1	1	2
Truancy	1	0	2
Curfew violation	0	0	0
Underage drinking	0	0	1
Other status offense	1	1	1

Note: Detail may not total 100% because of rounding.

In 2003, public facilities held 64,662 delinquents and private facilities held 27,059 delinquents on the 2003 census date

	Juvenile offenders in residential placement, 2003			Percent change 1997–2003		
	Type of facility			Type of facility		
Most serious offense	All	Public	Private	All	Public	Private
Total offenders	**96,655**	**66,210**	**30,321**	**–8%**	**–12%**	**3%**
Delinquency	**91,831**	**64,662**	**27,059**	**–7**	**–12**	**11**
Person	33,197	23,499	9,671	–6	–13	21
Criminal homicide	878	803	73	–54	–56	–28
Sexual assault	7,452	4,749	2,698	34	20	68
Robbery	6,230	5,157	1,073	–33	–35	–22
Aggravated assault	7,495	5,745	1,741	–21	–24	–7
Simple assault	8,106	4,984	3,113	22	21	25
Other person	3,036	2,061	973	38	22	87
Property	26,843	18,740	8,073	–16	–18	–10
Burglary	10,399	7,481	2,904	–17	–21	–7
Theft	5,650	3,793	1,848	–22	–26	–12
Auto theft	5,572	3,756	1,812	–15	–14	–16
Arson	735	514	220	–19	–25	0
Other property	4,487	3,196	1,289	–4	–4	–6
Drug	8,002	4,851	3,137	–12	–23	15
Drug trafficking	1,810	1,284	522	–37	–41	–24
Other drug	6,192	3,567	2,615	0	–14	28
Public order	9,654	6,782	2,866	0	–5	11
Weapons	3,013	2,346	665	–28	–29	–24
Other public order	6,641	4,436	2,201	20	16	29
Technical violation	14,135	10,790	3,312	14	5	56
Status offense	**4,824**	**1,548**	**3,262**	**–29**	**–11**	**–36**
Ungovernability	1,825	253	1,570	–36	–45	–34
Running away	997	417	577	–33	–14	–43
Truancy	841	207	634	–37	–49	–32
Curfew violation	203	65	138	5	–18*	21
Underage drinking	405	210	186	27	86	–10
Other status offense	553	396	157	–14	98	–64

- For most offenses, fewer juveniles were held in 2003 than in 1997. For some offenses (e.g., drug offenses other than trafficking), the public facility population decreased but the private facility population increased. For several offenses (e.g., simple assault), both public and private populations increased.

* Percent change is based on a denominator less than 100.

Note: Total includes juvenile offenders held in tribal facilities.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data files].

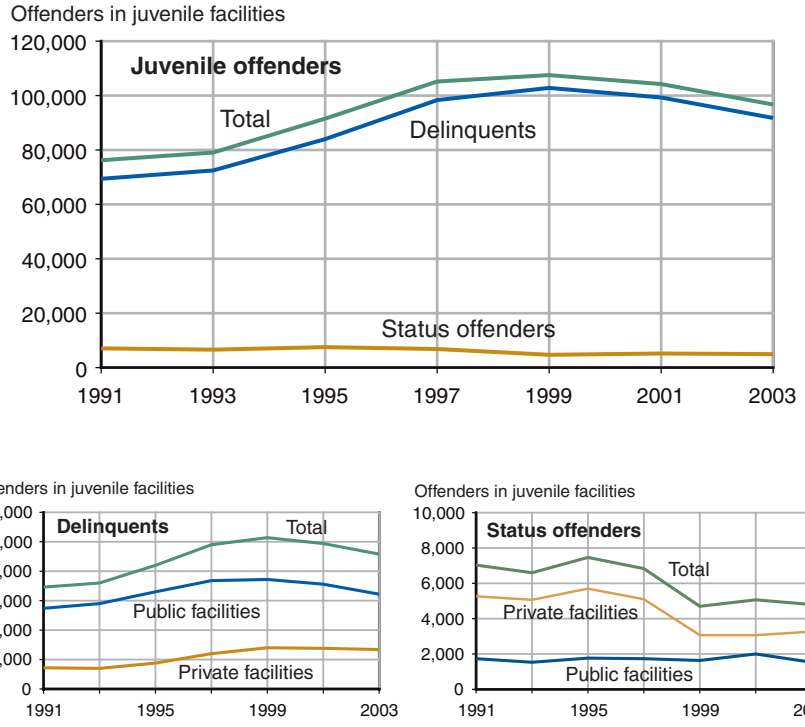
The 1-day count of juvenile offenders in custody rose from 1991 to 1999 and then dropped through 2003

Public facilities drive the trend for the delinquency population

The number of delinquents held in public facilities rose 36% from 1991 to 1999 and then dropped 13% by 2003. The number of delinquents held in private facilities was relatively small in comparison and rose sharply (95%) from 1991 to 1999. The subsequent decline in the private facility delinquent population between 1999 and 2003 was minimal (4%).

In comparison, private facilities drove the trend for the status offender population. The number of status offenders in private facilities was relatively flat from 1991 to 1995 (up just 8%) and then dropped 46% between 1995 and 1999. From 1999 to 2003, the private facility status offender population leveled off again. The number of status offenders in public facilities remained relatively low and flat throughout the period.

In 2003, public and private facilities held 32% more delinquents and 32% fewer status offenders than in 1991



- The total number of juvenile offenders in residential placement facilities rose 41% from 1991 to 1999 and then declined 10% from 1999 to 2003. The result was an overall increase of 27% between 1991 and 2003.
- The number of delinquents in juvenile facilities peaked in 1999, 48% above the 1991 figure. Between 1999 and 2003, however, the number dropped 11%.
- The number of status offenders in juvenile facilities was highest in 1995. Between 1995 and 2003, the number dropped 36%.

Note: Because data were not collected from tribal facilities prior to 1999, tribal facility data are excluded from this presentation.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997, 1999, 2001, and 2003 [machine-readable data files] and *Children in Custody Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities* for 1991, 1993, and 1995 [machine-readable data files].

From 1991 to 2003, the detained population increased more than the committed population

Offense profiles of detained offenders and committed offenders differ

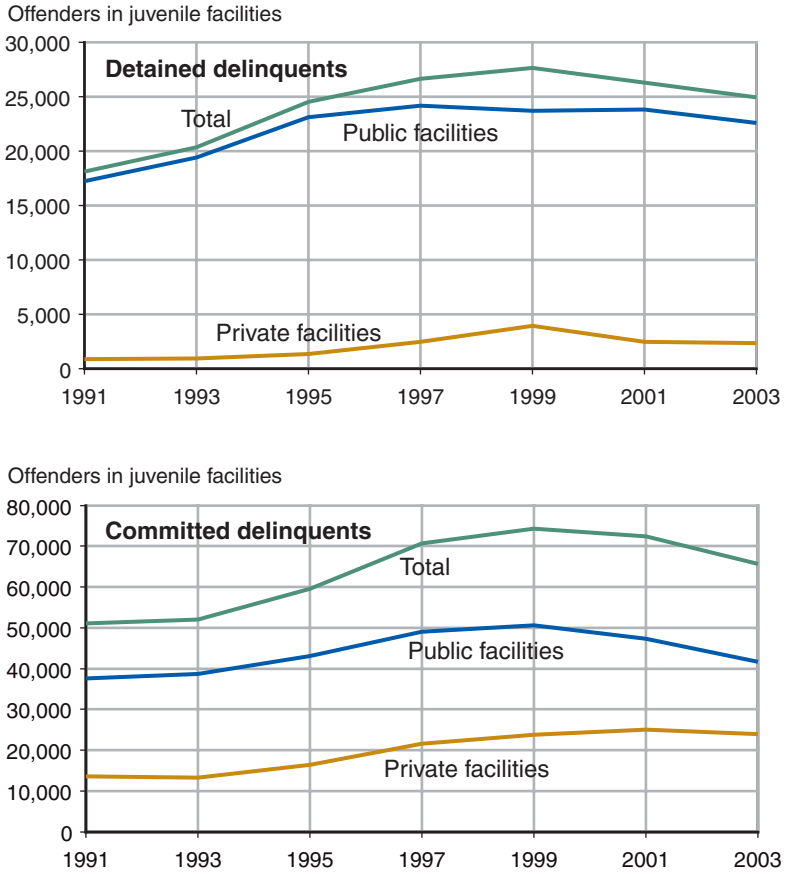
Delinquents accounted for 95% of both detained and committed offenders in 2003. Compared with the detained population, the committed population had a greater proportion of youth held for sexual assault, burglary, and theft and fewer youth held for technical violations of probation or parole. The committed population also had proportionally more youth held for being ungovernable and fewer youth held for running away from home.

Juvenile offenders held, 2003:

Most serious offense	Detained	Committed
Delinquency	25,019	65,636
	100%	100%
Person	32	38
Homicide	1	1
Sexual assault	4	10
Robbery	6	7
Agg. assault	9	8
Simple assault	8	9
Other person	4	3
Property	25	31
Burglary	9	12
Theft	5	7
Auto theft	5	6
Arson	1	1
Other property	5	5
Drug	8	9
Drug trafficking	2	2
Other drug	6	7
Public order	11	10
Weapons	3	3
Other public order	7	7
Technical violation	24	12
Status offense	1,250	3,371
	100%	100%
Ungovernability	27	42
Running away	26	17
Truancy	17	18
Curfew violation	3	5
Underage drinking	6	9
Other status offense	20	9

Note: Detail may not total 100% because of rounding.

Between 1991 and 2003, the detained delinquency population in public and private facilities increased 38%



- Detained youth (those held prior to adjudication or disposition awaiting a hearing in juvenile or criminal court or after disposition awaiting placement elsewhere) made up 35% of delinquents in public facilities in 2003. In comparison, detained offenders were just 9% of the offenders held in private facilities that year.
- The number of committed delinquents held in public or private facilities as part of a court-ordered disposition was 28% greater in 2003 than in 1991. The public facility committed population was 11% greater in 2003 than in 1991; the private facility committed population was 77% greater.

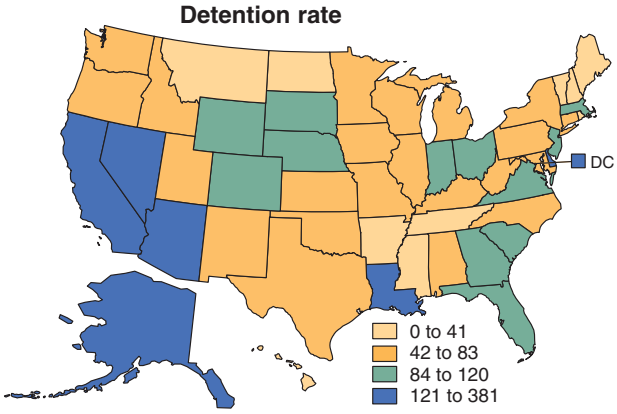
Note: Because data were not collected from tribal facilities prior to 1999, tribal facility data are excluded from this presentation.

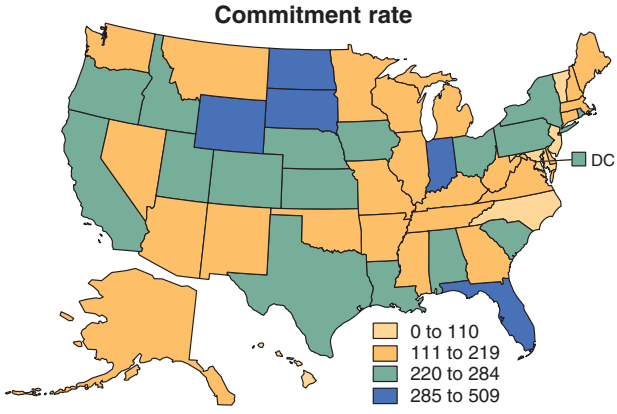
Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997, 1999, 2001, and 2003 [machine-readable data files] and *Children in Custody Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities* for 1991, 1993, and 1995 [machine-readable data files].

In 2003, 307 juvenile offenders were in custody for every 100,000 juveniles in the U.S. population

In 2003, the national commitment rate was 2.6 times the detention rate, but rates varied by state

State of offense	Juveniles in custody	Custody rate per 100,000 Total	Detained	Committed
U.S. total	96,655	307	83	219
Upper age 17				
Alabama	1,794	351	76	267
Alaska	336	370	158	208
Arizona	1,890	284	124	144
Arkansas	675	217	30	186
California	16,782	392	128	263
Colorado	1,776	344	99	244
Delaware	333	364	187	177
District of Columbia	285	625	381	230
Florida	8,208	452	94	352
Hawaii	129	97	34	63
Idaho	489	287	65	222
Indiana	3,045	415	98	313
Iowa	975	299	63	232
Kansas	1,071	336	78	255
Kentucky	837	185	50	131
Maine	222	153	33	116
Maryland	1,167	181	75	106
Minnesota	1,527	259	47	208
Mississippi	528	152	33	118
Montana	261	245	37	200
Nebraska	672	331	111	220
Nevada	921	362	157	204
New Jersey	1,941	199	100	98
New Mexico	606	258	83	175
North Dakota	246	347	25	317
Ohio	4,176	318	93	224
Upper age 17 (continued)				
Oklahoma	1,059	265	74	190
Oregon	1,275	323	63	259
Pennsylvania	4,341	317	67	224
Rhode Island	342	295	5*	284
South Dakota	522	564	117	444
Tennessee	1,434	226	38	185
Utah	954	307	56	251
Vermont	51	72	43	30
Virginia	2,376	289	110	178
Washington	1,656	236	63	170
West Virginia	498	269	83	185
Wyoming	357	606	97	509
Upper age 16				
Georgia	2,451	273	84	155
Illinois	2,715	212	56	151
Louisiana	1,821	387	136	246
Massachusetts	1,302	216	84	128
Michigan	2,706	257	63	191
Missouri	1,413	246	59	185
New Hampshire	198	150	20	127
South Carolina	1,443	346	110	236
Texas	7,662	318	73	243
Wisconsin	1,524	274	58	216
Upper age 15				
Connecticut	627	210	49	161
New York	4,308	272	48	223
North Carolina	1,203	169	57	109



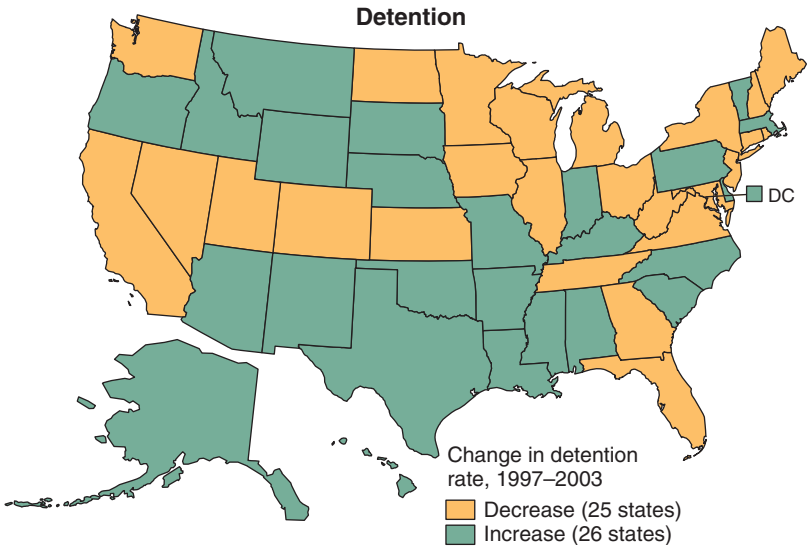


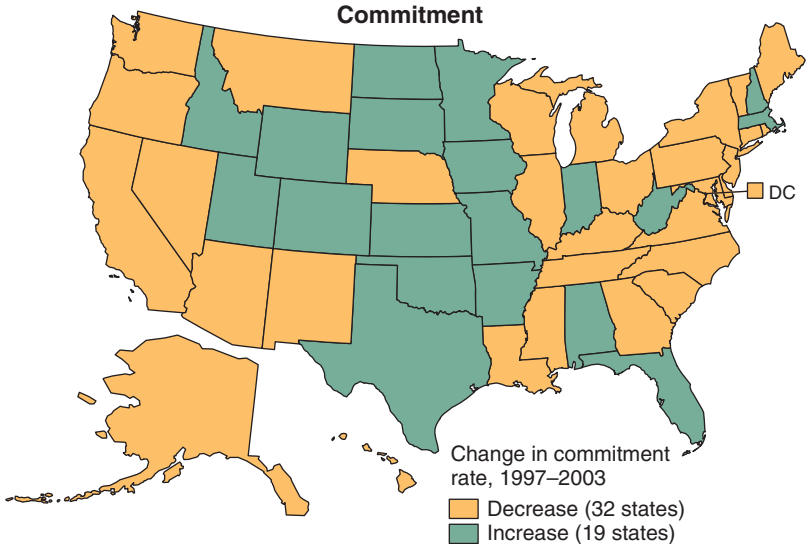
* Rate is based on fewer than 10 juveniles.

Notes: Custody rate is the count of juvenile offenders in custody per 100,000 youth ages 10 through the upper age of juvenile court jurisdiction in each state. U.S. totals include 1,398 youth in private facilities for whom state of offense was not reported and 124 youth in tribal facilities.

Source: Authors' analysis of Sickmund et al.'s *Census of Juveniles in Residential Placement databook* [online analysis].

Although national custody rates declined from 1997 to 2003, not all states experienced a decline





- Detention rates increased in half of the states and declined in the other half. More than half of the states had lower commitment rates in 2003 than in 1997, but in many states the reverse was true.

Note: Custody rate is the count of juvenile offenders in custody per 100,000 youth ages 10 through the upper age of juvenile court jurisdiction in each state.

Source: Authors' analysis of Sickmund et al.'s *Census of Juveniles in Residential Placement databook* [online analysis].

Detained youth were in detention centers; committed youth were in many types of facilities

Long-term secure facilities (e.g., training schools) held the largest proportion of committed offenders (45%), but 13% were committed to detention centers.

Facility type profiles, 2003:

Facility type	Detained offenders	Committed offenders
Total	100%	100%
Detention center	91	13
Shelter	2	11
Reception/diagnostic	14	7
Group home	2	11
Boot camp	0	7
Ranch/ wilderness camp	0	4
Long-term secure	3	45
Other	0	1

Note: Detail may not total 100% because facilities could select more than one facility type category.

For all facilities except detention centers, the majority of offenders were committed youth

Not all offenders held in detention centers were held in detained status. In 2003, 27% of offenders in detention centers had been committed to the facility.

Offender population profiles, 2003:

Facility type	Detained offenders	Committed offenders
Detention center	72%	27%
Shelter	6	92
Reception/diagnostic	19	81
Group home	6	92
Boot camp	2	93
Ranch/ wilderness camp	3	91
Long-term secure	3	97
Other	16	84

Note: Detail may total less than 100% because some facilities held youth other than detained or committed youth.

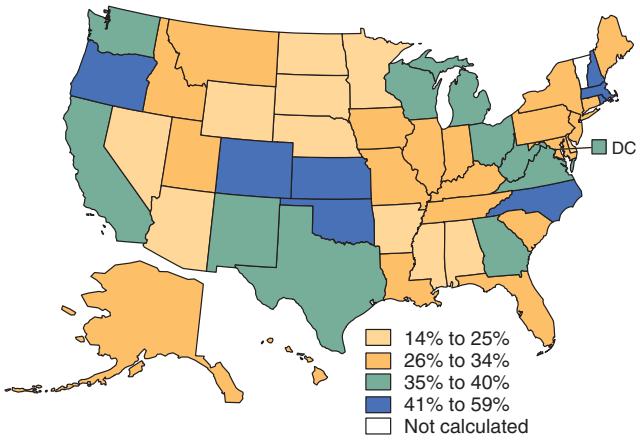
In 2003, offense profiles of custody populations varied substantially across states

In most states in 2003, person offenders accounted for a greater proportion of the custody population than did property offenders

State of offense	Offense profile of custody population, 2003						State of offense	Offense profile of custody population, 2003					
	Person	Property	Drugs	Public order	Technical viol.	Status		Person	Property	Drugs	Public order	Technical viol.	Status
U.S. total	34%	28%	8%	10%	15%	5%	Missouri	31%	32%	8%	10%	12%	7%
Alabama	21	23	8	8	25	15	Montana	28	44	7	10	3	8
Alaska	33	23	4	11	29	1	Nebraska	18	30	7	13	15	17
Arizona	24	26	14	12	16	8	Nevada	23	28	22	12	14	1
Arkansas	22	33	7	17	16	5	New Hampshire	59	21	3	5	6	8
California	36	27	7	12	16	2	New Jersey	31	15	16	11	28	<1
Colorado	52	26	5	10	6	1	New Mexico	39	23	8	14	11	4
Connecticut	30	18	10	10	20	13	New York	34	25	6	6	6	22
Delaware	25	25	14	18	16	2	North Carolina	41	37	5	5	6	6
Dist. of Columbia	38	26	9	13	13	0	North Dakota	22	33	9	12	4	21
Florida	34	36	9	8	14	<1	Ohio	38	28	6	10	16	2
Georgia	38	29	5	10	14	5	Oklahoma	42	35	8	9	3	3
Hawaii	28	21	7	2	37	7	Oregon	57	25	4	5	9	<1
Idaho	29	36	12	13	9	2	Pennsylvania	28	21	15	10	17	9
Illinois	34	26	7	7	26	1	Rhode Island	47	29	11	9	1	3
Indiana	29	28	10	16	8	9	South Carolina	27	28	3	10	27	4
Iowa	32	38	12	7	4	6	South Dakota	25	26	13	10	11	14
Kansas	42	28	7	6	15	2	Tennessee	33	26	9	9	19	4
Kentucky	33	27	7	13	11	9	Texas	37	28	8	9	16	2
Louisiana	30	36	11	10	5	8	Utah	29	16	10	14	26	4
Maine	31	39	5	8	15	0	Vermont	–	–	–	–	–	–
Maryland	27	27	16	7	21	2	Virginia	37	29	8	5	18	3
Massachusetts	48	26	8	11	7	1	Washington	36	32	5	8	16	2
Michigan	37	25	3	10	14	11	West Virginia	36	32	7	6	4	16
Minnesota	25	26	5	18	16	10	Wisconsin	38	30	5	18	2	7
Mississippi	14	33	6	18	23	6	Wyoming	18	16	8	10	30	17

- New Hampshire, Oregon, and Colorado had the highest proportions of person offenders; Mississippi, Nebraska, and Wyoming had the lowest.
- The proportion of juvenile offenders held for drug offenses ranged from 22% in Nevada to 3% in Michigan, New Hampshire, and South Carolina.
- In Alabama, Alaska, Hawaii, Illinois, New Jersey, South Carolina, Utah, and Wyoming, at least 25% of juvenile offenders in custody were held for technical violations of probation, parole, or valid court orders.
- More than 20% of offenders in New York and North Dakota were held for a status offense. Several states had virtually no status offenders in custody.

Percent of juvenile offenders held for person offenses



– Too few juveniles in category to calculate a reliable percentage.

Notes: U.S. totals include 1,398 youth in private facilities for whom state of offense was not reported and 124 youth in tribal facilities. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data file].

In some states, the offense profiles of detained and committed populations were very different

In 1 out of 4 states in 2003, technical violations accounted for a greater share of detained offenders than did person offenses

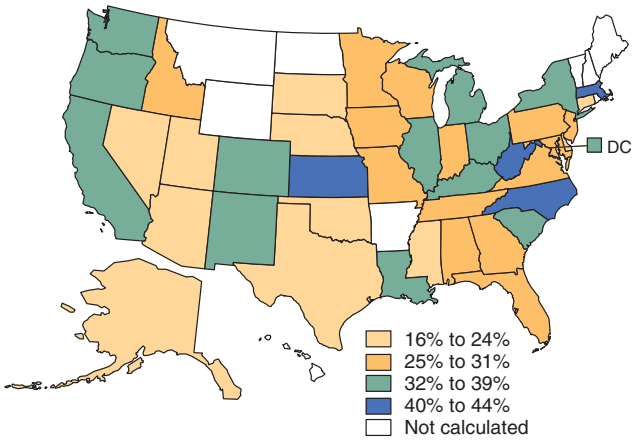
State of offense	Offense profile of detained offenders, 2003						State of offense	Offense profile of detained offenders, 2003					
	Person	Property	Drugs	Public order	Technical viol.	Status		Person	Property	Drugs	Public order	Technical viol.	Status
U.S. total	31%	24%	8%	10%	23%	5%	Missouri	31%	30%	7%	6%	22%	3%
Alabama	26	18	5	12	28	12	Montana	–	–	–	–	–	–
Alaska	23	27	4	8	38	0	Nebraska	24	28	7	9	27	4
Arizona	23	23	14	5	24	10	Nevada	20	26	16	14	24	1
Arkansas	–	–	–	–	–	–	New Hampshire	–	–	–	–	–	–
California	34	22	6	10	25	4	New Jersey	30	12	15	11	31	1
Colorado	37	30	4	14	12	2	New Mexico	32	15	6	9	32	6
Connecticut	16	6	6	6	57	8	New York	33	19	6	7	12	23
Delaware	23	28	12	16	21	2	North Carolina	44	33	6	4	10	4
Dist. of Columbia	36	24	12	12	17	0	North Dakota	–	–	–	–	–	–
Florida	30	25	8	10	27	1	Ohio	34	24	6	12	22	2
Georgia	31	26	5	12	21	6	Oklahoma	24	43	10	10	7	6
Hawaii	–	–	–	–	–	–	Oregon	34	28	7	5	25	1
Idaho	30	30	11	14	14	3	Pennsylvania	25	18	8	9	32	8
Illinois	36	29	10	8	17	<1	Rhode Island	–	–	–	–	–	–
Indiana	30	22	12	10	18	10	South Carolina	33	26	5	18	16	3
Iowa	28	35	12	10	14	3	South Dakota	22	22	6	8	28	11
Kansas	40	24	7	8	19	2	Tennessee	28	19	6	12	31	5
Kentucky	36	18	7	16	14	8	Texas	24	20	8	13	33	2
Louisiana	34	35	11	10	9	2	Utah	19	14	7	31	26	3
Maine	–	–	–	–	–	–	Vermont	–	–	–	–	–	–
Maryland	31	28	16	5	20	1	Virginia	29	21	7	9	31	3
Massachusetts	44	27	10	11	8	1	Washington	36	36	5	8	10	3
Michigan	33	26	3	8	19	11	West Virginia	41	25	8	6	6	12
Minnesota	28	24	3	11	27	6	Wisconsin	29	30	4	15	3	19
Mississippi	16	24	11	26	21	5	Wyoming	–	–	–	–	–	–

- In Connecticut, offenders detained for a technical violation of probation, parole, or valid court orders accounted for more than half of all detained offenders.
- Massachusetts and North Carolina had the highest proportions of person offenders among detained juveniles (44% in each state). Connecticut and Mississippi had the lowest proportions (16% each).
- In all states, the proportion of juvenile offenders detained for drug offenses was less than 20%.
- In most states, status offenders accounted for less than 10% of detained offenders.

– Too few juveniles in category to calculate a reliable percentage.

Notes: U.S. totals include 10 detained youth in private facilities for whom state of offense was not reported and 99 youth in tribal facilities. Detail may not total 100% because of rounding.

Percent of detained juvenile offenders held for person offenses



Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data file].

In 4 out of 10 states in 2003, person offenders accounted for more than the national average of 36% of the committed custody population

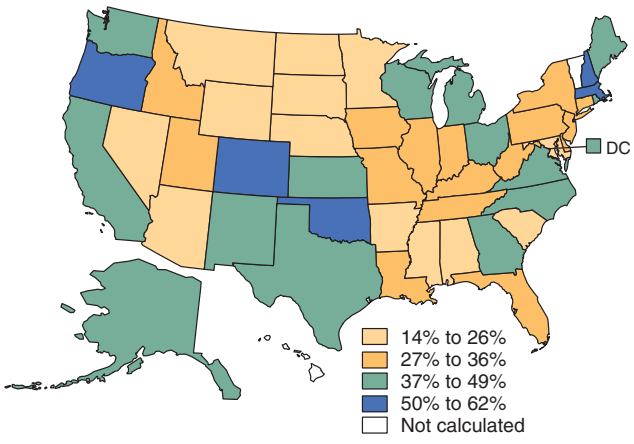
State of offense	Offense profile of committed offenders, 2003						State of offense	Offense profile of committed offenders, 2003					
	Person	Property	Drugs	Public order	Technical viol.	Status		Person	Property	Drugs	Public order	Technical viol.	Status
U.S. Total	36%	30%	8%	10%	11%	5%	Missouri	31%	32%	8%	11%	9%	9%
Alabama	20	24	9	7	25	15	Montana	25	49	6	13	0	7
Alaska	41	21	3	13	22	0	Nebraska	15	30	7	14	9	23
Arizona	25	30	15	16	8	6	Nevada	25	29	27	10	7	2
Arkansas	22	35	7	19	12	5	New Hampshire	61	21	4	4	4	7
California	38	30	8	12	11	1	New Jersey	32	17	17	10	23	0
Colorado	58	24	5	8	3	1	New Mexico	42	27	10	16	1	3
Connecticut	34	21	11	11	8	15	New York	34	26	6	6	5	22
Delaware	28	24	17	20	11	2	North Carolina	40	41	5	6	4	5
Dist. of Columbia	40	31	9	14	9	0	North Dakota	23	35	9	11	1	21
Florida	35	39	9	7	10	0	Ohio	39	29	7	9	14	2
Georgia	41	32	5	9	9	3	Oklahoma	50	31	7	9	2	2
Hawaii	–	–	–	–	–	–	Oregon	62	25	3	5	5	0
Idaho	29	37	12	13	8	2	Pennsylvania	31	22	17	10	11	10
Illinois	34	25	6	5	29	1	Rhode Island	48	28	11	9	1	2
Indiana	29	31	10	18	5	8	South Carolina	24	29	3	7	33	5
Iowa	33	40	12	6	2	7	South Dakota	26	27	15	11	7	15
Kansas	43	30	7	5	14	1	Tennessee	35	27	9	8	17	4
Kentucky	33	30	7	12	10	8	Texas	42	30	8	8	11	1
Louisiana	29	37	11	10	2	12	Utah	31	17	11	10	27	4
Maine	38	41	4	9	9	0	Vermont	–	–	–	–	–	–
Maryland	25	27	17	8	21	2	Virginia	42	34	8	3	11	2
Massachusetts	50	26	6	10	7	0	Washington	37	31	5	8	18	1
Michigan	39	25	3	10	12	11	West Virginia	32	35	7	6	3	17
Minnesota	25	26	6	20	14	10	Wisconsin	40	30	5	18	2	4
Mississippi	14	36	5	15	23	7	Wyoming	16	15	9	10	34	16

- Oregon and New Hampshire had the highest proportions of person offenders among committed juveniles (62% and 61%, respectively). Mississippi (14%), Nebraska (15%), and Wyoming (16%) had the lowest proportions.
- The proportion of juvenile offenders committed for technical violations of probation, parole, or valid court orders ranged from 34% in Wyoming to 0% in Montana.
- In half of all states, status offenders accounted for less than 5% of committed offenders.

– Too few juveniles in category to calculate a reliable percentage.

Notes: U.S. totals include 1,386 committed youth in private facilities for whom state of offense was not reported and 25 youth in tribal facilities. Detail may not total 100% because of rounding.

Percent of committed juvenile offenders held for person offenses



Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data file].

Females account for a small proportion of the custody population, but their numbers have increased recently

The 14,590 female offenders held in 2003 accounted for 15% of offenders in custody

Male offenders dominate the juvenile system. This is especially true of the custody population. Males represent half of the juvenile population and are involved in approximately three-quarters of juvenile arrests and delinquency cases handled in juvenile court each year, but they represented 85% of juvenile offenders in residential placement in 2003.

The proportion of females has increased over the years from 13% in 1991 to 15% in 2003. The female proportion was greater among status offenders held (40%) than among delinquents (14%), and greater for detained (18%) than for committed (12%) delinquents.

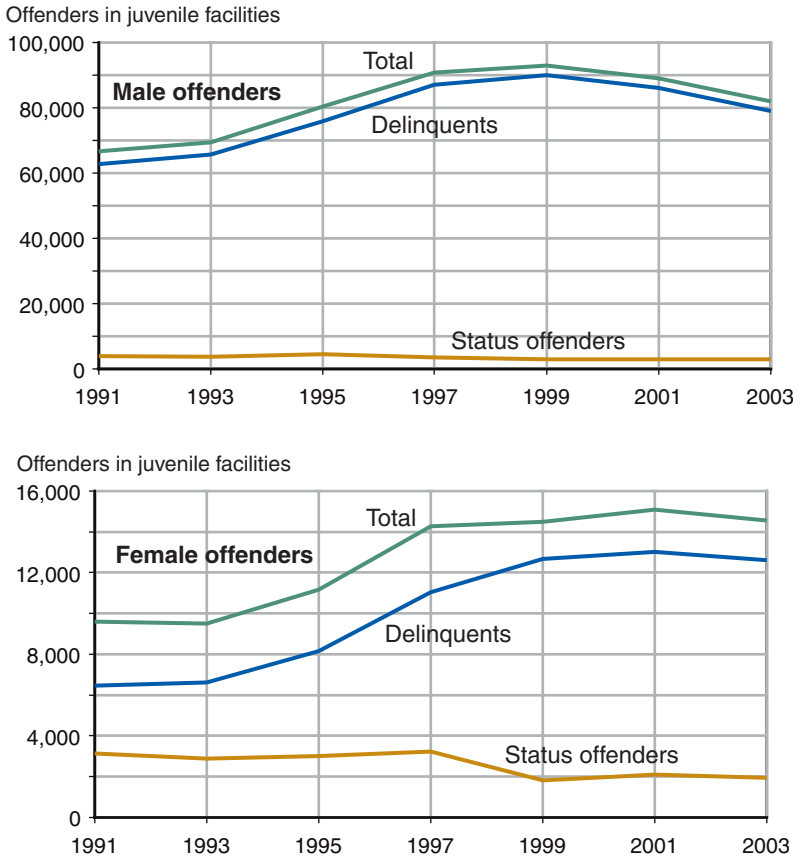
Female proportion of offenders in custody:

Year	Total	Delinquent	Status
1991	13%	9%	45%
1993	12	9	44
1995	12	10	40
1997	14	11	47
1999	13	12	39
2001	14	13	41
2003	15	14	40

Female proportion of delinquent offenders in custody:

Year	Total	Detained	Committed
1991	9%	12%	8%
1993	9	12	8
1995	10	13	8
1997	11	15	10
1999	12	17	11
2001	13	18	11
2003	14	18	12

The number of female offenders in custody increased 52% from 1991 to 2003—the number of delinquents rose 96% and the number of status offenders dropped 38%



- Among males in juvenile facilities, the number of delinquents increased 26% and the number of status offenders decreased 26% from 1991 to 2003, for an overall increase in male offenders of 23%.
- Status offenders accounted for a greater share of female offenders in custody than of male offenders. However, the status offender proportion of female offenders in custody dropped from 33% in 1991 to 13% in 2003. For males, the status offender proportion held steady between 3% and 6%.

Note: Because data were not collected from tribal facilities prior to 1999, tribal facility data are excluded from this presentation.

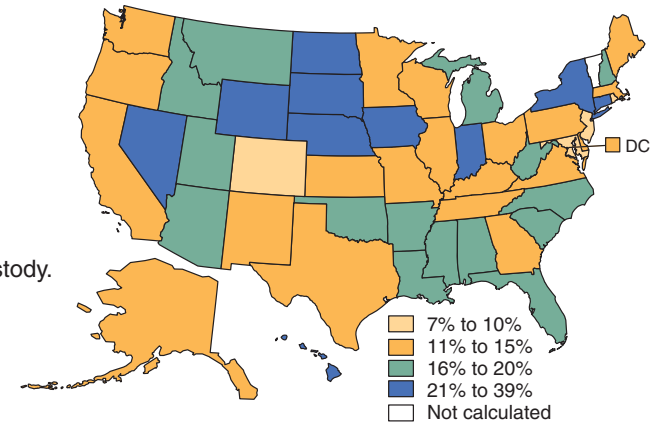
Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997, 1999, 2001, and 2003 [machine readable data files] and *Children in Custody Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities* for 1991, 1993, and 1995 [machine readable data files].

In nearly all states, females represented a relatively small proportion of juvenile offenders in residential placement in 2003; their proportion was generally larger in private facilities than in public facilities

State of offense	Female proportion, 2003				State of offense	Female proportion, 2003			
		Committed					Committed		
	Overall	Public	Private	Detained		Overall	Public	Private	Detained
U.S. total	15%	12%	16%	19%	Missouri	14%	14%	19%	12%
Alabama	20	16	21	22	Montana	18	16	–	–
Alaska	11	7	–	17	Nebraska	32	30	49	20
Arizona	18	14	20	23	Nevada	21	18	–	23
Arkansas	17	23	12	–	New Hampshire	18	–	–	–
California	13	9	17	17	New Jersey	8	6	–	10
Colorado	10	5	9	16	New Mexico	12	10	–	18
Connecticut	21	0	24	35	New York	21	16	25	24
Delaware	11	–	–	14	North Carolina	18	8	18	28
District of Columbia	11	–	–	10	North Dakota	26	–	26	–
Florida	19	9	19	18	Ohio	13	10	8	19
Georgia	15	12	8	20	Oklahoma	17	10	26	21
Hawaii	26	–	–	–	Oregon	12	10	11	20
Idaho	17	16	–	22	Pennsylvania	11	2	9	18
Illinois	11	10	11	14	Rhode Island	7	7	8	–
Indiana	23	19	29	27	South Carolina	17	20	6	24
Iowa	21	10	25	25	South Dakota	25	21	24	36
Kansas	15	10	20	19	Tennessee	11	9	12	14
Kentucky	15	10	44	14	Texas	13	11	7	20
Louisiana	16	12	27	14	Utah	20	23	15	22
Maine	11	10	–	–	Vermont	–	–	–	–
Maryland	8	10	5	9	Virginia	14	9	–	23
Massachusetts	12	0	11	17	Washington	13	10	–	20
Michigan	19	23	16	23	West Virginia	17	5	26	22
Minnesota	15	9	18	16	Wisconsin	14	14	13	18
Mississippi	19	16	–	29	Wyoming	39	53	21	–

- Nationally, females accounted for 15% of juvenile offenders in residential placement on October 22, 2003.
- The female proportion of committed offenders was higher in private facilities (16%) than in public facilities (12%).
- The female proportion was higher for detained offenders (19%) than for committed offenders (13% for public and private facilities combined).
- In Colorado, Maryland, New Jersey, and Rhode Island, females represented no more than 10% of offenders in custody.
- In Hawaii, Nebraska, North Dakota, South Dakota, and Wyoming, females represented at least 25% of offenders in custody.

Female proportion of juveniles in custody

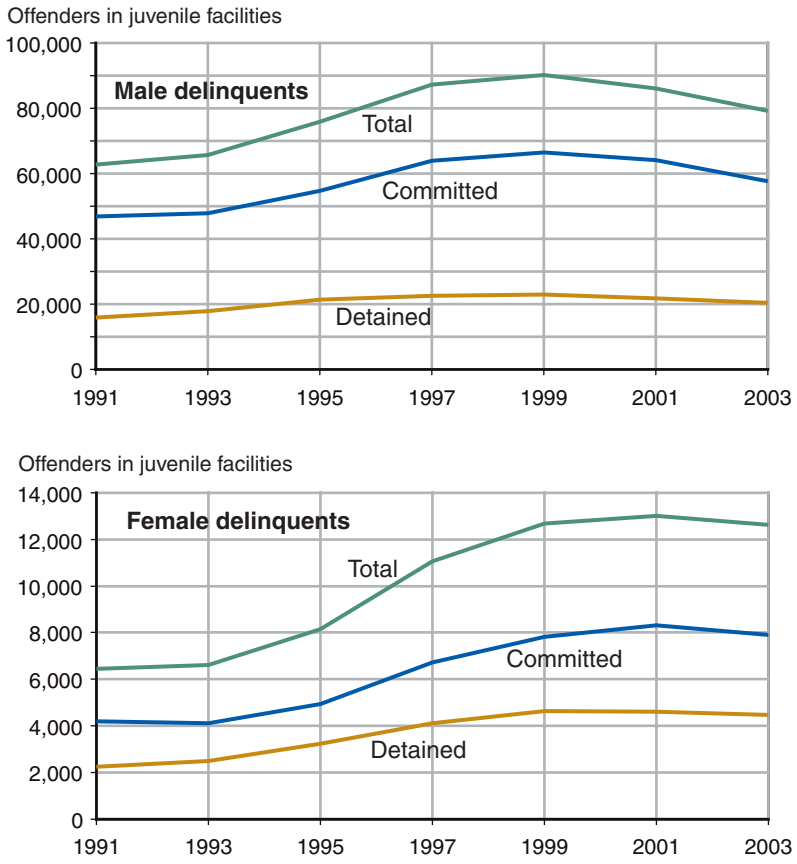


– Too few juveniles in category to calculate a reliable percentage.

Note: U.S. totals include 1,398 youth in private facilities for whom state of offense was not reported and 124 youth in tribal facilities.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data files].

Detained youth account for a greater share of the female population of delinquents in custody than the male population



- Between 1991 and 2003, detained youth constituted about one-quarter of all male delinquents in residential placement, compared with more than one-third of female delinquents in residential placement.
- For both males and females, the detained population increased more from 1991 to 2003 than the committed population. Among males, the increase was 23% for committed delinquents and 29% for detained delinquents. For females, the increase was 88% for committed delinquents and 98% for detained delinquents.

Note: Because data were not collected from tribal facilities prior to 1999, tribal facility data are excluded from this presentation.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997, 1999, 2001, and 2003 [machine-readable data files] and *Children in Custody Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities* for 1991, 1993, and 1995 [machine-readable data files].

Females are not distributed evenly across facility types

Detention centers held the largest proportion of female offenders in 2003 (45%). Long-term secure facilities (e.g., training schools) held about one-quarter of female offenders and group homes (and halfway houses) held about one-tenth. Long-term secure facilities held the largest proportion of male offenders (37%), closely followed by detention centers (35%).

Facility type profile, 2003:

Facility type	Male	Female
Total	100%	100%
Detention center	35	45
Shelter	2	5
Reception/diagnostic	6	7
Group home	9	12
Boot camp	4	1
Ranch/wilderness camp	5	4
Long-term secure	37	24
Other	1	<1

Note: Detail may not total 100% because of rounding.

Females made up more than a quarter of offenders in shelter facilities. For detention centers and group homes, about 1 in 5 offenders were female; for long-term secure facilities, 1 in 10 offenders were female.

Percentage of female offenders:

Facility type	2003
Detention center	19%
Shelter	27
Reception/diagnostic	17
Group home	19
Boot camp	6
Ranch/wilderness camp	12
Long-term secure	10
Other	6

In 2003, 59% of female offenders were in facilities that also held males. Females were housed in 47% of facilities: 33% held both males and females and 14% held only females.

Private facilities housed nearly 4 in 10 female offenders in residential placement in 2003

Private facilities held 36% of all female offenders in residential placement in 2003. In comparison, private facilities held 31% of male offenders that year. The proportion of female offenders held in private facilities varied by offense: these facilities housed 84% of females held for ungovernability, 37% of those held for simple assault, and 19% of those held for robbery.

Percent of offenders held in private facilities, 2003:

Most serious offense	Male	Female
Total offenders	31%	36%
Delinquency	29	31
Person	26	34
Homicide	8	10
Sexual assault	36	52
Robbery	17	19
Aggravated assault	22	30
Simple assault	39	37
Other person	30	42
Property	30	31
Burglary	28	28
Theft	32	34
Auto theft	32	35
Arson	30	32
Other property	29	24
Drug	39	43
Drug trafficking	29	30
Other drug	42	45
Public order	30	26
Weapons	22	28
Other public order	35	25
Technical violation	23	24
Status offense	66	70
Ungovernability	87	84
Running away	53	61
Truancy	74	77
Curfew violation	63	–
Underage drinking	43	52
Other status offense	28	28

– Too few juveniles in category to calculate a reliable percentage.

Females in custody tended to be younger than their male counterparts

Juveniles ages 15 and younger accounted for 46% of females and 33% of males held in 2003. In contrast, the proportion of older offenders (ages 18–21) was greater among males (16%) than among females (7%). The peak age for female offenders in residential placement was 16; for male offenders, it was 17.

Age profile of offenders in custody, 2003:

Age	Total	Male	Female
Total	100%	100%	100%
12 and younger	2	2	2
13	4	4	6
14	10	10	14
15	19	18	24
16	26	25	27
17	25	26	20
18 and older	14	16	7

Note: Detail may not total 100% because of rounding.

The female proportion of the custody population was greatest for offenders in their early teens

Overall, females accounted for 15% of offenders in residential placement. Through age 13, the female proportion of offenders in custody increased steadily with age. After age 13, the female proportion of offenders in custody diminished with age.

Female percent of juvenile offenders in residential placement:

Age	2003	Age	2003
10	7%	16	16%
11	14	17	13
12	17	18	8
13	21	19	6
14	21	20	5
15	19		

Minorities made up a smaller share of female than male offenders in custody

In 2003, minority youth made up the majority of both males and females in residential placement. Non-Hispanic whites accounted for 45% of female and 38% of male juvenile offenders in custody.

Race/ethnicity profile of offenders, 2003:

Race/ethnicity	Total	Male	Female
Total	100%	100%	100%
White	39	38	45
Minority	61	62	55
Black	38	39	35
Hispanic	19	20	15
Amer. Indian	2	2	3
Asian	2	2	1
Other	1	1	1

Note: Detail may not total 100% because of rounding.

From 1997 to 2003, the minority proportion of juvenile offenders in custody increased for females and decreased for males. In 1997, minorities accounted for 51% of female offenders in residential placement and 64% of males. In 2003, minorities constituted 55% of females in custody and 62% of males.

Females made up a smaller share of minority offenders in custody than of white offenders (14% vs. 18% in 2003). However, the female proportion varied across minority groups (e.g., 21% among American Indians, 12% among Hispanics).

Gender profile of offenders, 2003:

Race/ethnicity	Total	Male	Female
Total	100%	85%	15%
White	100	82	18
Minority	100	86	14
Black	100	86	14
Hispanic	100	88	12
Amer. Indian	100	79	21
Asian	100	86	14
Other	100	79	21

In a few offense categories, females accounted for more than 20% of offenders held

In 2003, females accounted for 15% of offenders in custody, but that proportion varied by offense. Females represented a much larger proportion of status offenders than delinquent offenders in custody (40% vs. 14%).

Female proportion of offenders:

Most serious offense	2003
Total	15%
Delinquency	14
Person	13
Homicide	12
Sexual assault	2
Robbery	6
Aggravated assault	16
Simple assault	25
Other person	18
Property	12
Burglary	7
Theft	18
Auto theft	14
Arson	10
Other property	12
Drug	13
Drug trafficking	7
Other drug	15
Public order	12
Weapons	6
Other public order	16
Technical violation	21
Status offense	40
Ungovernability	59
Running away	38
Truancy	38
Curfew violation	35
Underage drinking	30
Other status offense	25

Females were more likely than males to be held for simple assault, technical violations, and status offenses in 2003

	Offense profile for juvenile offenders in residential placement on October 22, 2003					
	Total		Detained		Committed	
Most serious offense	Male	Female	Male	Female	Male	Female
Total	100%	100%	100%	100%	100%	100%
Delinquency	96	87	96	90	97	86
Person	35	30	32	27	36	32
Homicide	1	1	1	1	1	1
Sexual assault	9	1	4	1	10	2
Robbery	7	2	6	2	7	3
Aggravated assault	8	8	9	9	7	8
Simple assault	7	14	7	11	8	15
Other person	3	4	3	3	3	4
Property	29	21	25	18	31	23
Burglary	12	5	10	4	13	5
Theft	6	7	4	5	6	8
Auto theft	6	5	5	5	6	6
Arson	1	1	1	0	1	1
Other property	5	4	5	3	5	4
Drug	8	7	8	6	9	8
Drug trafficking	2	1	2	1	2	1
Other drug	6	6	6	5	7	7
Public order	10	8	10	10	10	7
Weapons	3	1	4	1	3	1
Other public order	7	7	6	9	7	6
Technical violation	14	20	21	29	11	15
Status offense	4	13	4	10	3	14
Ungovernability	1	5	1	3	2	6
Running away	0	4	1	4	0	4
Truancy	1	2	1	2	1	2
Curfew violation	0	0	0	0	0	1
Underage drinking	0	1	0	0	0	1
Other status offense	1	1	1	1	0	1

Note: Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data files].

The female share of offenders held for simple assault, technical violations, and all status offense categories exceeded 20%. This was true for both detained and committed offenders. For theft and public order offenses other than weapons violations, females made up about one-quarter of detained offenders, but their share of committed offenders was substantially smaller. For most status offenses, females accounted for 30% or more of youth in custody.

In several offense categories, females accounted for less than 10% of juvenile offenders in custody: burglary and drug trafficking (7%), robbery and weapons (6%), and sexual assaults (2%). For all other offenses, the female share ranged between 10% and 20%.

The decline in black juveniles in custody led the overall 1997–2003 custody population decline

Black youth accounted for the majority of nonwhite youth held

In 2003, more than 59,000 minority offenders were in residential placement in juvenile facilities across the country—61% of the custody population nationwide. Black youth accounted for 38% of all offenders in custody.

Juvenile offenders in custody, 2003:

Race/ethnicity	Number	Percent	Percent change 1997–2003
Total	96,655	100%	–8%
White	37,347	39	–5
Minority	59,308	61	–10
Black	36,740	38	–12
Hispanic	18,422	19	–5
Amer. Indian	1,771	2	10
Asian	1,462	2	–34
Other/mixed	913	1	62

Note: Detail may not total 100% because of rounding.

Between 1997 and 2003, the population of offenders in custody dropped 8%. The decline for white youth (5%) was half the decline for minority youth (10%). Among minority youth, Asians had the largest relative drop (34%). However, black offenders accounted for the majority of the overall reduction in the custody population. More than 5,000 fewer black youth were held in juvenile facilities on the census date in 2003 than in 1997. This was 2.5 times the decrease in the white custody population.

Despite the decline in the number of minority offenders in custody, the minority proportion of the custody population decreased only slightly between 1997 and 2003 (from 62% to 61%). Among delinquent offenders held in juvenile facilities, minorities accounted for 62% in 2003, down from 64% in 1997. However, among status offenders held, minorities accounted for 52% in 2003, up from 41% in 1997.

In 2003, white youth's share of juveniles held in custody was greatest for the offenses of sexual assault and arson, black youth's share was greatest for robbery and drug trafficking

	Race/ethnic profile of juvenile offenders in custody, 2003						
			Minority				
Most serious offense	Total	White	Total minority	Black	Hispanic	American Indian	Asian
Total	100%	39%	61%	38%	19%	2%	2%
Delinquency	100	38	62	38	19	2	2
Homicide	100	27	73	40	26	2	4
Sexual assault	100	57	43	26	13	2	1
Robbery	100	15	85	60	22	1	2
Aggravated assault	100	28	72	41	26	2	3
Simple assault	100	40	60	40	15	2	1
Burglary	100	44	56	33	19	2	1
Theft	100	43	57	40	13	2	2
Auto theft	100	33	67	39	23	2	3
Arson	100	57	43	27	11	3	1
Drug trafficking	100	21	79	60	16	1	2
Other drug	100	38	62	36	22	2	1
Weapons	100	21	79	45	30	1	2
Technical violations	100	39	61	36	21	2	1
Status offenses	100	48	52	34	12	3	1

Notes: Totals include a small number of youth for whom race/ethnicity was not reported or was reported as "other" or "mixed." Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data files].

Minority proportion of offenders:

Year	Total	Delinquent	Status
1997	62%	64%	41%
1999	62	63	46
2001	60	61	50
2003	61	62	52

The minority proportion of committed delinquents decreased from 64% in 1997 to 60% in 2003, but the minority proportion of detained delinquents did not decline. Thus, the minority proportion was greater among detained offenders than committed offenders in 2003.

Minority proportion of delinquents:

Year	Total	Detained	Committed
1997	64%	64%	64%
1999	63	63	63
2001	61	63	60
2003	62	65	60

The minority proportion of offenders varied by offense and also by placement status

For some offenses, the minority proportion of detained juveniles was substantially greater than the minority proportion of committed juveniles. For example, blacks represented 44% of detained person offenders, but 39% of committed person offenders. This difference

stemmed primarily from differences for sexual assault and robbery offense categories. A similar pattern existed for youth held for public order offenses (primarily weapons offenses). In other offense categories, the minority proportions of detained and committed juveniles were comparable. For example, blacks accounted for 41% of detained drug offenders and 42% of committed drug offenders. Similarly, Hispanics constituted 21% of detained drug offenders and 20% of committed drug offenders.

Minority youth are not distributed evenly across facility types

Detention centers and long-term secure facilities (e.g., training schools) held the largest proportions of minority offenders in 2003—each holding more than one-third of minorities in custody. Shelters, reception centers, group homes, boot camps, and ranch/wilderness camps each held less than one-tenth of the minority population. Other facilities, such as those identifying themselves as residential treatment centers, accounted for more than one-quarter of minorities.

Facility type profile, 2003:

	Offender	
Facility type	White	Minority
Detention center	32%	36%
Shelter	3	2
Reception/diagnostic	6	6
Group home	11	7
Boot camp	3	4
Ranch/ wilderness camp	3	7
Long-term secure	32	34
Other	33	27

Note: Percents total more than 100% because facilities could select multiple type categories. Most facilities that selected "other" also selected one of the other listed facility types.

Offense profiles did not vary substantially by race/ethnicity

Offense profile of juvenile offenders in custody, 2003

			Minority				
Most serious offense	Total	White	Total minority	Black	Hispanic	American Indian	Asian
Total	100%	100%	100%	100%	100%	100%	100%
Delinquency	95	94	96	96	97	92	95
Homicide	1	1	1	1	1	1	2
Sexual assault	8	11	5	5	5	9	3
Robbery	6	2	9	10	7	3	8
Aggravated assault	8	6	9	8	10	7	14
Simple assault	8	9	8	9	7	9	7
Burglary	11	12	10	9	11	10	9
Theft	6	6	5	6	4	6	6
Auto theft	6	5	6	6	7	6	10
Arson	1	1	1	1	0	1	0
Drug trafficking	2	1	2	3	2	1	2
Other drug	6	6	6	6	7	7	4
Weapons	3	2	4	4	5	2	4
Technical violations	15	15	15	14	16	13	15
Status offenses	5	6	4	4	3	8	5

- Homicide accounted for a very small proportion of juveniles in custody, regardless of race/ethnicity.
- In 2003, 11% of whites were held for sexual assault, compared with 5% of Hispanics and blacks.
- Robbery accounted for a smaller proportion of white (2%) and American Indian (3%) youth held than of other groups.
- For all racial/ethnic groups, the proportion of youth held for drug trafficking was less than half the proportion held for drug offenses other than trafficking.
- Regardless of race/ethnicity, a substantial proportion of youth were held for technical violations of probation, parole, or valid court orders.

Notes: Totals include a small number of youth for whom race/ethnicity was not reported or was reported as "other" or "mixed." Detail may not total 100% because of rounding or because not all offenses are presented.

Source: Authors' analysis of *Census of Juveniles in Residential Placement* for 2003 [machine-readable data files].

Minority youth accounted for nearly half of the custody population in shelters and more than half of the population across all other facility types.

Minority proportion:

Facility type	2003
Detention center	64%
Shelter	48
Reception/diagnostic	60
Group home	53
Boot camp	69
Ranch/wilderness camp	76
Long-term secure	63
Other	56

Nationally, custody rates were highest for black youth and lowest for Asian youth

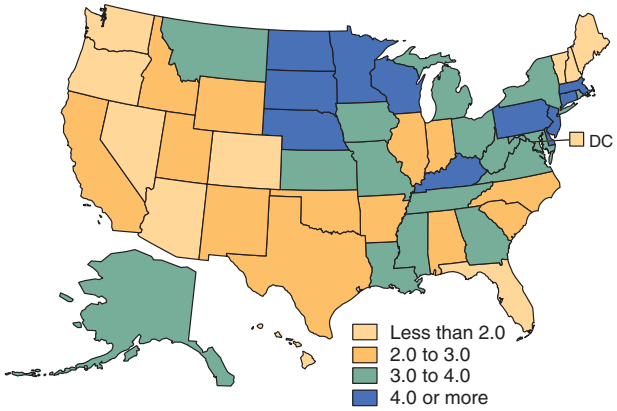
For every 100,000 black juveniles living in the U.S., 754 were in custody in a juvenile facility on October 22, 2003—the custody rate was 348 for Hispanics and 190 for whites

State of offense	Custody rate (per 100,000) White	Black	Hispanic	American Indian	Asian	State of offense	Custody rate (per 100,000) White	Black	Hispanic	American Indian	Asian
U.S. total	190	754	348	496	113	Missouri	159	690	287	93	87
Alabama	235	586	368	0	73	Montana	188	418	482	588	0
Alaska	177	339	0	896	206	Nebraska	214	1,529	447	1,682	194
Arizona	223	579	363	199	72	Nevada	289	958	332	405	152
Arkansas	142	468	200	0	108	New Hampshire	144	579	197	0	0
California	217	1,246	448	425	140	New Jersey	51	795	203	153	15
Colorado	268	1,150	396	646	112	New Mexico	153	823	105	212	0
Connecticut	105	669	316	672	36	New York	138	712	261	205	45
Delaware	128	1,029	413	0	0	North Carolina	106	332	77	195	45
Dist. of Columbia	347	683	698	0	0	North Dakota	235	1,384	747	1,240	0
Florida	355	973	186	195	81	Ohio	207	916	296	87	71
Georgia	142	500	237	127	59	Oklahoma	196	673	239	343	48
Hawaii	62	199	44	0	111	Oregon	291	1,075	314	870	181
Idaho	250	725	463	747	328	Pennsylvania	139	1,207	639	246	329
Illinois	120	589	144	113	14	Rhode Island	192	1,425	188	735	409
Indiana	316	1,188	381	417	0	South Carolina	201	567	453	193	143
Iowa	242	1,337	520	1,025	117	South Dakota	310	3,199	1449	1,575	873
Kansas	213	1,320	364	318	187	Tennessee	143	507	251	0	79
Kentucky	133	653	113	0	76	Texas	194	771	327	139	18
Louisiana	202	663	151	269	90	Utah	258	951	564	558	324
Maine	149	182	188	492	0	Vermont	71	0	341	0	0
Maryland	98	319	326	450	22	Virginia	143	715	273	0	71
Massachusetts	111	811	522	172	160	Washington	200	770	207	607	155
Michigan	169	602	231	287	27	West Virginia	229	953	567	775	0
Minnesota	156	1,149	400	1,712	280	Wisconsin	143	1,389	226	580	282
Mississippi	75	246	60	155	0	Wyoming	507	3,035	947	1,285	0

- In every state except Vermont, the custody rate for black juvenile offenders exceeded the rate for whites.
- Wyoming had the highest custody rate for white offenders (507), followed by Florida (355), the District of Columbia (347), Indiana (316), and South Dakota (310).
- Nationally, the ratio of the custody rate for minorities to that for whites was 2.6 to 1.

Note: The custody rate is the number of juvenile offenders in residential placement on October 22, 2003, per 100,000 juveniles age 10 through the upper age of jurisdiction in each state. U.S. totals include 1,398 youth in private facilities for whom state of offense was not reported and 124 youth in tribal facilities.

Ratio of minority custody rate to white rate

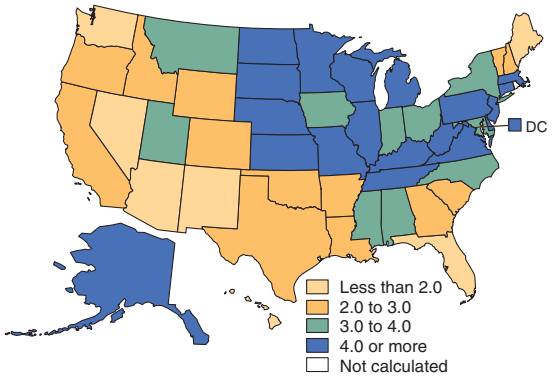


Source: Authors' analysis of Sickmund et al.'s *Census of Juveniles in Residential Placement databook* [online analysis].

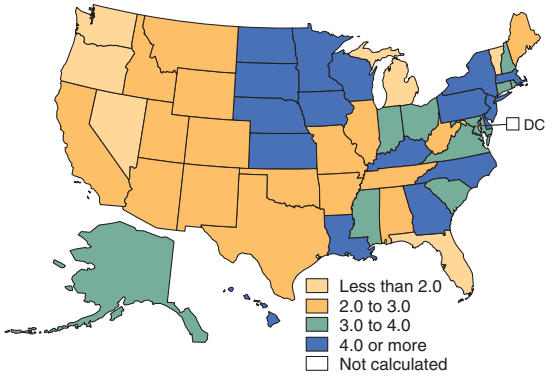
In nearly half the states, the ratio of minority to white custody rates was greater for detained youth than for youth committed to public or private facilities in 2003

State of offense	Ratio of minority rate to white rate			State of offense	Ratio of minority rate to white rate		
	Detained	Committed			Detained	Committed	
		Public	Private			Public	Private
U.S. total	3.1	2.9	2.0	Missouri	6.4	2.9	5.5
Alabama	3.1	2.7	1.9	Montana	3.7	2.8	3.5
Alaska	5.2	3.1	3.4	Nebraska	5.5	4.9	2.5
Arizona	1.3	2.0	1.0	Nevada	1.7	1.5	1.2
Arkansas	2.5	2.8	3.1	New Hampshire	2.3	3.5	0.6
California	2.2	2.7	1.3	New Jersey	8.0	8.8	6.6
Colorado	2.5	2.6	1.3	New Mexico	1.6	2.3	2.6
Connecticut	6.9	3.5	4.1	New York	3.7	6.6	1.8
Delaware	7.4	5.7	5.6	North Carolina	3.6	4.6	1.0
District of Columbia	8.7	–	0.5	North Dakota	5.5	7.4	3.8
Florida	1.6	1.2	1.7	Ohio	3.9	3.8	2.9
Georgia	2.8	4.4	1.5	Oklahoma	2.2	2.7	1.3
Hawaii	0.6	6.6	–	Oregon	2.0	1.5	1.2
Idaho	2.1	2.4	0.8	Pennsylvania	5.9	6.6	7.4
Illinois	4.3	2.7	1.8	Rhode Island	–	3.6	2.6
Indiana	3.3	3.6	1.5	South Carolina	2.5	3.4	2.3
Iowa	3.8	4.6	2.9	South Dakota	7.9	4.2	6.0
Kansas	4.0	4.0	3.1	Tennessee	4.0	2.8	3.6
Kentucky	5.0	4.0	3.0	Texas	2.3	2.0	2.4
Louisiana	2.4	4.5	2.4	Utah	3.9	2.4	1.3
Maine	1.6	2.0	0.0	Vermont	2.7	0.0	0.0
Maryland	3.2	3.2	2.7	Virginia	4.4	3.7	5.7
Massachusetts	5.6	5.1	4.7	Washington	1.6	1.7	2.0
Michigan	4.4	1.3	3.7	West Virginia	4.5	2.8	4.6
Minnesota	6.9	4.6	4.9	Wisconsin	10.3	6.3	3.6
Mississippi	3.0	3.2	–	Wyoming	2.9	2.6	2.0

Ratio of minority rate to white rate for detained offenders



Ratio of minority rate to white rate for committed offenders in public facilities



– Too few juveniles in category to calculate a reliable percentage.

Notes: The custody rate is the number of juvenile offenders in residential placement on October 22, 2003, per 100,000 juveniles age 10 through the upper age of jurisdiction in each state. U.S. totals include 1,398 youth in private facilities for whom state of offense was not reported and 124 youth in tribal facilities.

Source: Authors' analysis of Sickmund et al.'s *Census of Juveniles in Residential Placement databook* [online analysis].

On the 2003 census day, person offenders had been committed or detained longer than other offenders

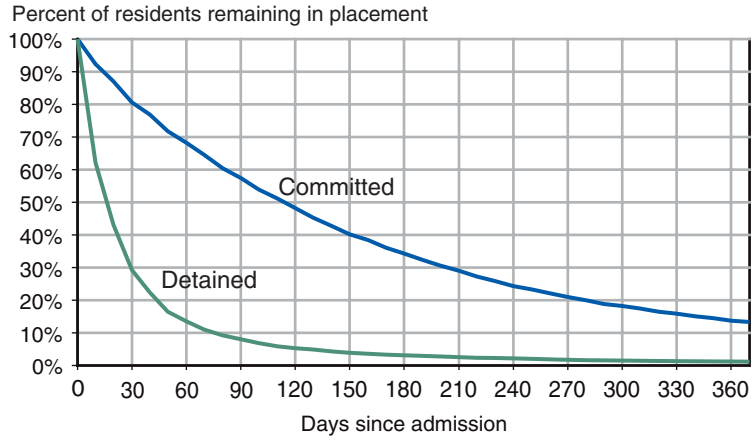
CJRP provides individual-level data on time spent in placement

Information on length of stay is key to understanding the justice system's handling of juveniles in residential placement. Ideally, length of stay would be calculated for individual juveniles by combining their days of stay in placement from their initial admission to their final release relating to a particular case. These individual lengths of placement could then be averaged for different release cohorts of juveniles (cohorts could be identified by year of release, offense, adjudication status, or demographic characteristics).

CJRP captures information on the number of days since admission for each juvenile in residential placement. These data represent the number of days the juvenile had been in the facility up to the census date. Because CJRP data reflect only a juvenile's placement at one facility, the complete length of stay—from initial admission to the justice system to final release—cannot be determined. Nevertheless, CJRP provides an overall profile of the time juveniles had been in the facility at the time of the census—a 1-day snapshot of time in the facility.

Because CJRP data are individual level rather than facility level, more averages can be calculated for different subgroups of the population. In addition, analysts can use the data to get a picture of the proportion of residents remaining after a certain number of days (e.g., what percentage of youth have been held longer than a year). This sort of analysis provides juvenile justice policymakers with a useful means of comparing the time spent in placement for different categories of juveniles.

In 2003, 34% of committed offenders but just 3% of detained offenders remained in placement 6 months after admission



- Among detained offenders (those awaiting adjudication, disposition, or placement elsewhere), 68% had been in the facility for at least a week, 49% for at least 15 days, and 28% at least 30 days.
- Among committed juveniles (those held as part of a court-ordered disposition), 80% had been in the facility for at least 30 days, 68% for at least 60 days, and 57% at least 90 days. After a full year, 13% of committed offenders remained in placement.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data file].

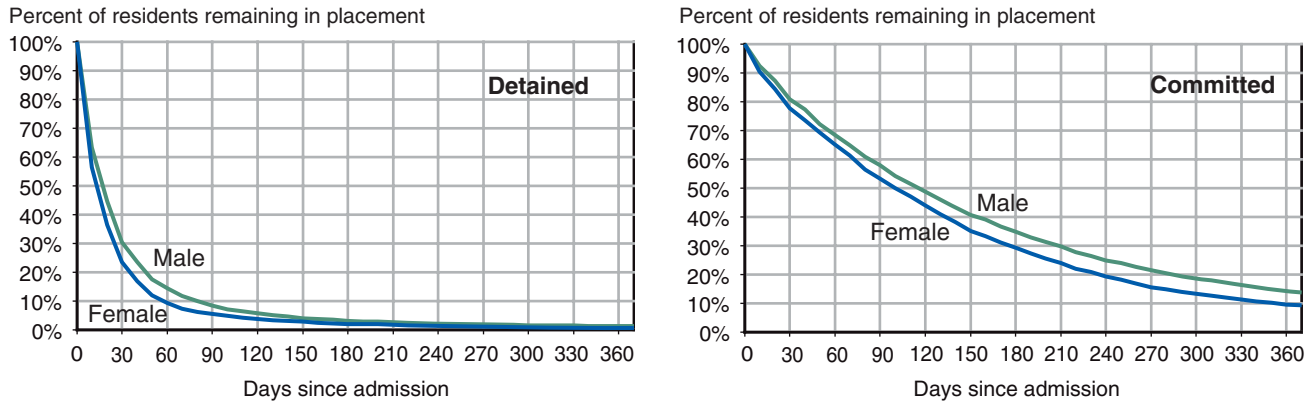
Offenders' average time in the facility varied by adjudication status, offense, and facility type

	Median days in placement		
	Detained	Committed	
Most serious offense	(all facilities)	Public	Private
Total	15	105	121
Delinquent	15	106	124
Person	19	160	145
Property	14	97	113
Drugs	15	89	114
Public order	14	111	142
Technical violation	13	50	89
Status offense	10	65	117

- Half of offenders committed to public facilities remained in placement after 105 days (121 days for those committed to private facilities). In contrast, half of detained offenders remained in placement after just 15 days.
- With the exception of person offenses, offenders committed to private facilities had longer stays than those committed to public facilities.

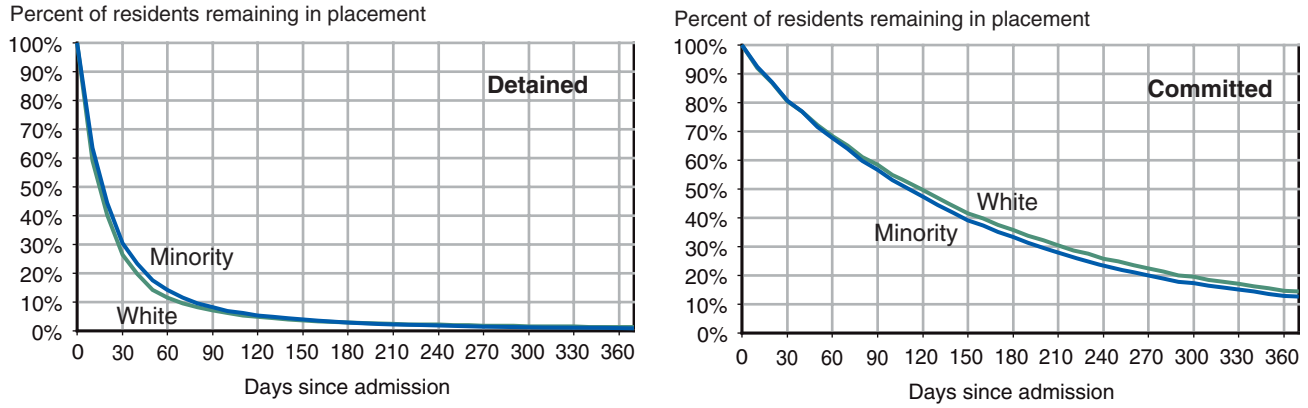
Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data file].

Males tended to stay in facilities longer than females in 2003



- Among detained females, 25% remained after 28 days; among detained males, 25% remained after 36 days.
- After 45 days, 20% of detained males and 14% of detained females remained in custody.
- After 180 days, 35% of committed males and 29% of committed females remained in custody.
- Among committed females, 25% remained after 204 days; among committed males, 25% remained after 244 days.

Half of detained white offenders remained in custody after 14 days; half of detained minority offenders remained in custody after 15 days



- One-quarter of detained minority youth remained in custody after 36 days; one-quarter of detained white youth remained in custody after 30 days.
- Among committed offenders, time in placement was virtually the same for whites and minorities until about the 50-day mark—after 50 days, the proportion of white youth remaining in custody was somewhat greater than the proportion of minority youth remaining.
- After 6 months, 35% of committed white youth and 33% of committed minority youth remained in custody.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data file].

Residents' average time in placement varied by offender characteristics

The overall median time in placement for juvenile offenders held in juvenile facilities was 68 days. In other words, after 68 days half of all youth held remained in placement. The median time in placement was greater for males (71 days) than for females (48 days) and greater for white youth (72 days) than for minority youth (64 days).

Time in placement does not always coincide with offense seriousness

Among committed offenders, those held for criminal homicide had the longest time in placement. For committed homicide offenders, the median number of days in placement was 345 days. Sexual assault offenders had the second longest average time in placement at 271 days.

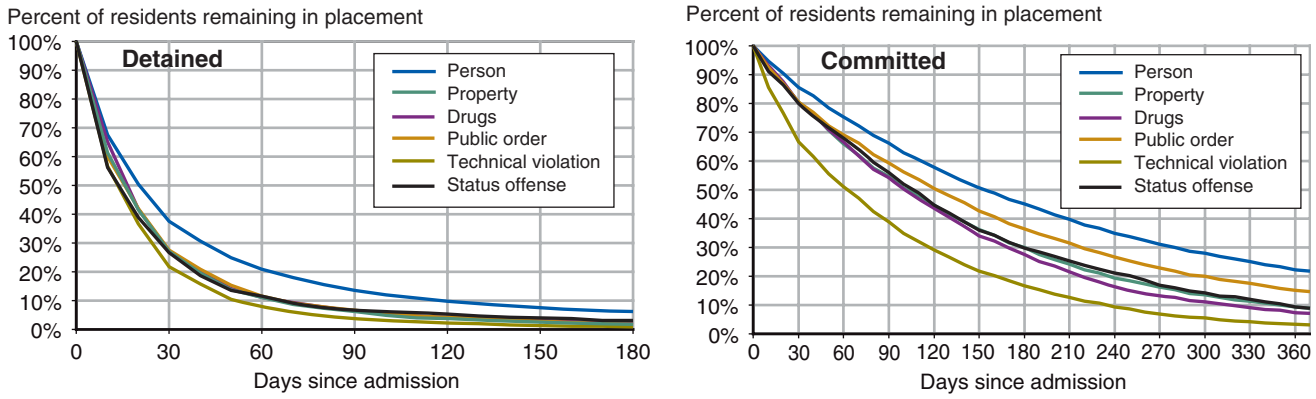
The median time in placement for committed aggravated assault offenders was just 2 weeks more than the figure for committed simple assault offenders. Simple assault offenders had the same average days in placement as offenders committed for drug trafficking.

The average time in placement for committed status offenders was virtually the same as the average time for weapons, auto theft, burglary, and theft offenders.

Committed offenders, 2003:

Most serious offense	Median days in placement
Homicide	345
Sexual assault	271
Robbery	154
Arson	141
Public order (not weapons)	128
Aggravated assault	126
Simple assault	112
Drug trafficking	112
Weapons	107
Auto theft	105
Status offense	105
Burglary	104
Theft	103
Drugs (not trafficking)	97
Technical violation	62

In 2003, committed person offenders were in placement longer than other types of offenders



- Time-in-placement patterns largely overlapped for detained youth held for property, drug, public order, and status offenses.
- Time-in-placement patterns also largely overlapped for committed youth held for property, drug, and status offenses.
- After 60 days, 21% of detained person offenders remained in custody.
- After 6 months, 45% of committed person offenders remained in custody.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2003 [machine-readable data file].

Facility type is related to the kind of agency that operates and staffs the facility

More public facilities are local than state, but state facilities hold more youth

Local facilities (those staffed by county, city, or municipal employees) make up more than half of all public facilities but held fewer than half of all juvenile offenders in public facilities on the census date in 2002.

Juvenile residential facilities, 2002:

	Facilities		Juvenile offenders	
	Number	Pct.	Number	Pct.
Total	2,964	100%	102,388	100%
Public	1,182	40	70,243	69
State	513	17	41,138	40
Local	669	23	29,105	28
Private	1,773	60	31,992	31

Note: Total includes 9 tribal facilities holding 153 juvenile offenders.

During the course of a year, many more juveniles pass through local facilities than state facilities. This is because the majority of local facilities are detention centers, where youth stay for relatively short periods of time. In state facilities, such as training schools, stays are generally longer.

Group homes outnumber all other types of facilities

JRFC asks respondents to identify the type of facility (detention center, shelter, reception/diagnostic center, group home/halfway house, boot camp, ranch/forestry/wilderness camp/marine program, or training school/long-term secure facility). Although respondents were allowed to select more than one facility type category, the vast majority (88%) selected only one category.

Detention centers tend to be local facilities, long-term secure facilities tend to be state facilities, and group homes tend to be private facilities

	Facility type							
Facility operation	Total	Detention center	Shelter	Reception/ diagnostic center	Group home	Boot camp	Ranch/ wilderness camp	Long-term secure
Total	2,964	769	289	104	1,136	56	157	389
Facility type by operation								
	100%	100%	100%	100%	100%	100%	100%	100%
Public	40	80	28	52	18	68	39	67
State	17	18	5	42	10	25	16	56
Local	23	62	22	10	7	43	23	12
Private	60	19	72	48	82	32	61	33
Operation by facility type								
Total	100%	26%	10%	4%	38%	2%	5%	13%
Public	100	52	7	5	17	3	5	22
State	100	27	3	9	23	3	5	42
Local	100	71	10	1	12	4	5	7
Private	100	8	12	3	53	1	5	7

- Reception/diagnostic centers are nearly as likely to be private facilities as they are to be public facilities. Boot camps are more likely to be public facilities than private facilities; however, a substantial proportion of boot camps are private.
- The majority of shelters and ranch/wilderness camps are private facilities.
- Detention centers made up 71% of all local facilities and 52% of all public facilities.
- Long-term secure facilities accounted for 42% of all state facilities.
- Group homes account for 53% of all private facilities.

Note: The total number of facilities includes facilities that did not identify themselves as one of the described facility types. Row percents may sum to more than the total because facilities could select more than one facility type category. Detail may not total 100% because of rounding.

Source: Author's analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

More than 1,100 facilities that identified themselves as group homes/halfway houses were holding juvenile offenders on the census date in 2002. Group homes made up 38% of all facilities and held 12% of juvenile offenders. Facilities identifying themselves as detention centers were the second most common type of facility (26%). Detention centers held 40% of juvenile offenders.

Security features vary across types of facilities

Public and private facilities differ in their degree of security

Overall in 2002, 32% of facilities that reported security information in JRFC said that at least some of the time they lock youth in their sleeping rooms to confine them. Very few private facilities locked youth in sleeping rooms (7%). Among public facilities, 73% of local facilities and 58% of state facilities reported locking youth in sleeping rooms.

Percent of facilities, 2002:

Facility	Locked sleeping rooms
Total	32%
Public	66
State	58
Local	73
Private	7

Among facilities that reported they locked youth in sleeping rooms, three-quarters said they did this when the youth were out of control. One-quarter did so when youth were suicidal. Locking youth in their rooms during shift changes was fairly common (43%). More than half (54%) said they locked sleeping rooms whenever youth were in them. Locking sleeping rooms at night was more common (87%). Just over one-quarter said youth were locked in their sleeping rooms part of each day. A few facilities said they locked youth in their rooms most of each day (1%) or all of each day (1%). Six percent said they rarely locked youth in sleeping rooms (they had no set schedule).

Facilities indicated whether they had various types of locked doors or gates intended to confine youth within the facility or to keep intruders out (see boxes on this page and the next). Nearly half of all facilities that reported security information said they had one or more confinement features (other than locked sleeping rooms). Among public facilities, the proportion was 78%. In contrast, among private facilities, it was 24%.

Percent of facilities, 2002:

Facility	Confinement features: None	Confinement features: One or more
Total	53%	47%
Public	22	78
State	20	80
Local	23	77
Private	76	24

Among detention centers and training schools that reported security information, about 9 in 10 said they had one or more confinement features (other than locked sleeping rooms).

Facilities reporting one or more confinement features other than locked sleeping rooms, 2002:

Facility	Number	Percent
Total	1,320	47%
Detention center	689	91
Shelter	71	25
Reception/diagnostic	71	70
Group home	171	16
Boot camp	42	75
Ranch/ wilderness camp	29	19
Long-term secure	336	87
Other	166	35

Among group homes and ranch/ wilderness camp facilities, fewer than 2 in 10 said they had locked doors or gates to confine youth. A facility's staff, of course, also provides security. In some facilities, remote location is a security feature that keeps youth from leaving.

Overall, 16% of facilities reported fences (or walls) with razor wire. This arrangement was most common in detention centers (39%), training schools (37%), and boot camps (32%).

JRFC asks facilities about their security features

Are any young persons in this facility locked into their sleeping rooms by staff at any time to confine them?

Does this facility have any of the following features intended to confine young persons within specific areas?

- Doors for secure day rooms that are locked by staff to confine young persons within specific areas?
- Wing, floor, corridor, or other internal security doors that are locked by staff to confine young persons within specific areas?
- Outside doors that are locked by staff to confine young persons within specific buildings?
- External gates in fences or walls WITHOUT razor wire that are locked by staff to confine young persons?
- External gates in fences or walls WITH razor wire that are locked by staff to confine young persons?

Are outside doors to any buildings with living/sleeping units in this facility ever locked? If yes, why?

- To keep intruders out?
- To keep young persons inside this facility?

JRFC did not ask about security features such as roll call (resident counts), cameras, or guard towers.

Eight in ten juvenile offenders in custody in 2003 were held in locked rather than staff-secure facilities

Security arrangements varied by facility characteristics

Juvenile residential placement facilities vary in their degree of security. The use of fences, walls, and surveillance equipment is increasingly common in juvenile facilities, although security hardware is generally not as elaborate as that found in adult jails and prisons. National accreditation standards for juvenile facilities express a preference for relying on staff, rather than on hardware, to provide security. The guiding principle is to house juvenile offenders in the "least restrictive placement alternative." Staff security measures include periodically taking counts of the youth held, using classification and separation procedures, and maintaining an adequate ratio of security staff to juveniles.

Locked outside doors were to keep intruders out more than to keep residents inside the facility

Among the 80% of facilities that reported to the 2002 JRFC that they locked outside doors to buildings with sleeping units, 87% said those outside doors were locked to keep intruders out and 50% said doors were locked to keep residents inside the facility (37% said doors were locked for both reasons). Public facilities were more likely than private facilities to lock doors to keep residents inside (79% vs. 25%), although many public facilities (60%) said they also locked doors to keep intruders out. Private facilities were more likely than public facilities to lock doors to keep intruders out (92% vs. 81%). Few private facilities (17%) said they also locked doors to keep residents inside.

CJRP asks facilities a series of questions about their use of locked doors or gates during daytime operating hours and nighttime sleeping hours. In 2003, facilities reported that daytime locks confined 8 in 10 juvenile offenders at least some of the time. This represents an increase over 1997, when 7 in 10 offenders were housed in facilities with locked arrangements. The vast majority of juveniles in public facilities were confined in facilities with locked security arrangements.

Daytime security profile of offenders, 2003:

Facility type	Total	Locked	Staff-secure
Total	100%	81%	19%
Public	100	94	6
Private	100	53	47
Tribal	100	45	55

Most youth in facilities with daytime locks were in facilities that held all youth under the same security arrangements. More than 7 in 10 youth in locked facilities were in facilities that locked a perimeter fence or wall, the main entrance, or living units during the day for all youth. Smaller proportions of youth were in facilities where all youth were confined during the day by locked sleeping rooms, day rooms, classrooms, or infirmaries.

Percent of youth in daytime locked facilities, 2003:

Area within locked facilities	Locked for some	Locked for all
Perimeter	1%	73%
Main entrance	1	72
Living units	5	75
Sleeping rooms	9	59
Day rooms	2	52
Classrooms	4	35
Cafeteria	3	47
Infirmary	3	61

Security arrangements also varied by placement status and offense category

Overall, a larger proportion of committed juveniles than detained juveniles were held in facilities relying on staff security. This difference stemmed from variation in security arrangements within private facilities. Security arrangements in public facilities varied little—more than 90% of both committed and detained offenders were in locked facilities.

Daytime security profile of offenders, 2003:

Placement type	Total	Locked	Staff-secure
Total	100%	81%	19%
Detained	100	91	9
Committed	100	77	23
Public	100	94	6
Detained	100	93	7
Committed	100	94	6
Private	100	53	47
Detained	100	70	30
Committed	100	50	50

Juveniles in residential placement for homicide, sexual assault, robbery, aggravated assault, arson, and technical violations were the most likely to be held behind locked doors or gates. Compared with juveniles held for delinquency offenses, those in residential placement for status offenses were more likely to be confined under staff-secure arrangements (19% vs. 32%). However, substantial variation existed within the status offense categories. Juveniles held for underage drinking or possession of alcohol were nearly as likely to be held in facilities with locked arrangements as those held for delinquency offenses.

Daytime security profile of offenders, 2003:

Most serious offense	Total	Locked	Staff-secure
Delinquency	100%	81%	19%
Person	100	83	17
Homicide	100	92	8
Sexual assault	100	85	15
Robbery	100	85	15
Aggr. assault	100	84	16
Simple assault	100	77	23
Other person	100	82	18
Property	100	80	20
Burglary	100	81	19
Theft	100	79	21
Auto theft	100	78	22
Arson	100	84	16
Other property	100	80	20
Drug	100	73	27
Drug trafficking	100	76	24
Other drug	100	73	27
Public order	100	82	18
Weapons	100	81	19
Other public order	100	82	18
Technical violation	100	84	16
Status	100	68	32
Ungovernability	100	58	42
Running away	100	75	25
Truancy	100	64	36
Curfew	100	77	23
Underage drinking	100	78	22
Other status offenses	100	88	12

Demographic variation in security arrangements reflected offense variations

Minority juveniles were more likely than white juveniles to be in facilities with locked doors or gates. Among minorities, Hispanic youth were more likely to be held under locked arrangements than were other minorities.

Daytime security profile of offenders, 2003:

Race/ethnicity	Total	Locked	Staff-secure
White	100%	79%	21%
Minority	100	82	18
Black	100	81	19
Hispanic	100	84	16
Amer. Indian	100	81	19
Asian	100	78	22
Other	100	72	28

However, within offense categories, the difference between the proportions of white and minority youth held under locked arrangements diminished. This was especially true for those held for serious offenses. For example, among those held for homicide, locked doors or gates confined 92% of white youth and 92% of minority youth.

The proportion of juveniles held in facilities with locked arrangements was somewhat greater for youth ages 18 and older (82%) than for youth 12 and younger (78%) but didn't really vary much by age. Across all ages, about 8 in 10 youth were in locked facilities. Females were more likely than males to be held under locked arrangements.

Daytime security profile of offenders, 2003:

Offense type/gender	Total	Locked	Staff-secure
Total			
Male	100%	80%	20%
Female	100	84	16
Delinquency			
Male	100	81	19
Female	100	86	14
Person			
Male	100	83	17
Female	100	85	15
Property			
Male	100	79	21
Female	100	85	15
Drug			
Male	100	73	27
Female	100	78	22
Public order			
Male	100	81	19
Female	100	88	12
Technical violation			
Male	100	83	17
Female	100	88	12
Status			
Male	100	66%	34
Female	100	72	28

Overall, the race/ethnicity, age, and gender differences in the proportion of juveniles held under locked rather than staff-secure arrangements were largely related to offense variations among the demographic groups. Differences may also reflect facilities' use of locks to protect the residents from outside intruders.

The Juvenile Justice and Delinquency Prevention Act prohibits placement of status offenders in secure facilities

The Juvenile Justice and Delinquency Prevention Act of 2002 states that "juveniles…charged with or who have committed offenses that would not be criminal if committed by an adult or offenses which do not constitute violations of valid court orders, or alien juveniles in custody, or such nonoffenders as dependent or neglected children, shall not be placed in secure detention facilities or secure correctional facilities…" Federal regulations have interpreted the Juvenile Justice and Delinquency Prevention Act to permit youth charged with status offenses to be held in secure juvenile facilities for up to 24 hours following the initial contact with law enforcement or the court.

Most facilities were small (fewer than 50 residents) but most offenders were in large facilities

Large facilities were most likely to be state operated

Very few state-operated facilities held 10 or fewer residents in 2002. In contrast, 46% of private facilities (807 of 1,773) were that small. In fact, these small facilities made up the largest share of private facilities.

Although state-operated facilities made up just 17% of all facilities, they accounted for 66% of facilities holding more than 200 residents. In contrast, private facilities made up 60% of all facilities, but they accounted for 80% of facilities holding 10 or fewer residents.

Security increases as facility size increases

Among the largest facilities (those with more than 200 residents) that reported security information, 86% said they lock youth in their sleeping rooms to confine them at least some of the time. The vast majority of these large facilities (90%) said they had one or more features (locked doors or gates) intended to confine youth. Although the use of razor wire is a far less common security measure, more than 6 in 10 of these large facilities said they had locked gates in fences or walls with razor wire.

Percent of facilities reporting confinement features, 2002:

Facility size (residents)	Sleeping rooms locked	One or more features	Razor wire
Total	32%	47%	16%
1–10	10	19	3
11–20	24	41	10
21–50	45	64	24
51–100	47	70	29
101–200	69	85	34
201–972	86	90	64

In 2002, more than half of facilities were small (20 or fewer residents) but nearly half of juvenile offenders were held in large facilities (more than 100 residents)

	Facilities		Juvenile offenders	
Facility size	Number	Percent	Number	Percent
Total facilities	2,964	100%	102,388	100%
1–10 residents	1,003	34	4,845	5
11–20 residents	648	22	7,806	8
21–50 residents	704	24	19,819	19
51–100 residents	350	12	20,630	20
101–200 residents	171	6	21,664	21
201–972 residents	88	3	27,624	27

- Although the largest facilities—those holding more than 200 residents—accounted for only 3% of all facilities, they held 27% of juvenile offenders in custody nationwide.
- Inversely, although the smallest facilities—those holding 10 or fewer residents—accounted for 34% of all facilities, they held only 5% of juvenile offenders in custody.

Note: Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

Small group homes holding 20 or fewer residents were the most common type of facility—accounting for 1 in 3 facilities overall

	Facility type						
Facility size (number of residents)	Detention center	Shelter	Reception/ diagnostic center	Group home	Boot camp	Ranch/ wilderness camp	Long-term secure
Total facilities	769	289	104	1,136	56	157	389
	100%	100%	100%	100%	100%	100%	100%
1–10	18	46	13	59	0	4	2
11–20	20	31	15	26	9	10	10
21–50	34	15	18	10	36	50	29
51–100	15	6	24	4	34	25	21
101–200	9	2	18	0	20	10	23
201–972	5	0	12	0	2	2	16

- Facilities that held 10 or fewer residents accounted for 59% of group homes, 46% of shelters, and less than 20% for each of the other facility types.
- Facilities that held more than 200 residents accounted for 16% of long-term facilities and 12% of reception/diagnostic centers. For other facility types, the proportion was 5% or less.

Notes: Facilities could select more than one facility type category. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

Facility crowding affects a substantial proportion of youth in custody

Many juvenile offenders are in facilities that have more residents than standard beds

Facilities reported both the number of standard beds and the number of occupied makeshift beds on the census date. A facility's occupancy rate is a broad indicator of the adequacy of its living space. Although national standards have not been established in this area, a facility's operational functioning may become impaired as its occupancy rate approaches 100%.

Crowding occurs when the number of residents occupying all or part of a facility exceeds some predetermined limit based on square footage, utility use, or even fire codes. Although not a perfect measure of crowding, comparing the number of residents to the number of standard beds gives a sense of the crowding problem in a facility. However, even if it is not relying on makeshift beds (e.g., cots, roll-out beds, mattresses, sofas), a facility may be crowded. For example, using standard beds in an infirmary for youth who are not sick or beds in seclusion for youth who have not committed infractions may indicate crowding problems.

In 2002, 36% of facilities responding to JRFC said that the number of residents they held on the census date put them at or over the capacity of their standard beds or that they relied on some makeshift beds. These facilities held more than 39,300 residents, the vast majority of whom were offenders younger than 21: 34% of all residents held on the 2002 census date and 34% of offenders younger than 21 were held in facilities operating at or above their standard bed capacity. In comparison, in 2000, such facilities represented 39% of all facilities and held 40% of all residents. In 2002, facilities that reported being over capacity (having fewer standard beds than residents or relying on makeshift beds) accounted for 6% of facilities but held 14% of juvenile offenders. In comparison, in 2000, over-capacity facilities accounted for 7% of facilities and held 16% of offenders.

Compared with other types of facilities, public detention centers and reception/diagnostic centers were more likely to be at or over the limit of their standard bed capacity in 2002

	Percent of facilities at standard bed capacity			Percent of facilities over standard bed capacity		
Type of facility	Total	Public	Private	Total	Public	Private
Total	30%	16%	39%	6%	15%	1%
Detention center	14	10	34	18	21	2
Shelter	17	15	18	2	5	0
Reception/diagnostic center	26	19	34	10	17	2
Group home	43	29	46	1	3	1
Boot camp	16	13	22	5	5	6
Ranch/wilderness camp	25	26	24	2	2	2
Training school	23	19	31	9	13	1

Notes: A single bed is counted as one standard bed and a bunk bed is counted as two standard beds. Makeshift beds (e.g., cots, roll-out beds, mattresses, sofas) are not counted as standard beds. Facilities are counted as over capacity if they reported more residents than standard beds or if they reported any occupied makeshift beds. Facilities could select more than one facility type category. Totals include data from nine tribal facilities.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

Larger facilities were more likely than smaller facilities to be crowded

Facility size (number of residents)	Number of facilities	Percent of facilities under/at/over standard bed capacity			Mean number of makeshift beds
		Under	At	Over	
Total	2,964	64%	30%	6%	10
1–10	1,003	61	38	1	2
11–20	648	63	34	3	3
21–50	704	66	24	10	7
51–100	350	69	17	14	11
101–200	171	63	20	16	21
201–972	88	66	17	17	18

Notes: A single bed is counted as one standard bed and a bunk bed is counted as two standard beds. Makeshift beds (e.g., cots, roll-out beds, mattresses, sofas) are not counted as standard beds. Facilities are counted as over capacity if they reported more residents than standard beds or if they reported any occupied makeshift beds.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

Nationwide in 2002, 1,069 facilities (36%) were at or over standard bed capacity or relied on some makeshift beds

State	Number of facilities under, at, or over capacity				Percent of juvenile offenders in facilities at or over capacity		State	Number of facilities under, at, or over capacity				Percent of juvenile offenders in facilities at or over capacity	
	Total	Under	At	Over	At	Over		Total	Under	At	Over	At	Over
U.S. total*	2,964	1,894	882	187	20%	14%	Missouri	72	48	20	4	7%	7%
Alabama	48	39	7	2	7	9	Montana	24	19	4	1	5	6
Alaska	23	14	5	4	12	59	Nebraska	19	16	1	2	0	33
Arizona	51	40	9	2	7	16	Nevada	18	11	5	2	39	31
Arkansas	35	25	10		22	0	New Hampshire	8	5	3	0	70	0
California	286	135	136	15	19	10	New Jersey	49	36	5	8	9	31
Colorado	65	41	16	8	25	36	New Mexico	27	20	4	3	9	15
Connecticut	26	17	8	1	26	7	New York	221	113	94	14	25	19
Delaware	6	3	0	3	0	83	North Carolina	66	52	12	2	7	4
Dist. of Columbia	13	9	4	0	14	0	North Dakota	11	5	5	1	28	3
Florida	181	88	83	10	40	11	Ohio	97	58	23	16	12	21
Georgia	53	27	11	15	8	30	Oklahoma	56	24	32	0	42	0
Hawaii	5	4	0	1	0	65	Oregon	45	29	13	3	25	8
Idaho	22	17	4	1	6	5	Pennsylvania	179	125	48	6	33	5
Illinois	45	38	6	1	4	2	Rhode Island	14	4	9	1	23	64
Indiana	95	75	18	2	19	8	South Carolina	38	29	5	4	7	27
Iowa	65	46	19	0	36	0	South Dakota	22	13	8	1	31	1
Kansas	56	38	16	2	47	5	Tennessee	58	39	16	3	15	13
Kentucky	50	39	11	0	13	0	Texas	129	86	27	16	11	28
Louisiana	62	40	19	3	13	5	Utah	47	29	16	2	26	4
Maine	14	10	4	0	42	0	Vermont	5	3	2	0	28	0
Maryland	43	22	19	2	41	13	Virginia	71	49	13	9	16	18
Massachusetts	68	20	44	4	59	9	Washington	40	33	2	5	1	18
Michigan	94	67	24	3	14	4	West Virginia	23	13	6	4	10	24
Minnesota	100	79	21	0	16	0	Wisconsin	81	69	12	0	29	0
Mississippi	17	14	2	1	2	1	Wyoming	21	20	1	0	2	0

Notes: A single bed is counted as one standard bed and a bunk bed is counted as two standard beds. Makeshift beds (e.g., cots, roll-out beds, mattresses, sofas) are not counted as standard beds. Facilities are counted as over capacity if they reported more residents than standard beds or if they reported any occupied makeshift beds. State is the state where the facility is located. Offenders sent to out-of-state facilities are counted in the state where the facility is located, not the state where their offense occurred.

*U.S. total includes nine tribal facilities. These tribal facilities were located in Arizona, Colorado, Montana, Oklahoma, and South Dakota. One of the nine tribal facilities had more residents than standard beds.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

On the 2002 census date, public facilities were more likely than private facilities to be crowded

Among publicly operated facilities, 15% were over their standard bed capacity or had residents occupying makeshift beds in 2002. For private facilities, the figure was 1%. A large proportion of private facilities (39%), however, said they were operating at 100% capacity. State-operated public facilities had a somewhat greater proportion of facilities that were over capacity (17%) than did locally run public facilities (13%).

Percent of facilities under, at, or over their standard bed capacity:

Facility	Under	At	Over
Total	64%	30%	6%
Public	69	16	15
State	63	20	17
Local	74	13	13
Private	60	39	1

Note: Totals include data from nine tribal facilities.

Use of makeshift beds varied

More than 250 facilities had occupied makeshift beds (averaging 10 per facility). Many facilities rely on makeshift beds, yet many others operate below standard capacity (averaging 7 unoccupied beds). These averages mask a wide range: one facility with 162 residents had 72 standard beds and 90 residents without standard beds; one facility with 1,272 standard beds had 972 residents, leaving 300 unoccupied beds.

Most youth are in facilities that screen for substance abuse, mental health needs, and suicide risk

Facilities screening all youth for substance abuse problems held 67% of offenders in custody

As part of the information collected on substance abuse services, the JRFC questionnaire asks facilities about their procedures regarding screening youth for substance abuse problems.

In 2002, 61% of facilities that reported substance abuse screening information said they evaluated all youth to determine whether they had substance abuse problems (problems with drugs and/or alcohol). An additional 20% said they evaluated some youth. Some facilities (19%) said they did not screen any youth.

In facilities that reported substance abuse screening information, facilities that screened all youth held 67% of juvenile offenders. Facilities that screened some youth held an additional 16% of offenders.

Of the facilities that said they screened some but not all youth, most screened youth identified as having substance abuse problems—84% said they screened youth identified by the court or probation officer, 80% said they screened those identified by facility staff. Some facilities (69%) also targeted youth for substance abuse evaluation if they had a drug or alcohol-related offense. A small proportion of facilities listed other triggers for substance abuse screening, including a parent or youth request, any youth adjudicated for a delinquency offense, and youth without previous screening information. A few facilities said they screened a certain proportion of youth (e.g., every third youth admitted).

The most common approach to substance abuse evaluations in 2002 was to screen all youth on the day they arrived at the facility. One in three facilities that screened for substance abuse problems screened all youth on their first day. These facilities held 34% of offenders in screening facilities. The second most common approach was to screen all youth between the first day and the end of the first week (27% of facilities holding 30% of offenders).

Reception/diagnostic centers, boot camps, and long-term secure facilities were more likely than other types of facilities to screen all youth for substance abuse problems in 2002

Substance abuse evaluation practice	Facility type						
	Detention center	Shelter	Reception/ diagnostic center	Group home	Boot camp	Ranch/ wilderness camp	Long-term secure
Total facilities	769	289	104	1,136	56	157	389
Facilities reporting	753	280	101	1,074	56	153	386
Total	100%	100%	100%	100%	100%	100%	100%
All youth evaluated	63	48	74	56	71	69	72
Some youth evaluated	18	30	20	23	14	12	16
No youth evaluated	19	22	6	21	14	20	13

Notes: Facilities could select more than one facility type category. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

Most substance abuse screening involved staff-administered questions or observations

The most commonly reported method of determining whether offenders had substance abuse problems was a series of staff-administered questions (reported by 73% of facilities that said they conducted evaluations). Visual observations were also common (66%). Just over half of facilities (55%) used self-report methods (standardized instruments or checklist inventories).

73% of facilities holding 77% of offenders conduct urinalysis for drug use

Many facilities said they require urine samples from all youth upon initial admission, each time they reenter the facility, or at randomly scheduled times (37% of reporting facilities). These facilities held 37% of offenders in reporting facilities. An additional 35% of facilities holding 40% of offenders urine-tested a subset of youth or tested only when it was requested by the court or probation officer or when drug use was suspected.

Most offenders were held in facilities providing onsite substance abuse services

Of the facilities reporting information on substance abuse services, 66% provided onsite services. These facilities held 83% of offenders in reporting facilities.

The most commonly reported onsite service was substance abuse education (97% of facilities),

followed by the development of treatment plans (69%) and therapy provided by a substance abuse treatment professional (individual therapy, 69%, or group therapy, 67%). Individual or group counseling provided by someone other than a substance abuse treatment professional was also quite common (60% each).

Two in ten facilities said that all youth in the facility received ongoing, onsite specialized therapy or counseling for substance abuse problems. Seven in ten facilities said they provided onsite therapy or counseling for substance abuse problems on a case-by-case basis. The remaining 1 in 10 reported other sorts of policies or did not provide onsite therapy or counseling as part of their substance abuse services.

Relatively few offenders were in facilities relying on offsite substance abuse services

Of the facilities reporting information on substance abuse services, 20% relied on offsite substance abuse services. These facilities held 6% of offenders in reporting facilities.

Substance abuse education was the most commonly reported offsite substance abuse service (81% of facilities). The next most commonly reported offsite substance abuse services were professional therapy (individual, 75%, or group, 69%), Alcoholics Anonymous (70%), Narcotics Anonymous (64%), and treatment plan development (65%).

In 5 of 10 facilities, in-house mental health professionals evaluate all youth held

In JRFC, facilities provided information about their procedures for evaluating youth's mental health needs. Among the 2,287 facilities that reported mental health evaluation information in 2002, 53% said that in-house mental health professionals evaluate all youth to determine mental health needs. An additional 34% said in-house mental health professionals evaluate some, but not all, youth.

Reception/diagnostic centers and long-term secure facilities were more likely than other types of facilities to have in-house mental health professionals evaluate all youth for mental health needs

Mental health evaluation practice (by in-house professional)	Facility type						
	Detention center	Shelter	Reception/ diagnostic center	Group home	Boot camp	Ranch/ wilderness camp	Long-term secure
Total facilities	769	289	104	1,136	56	157	389
Facilities reporting	591	179	96	825	52	157	389
Total	100%	100%	100%	100%	100%	100%	100%
All youth evaluated	30	33	66	57	46	45	64
Some youth evaluated	62	46	34	22	40	35	32
No youth evaluated	8	21	0	21	13	20	4

Notes: Facilities could select more than one facility type category. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

Profile of in-house mental health evaluations:

Youth evaluated	2000	2002
Facilities reporting	2,201	2,287
Total	100%	100%
All youth	50	53
Some youth	36	34
No youth	14	13

Note: Detail may not total 100% because of rounding.

In 2002, a greater proportion of privately operated than publicly operated facilities said that in-house mental health professionals evaluated all youth (62% vs. 41%). However, public facilities reported a greater proportion of facilities that had at least some youth evaluated by an in-house mental health professional (91% vs. 84%).

Profile of in-house mental health evaluations, 2002:

Youth evaluated	Public	Private
Facilities reporting	950	1,332
Total	100%	100%
All youth	41	62
Some youth	50	22
No youth	10	16

Note: Detail may not total 100% because of rounding.

Facilities also identified the type of treatment they provided (if any). Facilities that said they provided mental health treatment inside the facility (onsite) were more likely than other facilities to have a mental health professional evaluate all youth (64% vs. 32%). However, not all facilities that said they provided onsite mental health treatment said they had an in-house mental health professional evaluate youth for mental health needs. It may be that youth were evaluated before arriving at these facilities or that outside professionals were contracted to conduct the evaluations.

The most common approach to mental health evaluation in 2002 was to screen all youth by the end of their first week at the facility

Timeframe for in-house mental health evaluation	Percent of reporting facilities			Percent of juvenile offenders in reporting facilities		
	Total	All youth evaluated	Some youth evaluated	Total	All youth evaluated	Some youth evaluated
Total	100%	61%	39%	100%	57%	43%
By end of day 1	18	15	3	20	17	3
Day 2 through end of week 1	40	30	10	39	25	14
After week 1	19	12	7	17	10	7
Other	23	5	18	24	5	18

- In 45% of facilities that reported information on their mental health evaluation procedures, all youth were evaluated for mental health needs by an in-house mental health professional by the end of their first week in custody.

Notes: Data are based on facilities reporting mental health evaluations by in-house professionals. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

JRFC defines mental health professionals by educational specialties and degrees

Mental health professionals are defined in JRFC as: psychiatrists, psychologists with at least a master's degree in psychology, or social workers with at least a master's degree in social work. Counselors are defined as persons with a master's degree in a field other than psychology or social work or persons whose highest degree is a bachelor's in any field.

Profile of in-house mental health evaluations, 2002:

Youth evaluated	Onsite mental health treatment	
	Yes	No
Facilities reporting	1,500	787
Total	100%	100%
All youth	64	32
Some youth	27	47
No youth	9	21

Note: Detail may not total 100% because of rounding.

Evaluation of all youth by an in-house mental health professional was more likely in large facilities than small facilities

Among facilities that reported mental health information, 57% of those with 51–100 residents said that all youth were evaluated for mental health needs by a mental health professional. For the largest facilities (with 200 or more residents), the proportion was 60%. In comparison, proportions were smaller for facilities housing fewer residents (e.g., 50% for facilities with 11–20 residents). Large facilities were also less likely to say that no youth were evaluated for mental health needs by an in-house mental health professional. For example, 5% of facilities with more than 50 residents said no youth were evaluated by an in-house mental health professional, compared with 21% of the smallest facilities (10 or fewer residents).

Facilities that screen all youth for suicide risk hold 81% of the juvenile offenders in custody

As part of the information collected on mental health services, the JRFC questionnaire asks facilities about their procedures regarding screening youth for suicide risk. In 2002, 68% of the 2,837 facilities that reported information on suicide screening said they evaluated all youth for suicide risk. An additional 17% said they evaluated some youth. The proportion of facilities reporting that all youth are evaluated for suicide risk increased 6 percentage points from 2000 to 2002. In both years, some facilities said they evaluated no youth for suicide risk.

Profile of suicide risk evaluations:

Youth evaluated	2000	2002
Facilities reporting	2,754	2,837
Total	100%	100%
All youth	62	68
Some youth	24	17
No youth	15	15

Note: Detail may not total 100% because of rounding.

In 2002, a greater proportion of public than private facilities said they evaluated all youth for suicide risk (79% vs. 60%). Among facilities that reported suicide screening information, those that screened all youth held 81% of juvenile offenders who were in residential placement—up from 78% in 2000.

Profile of suicide risk evaluations:

Youth evaluated	2000	2002
Offenders in facilities reporting	104,956	100,110
Total	100%	100%
All youth	78	81
Some youth	16	12
No youth	6	7

Note: Detail may not total 100% because of rounding.

Professional mental health staff conduct most suicide screening

More than half (56%) of facilities that screened some or all youth for suicide risk reported that screenings were conducted by mental health professionals with at least a master's degree in psychology or social work. Some facilities also used counselors to conduct screenings. Fewer than 1 facility in 5 used untrained staff to screen for suicide.

Most facilities had no suicides or serious suicide attempts

Eight facilities reported having a resident die of suicide during the year; 114 reported a suicide attempt during the month prior to the census that was serious enough to require hospitalization. These 122 facilities represented less than 4% of all facilities.

Facilities reporting a suicide or a past-month attempt requiring hospitalization, 2002:

Facility type	Single-purpose facility	Multi-purpose* facility
Total	97	25
Detention	37	6
Shelter	4	10
Reception/diagnostic	1	7
Group home	22	10
Boot camp	1	1
Ranch/ wilderness camp	5	1
Long-term secure	8	15
Other type	19	9

*Counts sum to more than the total number of facilities because facilities could select more than one facility type category.

Large facilities were more likely than smaller facilities to screen all youth for suicide risk

Among the largest facilities (200 or more residents), 90% of those reporting information on suicide screening said all youth were screened for suicide risk. In comparison, proportions were smaller for facilities housing fewer residents (e.g., 70% for facilities with 11–20 residents). Large facilities were less likely to say that no youth were screened for suicide risk. For example, among facilities with 200 or more residents, 1% said no youth were screened for suicide risk, compared with 15% of the smallest facilities (10 or fewer residents).

Reception/diagnostic centers and long-term secure facilities were more likely than other types of facilities to screen all youth for suicide risk in 2002

Suicide risk evaluation practice	Facility type						
	Detention center	Shelter	Reception/ diagnostic center	Group home	Boot camp	Ranch/ wilderness camp	Long-term secure
Total facilities	769	289	104	1,136	56	157	389
Facilities reporting	754	280	101	1,074	56	153	386
Total	100%	100%	100%	100%	100%	100%	100%
All youth evaluated	84	57	85	55	68	62	82
Some youth evaluated	10	24	12	20	16	13	12
No youth evaluated	6	19	3	24	16	25	6

The most common approach to suicide risk evaluation in 2002 was to screen all youth on the day they arrive at the facility

Timeframe for suicide risk evaluation	Percent of reporting facilities			Percent of juvenile offenders in reporting facilities		
	Total	All youth evaluated	Some youth evaluated	Total	All youth evaluated	Some youth evaluated
Total	100%	80%	20%	100%	88%	12%
By end of day 1	66	61	5	74	70	4
Day 2 through end of week 1	15	11	4	12	10	2
After week 1	4	3	1	4	3	1
Other	15	6	9	10	5	6

- Facilities that screened all youth and did so on the youth's first day accounted for 61% of facilities that screened for suicide risk; they held 70% of the juvenile offenders in facilities that reported suicide screening.

Notes: Facilities could select more than one facility type category. Data are based on facilities reporting suicide risk evaluations. Detail may not total 100% because of rounding.

Source:Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

The death rate was lower for youth in custody than for youth in the general population

Deaths of juveniles in custody are relatively rare

According to the 2002 JRFC, 26 youth died while in the legal custody of juvenile facilities, down from 30 in 2000 and 45 in 1994. The 2002 deaths occurred in 24 facilities: 22 facilities each reported a single death; 2 facilities each reported 2 deaths.

More than half of the deaths reported in 2002 occurred inside the facility (14 of 26). Public facilities accounted for most of the deaths that occurred inside the facility. Private facilities accounted for most of the deaths that occurred outside the facility.

Overall, public facilities reported 16 deaths; private facilities reported 10 deaths. Deaths inside the facility accounted for most deaths reported by public facilities. Deaths outside the facility accounted for most deaths reported by private facilities.

Suicide was the most common cause of death. All facilities reporting suicides said they evaluate all residents for suicide risk, and all but two said they evaluate residents within 24 hours of arrival. One facility said it evaluates by the end of the first week, and one said youth are screened for suicide risk at detention intake and if referred for screening by a counselor.

A total of 122 facilities holding juvenile offenders reported transporting at least one juvenile to a hospital emergency room because of a suicide attempt. None of these facilities also reported a suicide death.

Suicide was the leading cause of death for juveniles in custody during the 12 months prior to the census, followed by accidents

	Number of deaths						
		Inside the facility			Outside the facility		
Cause of death	Total	All	Public	Private	All	Public	Private
Total	26	14	11	3	12	5	7
Suicide	10	8	7	1	2	1	1
Accident	6	1	1		5	2	3
Illness/natural	6	4	2	2	2	1	1
Homicide	2	0	0	0	2	1	1
Other	2	1	1	0	1	0	1

- For youth ages 13–17 in the general population, accidents were the leading cause of death, followed by homicide and suicide.

Note: Data are reported deaths of youth in custody from October 1, 2001, through September 30, 2002. Reported homicides were attributed to nonresidents.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census* for 2002 [machine-readable data file].

Are youth in custody at greater risk of death than youth in general?

There has been concern about the risk of death to youth in custody and whether that risk is greater than the risk faced by youth in the general population. Death rates for the general population (detailed by age, sex, race, ethnicity, and cause of death) can be applied to data for the population held in juvenile residential facilities to calculate the number of deaths that would be expected if the custody population had the same rate of death as the general population. Overall, the actual deaths reported to JRFC were substantially lower than the expected deaths. The expected number of deaths was more than 2.5 times the actual number of deaths reported.

	Number of deaths in juvenile facilities, 2002	
Cause of death	Expected	Actual
All deaths (includes causes not detailed)	62	26
Suicide	8	10
Homicide (and legal intervention)	20	2
Unintentional (illness, accident, etc.)	34	12

The expected number of homicides was 10 times the actual number. The expected number of unintentional deaths was nearly 3 times the actual number. The expected number of suicides was nearly the same as the reported number.

Officials reported 2,821 sexual violence allegations in juvenile facilities in 2004—3 in 10 were substantiated

Congress requested statistics on sexual violence in facilities

The Prison Rape Elimination Act of 2003 (PREA) requires the Bureau of Justice Statistics (BJS) to report the incidence and prevalence of sexual violence in adult and juvenile detention and correctional facilities. For this work, sexual violence is divided into (1) youth-on-youth nonconsensual sexual acts, (2) youth-on-youth abusive sexual contacts, (3) staff-on-youth sexual misconduct, and (4) staff-on-youth sexual harassment that includes verbal harassment. (See box on next page for formal definitions.) In the first wave of data collection, BJS gathered information on incidents reported to correctional authorities during 2004. In upcoming years, BJS will move beyond officially reported incidents by conducting confidential interviews with youth.

Local and private juvenile facilities reported more incidents than state-operated facilities

Of the estimated 2,821 allegations of sexual violence reported by authorities in juvenile facilities in 2004, 59% were youth-on-youth incidents and 41% were staff-on-youth incidents. Within the youth-on-youth incidents, 2 of every 3 were nonconsensual sexual acts. Within the staff-on-youth incidents, 3 of every 4 were staff sexual misconducts.

One-third (33%) of all reported incidents of sexual violence against juveniles occurred in state-operated facilities and two-thirds (67%) occurred in local or privately operated facilities. Staff-on-youth violence accounted for a greater proportion of the incidents in state-operated facilities than in local or privately operated facilities (56% vs. 33%).

Allegations of sexual violence reported by authorities averaged 1 per 50 beds in 2004

To calculate the relative incidence of sexual violence in state-operated facilities and in local or privately operated facilities, BJS had to control for the different population capacities of the two groups of facilities. In theory, the rate could be calculated using either the number of youth admitted in a defined time period (e.g., a year) or the number of youth in the facilities on an average day (i.e., the average daily population—or ADP).

In reality, it is difficult to obtain a comparable count from facility to facility of the number of youth admitted in a year. Individual youth may move in and out of the facility for various reasons during what some would consider a single admission while others would count each in-and-out incident as a separate admission. ADP is a far more reliable measure of a facility's population and was used by BJS to calculate the sexual violence incident rate.

For its report, BJS calculated the rate of sexual violence by dividing reported incidents in a facility during 2004 by the number of beds in use in the facility on December 31, 2004. Using this measure, the estimated rate of reported sexual violence in 2004 was 22.6 sexual violence incidents per 1,000 beds in state-operated juvenile facilities and 16.5 sexual violence incidents per 1,000 beds in locally operated or private juvenile facilities—or 18.1 sexual violence incidents per 1,000 juvenile beds nationwide. In other words, a juvenile facility with 50 beds would have been expected to have about one report of sexual violence in 2004.

In 2004, the allegation rate for youth-on-youth sexual violence was similar in state-operated and local or privately operated juvenile facilities, while the allegation rate for staff-on-youth sexual violence was greater in state-operated facilities.

Rates* of sexual violence allegations reported to authorities in facilities:

Sexual violence	State	Local/ private
Total	22.6	16.5
Youth-on-youth	9.9	11.1
Nonconsensual	6.7	7.3
Abusive contacts	3.2	3.8
Staff-on-youth	12.7	5.4
Sexual misconduct	11.3	3.2
Sexual harassment	1.3	2.2

*Rates are allegations per 1,000 beds

About 30% of reports of sexual violence in juvenile facilities were substantiated

BJS also asked facilities how they handled reports of sexual violence. BJS found that allegations of sexual violence inside state, local, and private juvenile correctional facilities are normally investigated by an authority external to the facility and the juvenile correctional system (e.g., child protective services, state or local law enforcement).

Most local or private juvenile facilities (79%) and state juvenile correctional systems (64%) reported that external authorities had sole or shared responsibility for investigating allegations of youth-on-youth sexual violence. External authorities had sole or shared responsibility for investigating allegations of staff sexual misconduct in 72% of state juvenile correctional systems and 74% of local or private juvenile facilities.

The findings of these investigations can fall into three categories: substantiated (i.e., the event was

determined to have occurred); unsubstantiated (i.e., there was insufficient evidence to determine if the event had occurred); and unfounded (i.e., it was determined that the event had not occurred). After investigation, 25% of sexual violence reports in state-operated facilities and 32% in local or privately operated facilities were substantiated. Reports of youth-on-youth violence were substantiated more often than were staff-on-youth reports.

Percent of reported sexual violence allegations that were substantiated:

Sexual violence	State	Local/ private
Total	25%	32%
Youth-on-youth	35	40
Nonconsensual	33	33
Abusive contacts	40	51
Staff-on-youth	17	15
Sexual misconduct	15	17
Sexual harassment	31	13

The somewhat higher rate of sexual violence allegations in state-operated juvenile facilities and their somewhat lower substantiation percentage resulted in similar rates of substantiated incidents of sexual violence in state-operated and local or private juvenile facilities—a rate of 5 substantiated allegations per 1,000 beds per year. This means that the official records of a 200-bed juvenile facility are likely to contain 1 substantiated allegation of sexual violence per year.

Girls were more likely than boys to be sexually victimized

BJS reported that 34% of the victims in the substantiated incidents of sexual violence in state-operated facilities were female, although females accounted for just 11% of the custody population. Similarly, although females represented 17% of the population in local or private facilities, 37% of the victims in substantiated incidents of sexual violence in these facilities were female.

Although overall, females were more likely than males to be sexually victimized, males constituted a greater proportion of the victims of substantiated nonconsensual sexual acts between youth (78%). Males and females were equally likely to be the victims of abusive youth-on-youth sexual contact. In substantiated incidents of staff sexual misconduct, females accounted for 32% of the victims. In substantiated incidents of sexual violence, a female (youth or staff) was the perpetrator in 24% of incidents in local or private facilities and 36% of incidents overall.

Comparing reported sexual violence rates in juvenile and adult facilities is problematic

BJS found that the allegation rate of youth-on-youth nonconsensual sexual acts reported by authorities in juvenile facilities in 2004 was more than 6 times the rate of inmate-on-inmate nonconsensual sexual acts reported by authorities in state prisons and more than 7 times the rate in local jails. Similarly, the rate of staff sexual misconduct was 10 times greater in state-operated juvenile facilities than in state prisons and 5 times greater in local or private juvenile facilities than in local jails.

BJS pointed out that these differences may not reflect actual differences in the levels of sexual violence. For example, all sexual acts between youth in juvenile facilities were legally classified as nonconsensual, but consensual acts between inmates were not counted in adult facilities. In addition, professionals in many states are required by law to report any suspicion of child abuse, including sexual contacts among juveniles. Allegations in juvenile facilities were more likely to be investigated by external authorities than those in adult facilities, which might encourage more reporting to juvenile facility authorities. Finally, BJS found that the records systems in juvenile facilities made responding to the survey easier. In all, BJS concluded sexual violence may be more readily reported to authorities in juvenile facilities than in adult facilities.

How the BJS administrative survey measured sexual violence

The PREA study disaggregated sexual violence into two categories of youth-on-youth sexual acts and two categories of staff-on-youth acts. The youth-on-youth categories were nonconsensual sexual acts and abusive sexual contacts. Nonconsensual acts included forcible rape, sodomy, and statutory rape (because the youth were not of consenting age). Abusive sexual contacts were the intentional touching (either directly or through the clothing) of the genitalia, anus, groin, breast, inner thigh, or buttocks.

The staff-on-youth categories were sexual misconduct and sexual harassment. Staff was defined as an employee, volunteer, official visitor, or agency representative. Sexual misconduct was defined as any consensual or nonconsensual behavior or act of a sexual nature directed toward a youth by staff, and sexual harassment was defined as repeated verbal statements or comments of a sexual nature to a youth by staff, including demeaning references to gender or derogatory comments about body or clothing; or profane or obscene language or gestures.

The youth reentry population is characterized by multiple risk factors

Custody data can give insight into the reentry population

Based on data from the 1999 Census of Juveniles in Residential Placement (CJRP), it was estimated that nearly 100,000 juvenile offenders were released from custody facilities following conviction. Analyses of the 2003 CJRP data show that the 1-day count of juveniles committed to facilities following conviction has declined substantially since 1999. From 1999 to 2003, the committed population in custody on the census day dropped 10%. Thus, the size of the reentry population is presumably smaller today than it was in 1999. Data from the 2003 CJRP and 2003 Survey of Youth in Residential Placement (SYRP) provide a current understanding of the characteristics of candidates for reentry programs.

The reentry population was mostly male, minority, 15 or older, person offenders released from locked public facilities

With the 2003 CJRP, a demographic profile of youth who will become reentry program candidates can be developed. So as not to overrepresent the characteristics of youth with very long lengths of stay, the analysis focuses on committed youth who had been in a facility 4–6 months—neither a very short time nor an extremely long time. These data suggest the following characteristics of the juvenile reentry population:

- 57% of reentry youth come from publicly operated facilities, 45% from state-operated public facilities.
- 43% of reentry youth come from privately operated facilities.
- 86% are male.
- 40% are white, 38% are black, and 18% are Hispanic.
- 12% are age 14 or younger, 44% are age 15 or 16, 44% are age 17 or older.
- 34% were committed for a person offense (most likely simple assault), 32% for a property offense (most likely burglary), 10% for a drug offense, 10% for a public order offense, 10% for a technical violation of probation or parole, and 5% for a status offense.

More than half of these youth were held in public facilities with doors or gates that are locked day and night. More than a third come from facilities that have living quarters, wings, floors, or units that are locked for all youth day and night. The majority of facilities holding these youth said they provide onsite treatment (85%), most often mental health (63%) or substance abuse (67%) treatment. Fewer than 4 in 10 violent offenders were in facilities providing treatment specifically for violent offenders.

Many reentry candidates had been in custody before—some several times

Analyses of the 2003 SYRP data show that most youth reentry candidates said they had at least one prior commitment (62%). When asked about prior convictions and prior custody experiences, about a quarter (23%) said they had been convicted of an offense but had not been in custody before their current placement. Some had been in custody before, but had not been convicted before (6%) and some said that they had not been convicted or in custody before (8%). Among those who had been in custody before, 2 in 10 said they had been in custody only once before, 4 in 10 said they had been held 2–4 times, and 4 in 10 said they had been held 5 or more times before.

The prior histories of potential reentry candidates varied somewhat by gender, age, and current offense. Similar proportions of girls and boys said they had been committed to custody following conviction at least once before. Of those in custody before, 43% of girls and 39% of boys said they had been held five or more times. Among youth age 15 or older, 64% had been committed before. Surprisingly, for younger youth the proportion was 58%. Among reentry candidates whose most serious current offense was a person offense, 61% said they had been committed at least once before, 22% said they had at least one prior conviction but no prior custody experiences, 6% said they had been in custody at least once before but hadn't been convicted, and 10% reported no prior convictions or custody experiences. Among those held for a property offense, 66% said they had been committed at least once before and 6% reported no prior convictions or custody experiences. The proportions of property offenders with prior custody but no prior convictions, or prior convictions but no prior custody, did not differ from those of person offenders. Further, the number of prior custody experiences did not vary much by offense.

Among youth who were previously in custody and released and subsequently reoffended, 18% committed offenses that were more serious than their previous offense, 40% committed offenses at the same severity level, and 24% committed offenses that were less serious than their prior offense. Girls and older youth were somewhat more apt than their counterparts to report a

decrease in offense severity. Youth whose current offense was a person offense tended to have maintained the same offense severity or increased their offense seriousness.

Few reentry youth came from two-parent families and many reported emotional problems

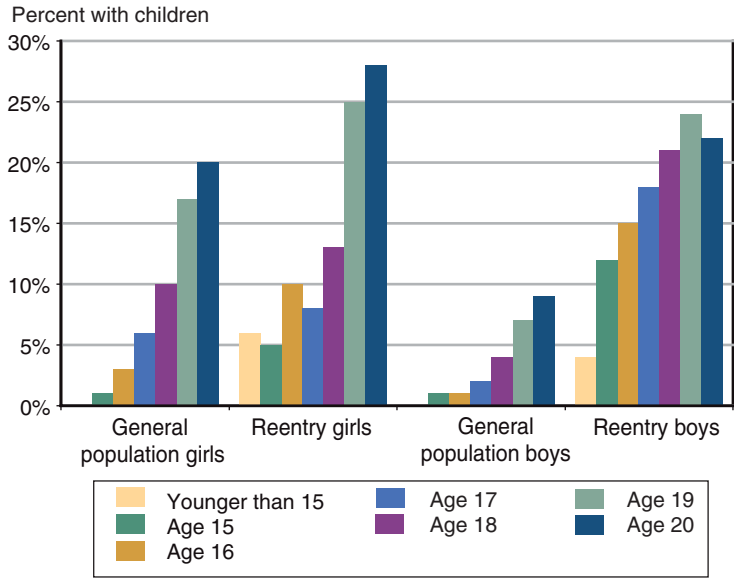
When they entered custody, 56% of committed youth had been living with one parent, 19% were living with two parents, and 26% were not living with any parent. Girls and older youth were somewhat more apt than their counterparts to report not living with parents when they entered custody.

As part of the SYRP interviews, youth were asked a series of questions designed to detect several types of emotional problems. Although 10% of youth reported no problems, many reported more than one type of problem (71%). The large majority of committed youth indicated some degree of anger management problem (81%); most also expressed anxiety (61%) or depression (59%). Hallucinations were reported by 1 in 6 youth (17%), 1 in 4 said they had suicidal feelings or ideas (27%), and 1 in 5 said they had attempted suicide at least once in their life (21%). About 4 in 10 female candidates for reentry reported suicide attempts, as did 2 in 10 males. In comparison, in the general population, fewer than 1 in 10 males and females in the same age group reported suicide attempts.

Reentry youth need support for successful reintegration into the community

These data indicate that substantial proportions of the juvenile reentry population are likely to need extensive supervision and support services when they return to the community. Few of these youth could be classified as "first-timers" in the juvenile justice system. Although most did not return to the system with more serious charges, 2 in 10 of those with a previous custody experience had increased the seriousness of their offending. Most youth will return to live with single parents who may benefit from programs to help them supervise their children. Nearly three-quarters of these youth (71%) expressed multiple types of emotional problems and could benefit from mental health services upon their return home. In addition, many of these youth are or will be parents themselves and could benefit from programs that teach parenting skills (e.g., home nurse visitation). Reentry programs need to address these and other factors that affect youth's ability to succeed and become productive citizens.

Compared with youth in the general population, at all ages, higher proportions of youth who are reentry candidates are themselves parents



- Overall, 1 in 11 reentry candidates said they had children of their own.
- Among girls, 6% said they had at least one child and an additional 4% said they were expecting.
- Older youth were more likely than younger youth to say they had or were expecting a child.

Source: Authors' adaptation of Sedlak and Bruce's unpublished analysis of National Longitudinal Survey of Youth 2003 data: Children with children and Sedlak and Bruce's unpublished analysis of 2003 Survey of Youth in Residential Placement data: Profile of the committed population.

Recidivism is a commonly used, often confusing measure of the success of justice system outcomes

What is recidivism?

Recidivism is the repetition of criminal behavior. A recidivism rate may reflect any number of possible measures of repeated offending—arrest, court referral, conviction, correctional commitment, and correctional status changes within a given period of time. Typically, the only available statistical indicators of criminal behavior are official records of these system events. For this reason, virtually all measures of recidivism underestimate reoffending since they only include offending that comes to the attention of the system.

The most useful recidivism analyses include the widest possible range of system events that correspond with actual reoffending and include sufficient detail to differentiate offenders by offense severity in addition to other characteristics. Including rearrest, reconviction (or readjudication), and reincarceration (or reconfinement) rates allows flexibility in making comparisons to other studies. Including information on severity of subsequent offenses, time to reoffend, and frequency of reoffending maximizes possibilities for making comparisons. Calculating recidivism rates for more than one timeframe (6 months, 1 year, 2 years, etc.) also increases comparison flexibility. Recidivism findings should include clearly identified units of count and detail regarding the length of time the subject population was in the community.

Questions that users of recidivism rates need to ask

"What is counted as recidivism? What is the recidivism timeframe? What comparisons are being made?

The discussion of these three concepts indicates that the definition of recidivism is far from consistent. … The healthy skeptic should ask questions and hold the purveyor of recidivism data responsible for providing a clear definition of recidivism." (Beck, 2001)

What is known about juvenile recidivism?

There is no national recidivism rate for juveniles. Such a rate would not have much meaning since juvenile justice systems vary so much across states. The Virginia Department of Juvenile Justice (VDJJ) contacted other states to collect information on juvenile recidivism studies across the country. Twenty-seven (27) states provided verified data on recidivism of juveniles released from state incarceration (with various dates of studies ranging from 1991 through 2003). VDJJ identified studies according to factors that would enable appropriate comparisons to be made: the state's upper age of juvenile jurisdiction; whether a cohort was followed prospectively; the length of followup and year of the cohort or group; the offenses included (delinquent/criminal or all offenses, including technical violations, traffic, status, etc.); whether the cohort was tracked into the adult system; and the measure of recidivism used (rearrest, rereferral to court, reconviction/readjudication, or reincarceration/reconfinement).

VDJJ found that most states were able to provide a recidivism rate for a 12-month followup period. Several states calculated rates for other timeframes ranging from 3 months to 5 years. Most states followed a cohort of juveniles released from state incarceration, but some states

Reoffending data from studies of juveniles released from state incarceration show that rearrest rates are substantially higher than rates based on other measures of recidivism

Recidivism measured for 12-month followup period	States	Average rates across studies: Recidivism	Success
Rearrest			
Delinquent/criminal offenses in the juvenile and adult systems	FL, NY, VA	55%	45%
Rereferral to court			
Delinquent/criminal offenses in the juvenile and adult systems	CO, MD	45	55
Reconviction/readjudication			
Delinquent/criminal offenses in the juvenile and adult systems	AK, FL, GA, KY, MD, ND, OK, VA	33	67
Reincarceration/reconfinement			
Delinquent/criminal offenses in the juvenile and adult systems	FL, MD, VA	24	76
All offenses in the juvenile and adult systems	AZ, OH, TX	25	75
Delinquent offenses in the juvenile system only	AR, MO, NM	12	88

Source: Authors' adaptation of Virginia Department of Juvenile Justice's *Juvenile Recidivism in Virginia*.

followed a subset of releasees (e.g., those from certain programs or facilities). Several states used a retrospective cohort approach, studying a cohort's history rather than following it prospectively. Other states' recidivism rates were based on reoffending rates at a particular stage of the system, such as intake. Most states included only delinquent/criminal offenses, but several included all law violations. Many states were able to track reoffenses in both the juvenile and the adult systems, although some only included juvenile system data. Nine states measured rearrest, 2 measured rereferral to court, 13 measured reconviction/readjudication, and 15 measured reincarceration/reconfinement. Four states (Florida, Hawaii, Massachusetts, and Virginia) provided rearrest, reconviction, and reincarceration rates. Maryland used rereferral, reconviction, and reincarceration. Some states tracked recidivism annually, others launched studies periodically or as needed.

The rate of rereferral to juvenile court varies with offender age and number of prior referrals—overall, nearly 6 in 10 juveniles returned to juvenile court by the time they turned 18

	Percent of juveniles who returned to juvenile court after each referral								
Age at referral	Number of prior juvenile court referrals								At any referral
	0	1	2	3	4	5	6	7	
All ages	41%	59%	67%	71%	74%	77%	77%	79%	56%
10	61	84	96	97	–	–	–	–	71
11	60	85	91	92	98	–	–	–	72
12	59	83	89	97	98	95	98	96	72
13	57	82	90	93	95	97	96	98	73
14	53	77	86	91	92	94	96	95	70
15	45	69	80	84	89	89	91	93	66
16	33	55	68	73	77	81	82	83	54
17	16	27	36	41	45	48	50	53	30

■ Among juveniles with no prior referrals, 4 in 10 returned to juvenile court but 6 in 10 did not. Among juveniles 14 or younger with at least 1 prior referral, more than three-quarters returned to juvenile court.

– Too few cases to obtain a reliable percentage.

Source: Author's adaptation of Snyder's *Court Careers of Juvenile Offenders*.

What difference does the measure of recidivism make?

A closer look at the data from states that used multiple measures of recidivism in studies of juveniles released from state custody showed that the average difference between rearrest recidivism rates and reconviction recidivism rates was 21 percentage points. The average difference between rearrest recidivism and reincarceration recidivism rates was 31 percentage points. The impact of the offenses included was less dramatic. The average difference between recidivism based on only delinquency/criminal offenses versus all offenses was 3 percentage points.

These comparisons all involved studies of juveniles released from state custody. Recidivism rates for other types of cohorts yield very different rates. For example, several jurisdictions around the country focus on juvenile probationers and calculate rates of reoffending while under supervision. On average, 15% of juvenile probationers were readjudicated for offenses committed while they were under supervision. This recidivism rate is much lower than the 12-month reconviction/readjudication rates for juveniles released from state custody, primarily because probationers are less serious offenders than juveniles who have been incarcerated, and probationers may have been under supervision less than 12 months.

Many jurisdictions focus on success rather than failure rates

In an effort to demonstrate that the juvenile justice system works, many jurisdictions around the country report success rates rather than recidivism rates. For example, the Florida Department of Juvenile Justice (FDJJ) developed a Program Accountability Measure that grades programs by combining program success rates (nonrecidivism) and monetary costs. FDJJ reports this information along with traditional outcome measures to the state legislature.

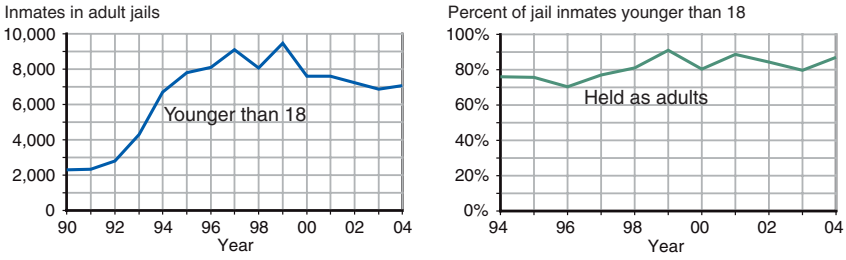
Numerous counties around the country have been involved in efforts to report juvenile justice performance data. Some efforts have taken the form of a juvenile justice "report card" that provides information on how the system performs in terms of major juvenile justice goals. The focus is on success rates and other measures of accomplishment such as restitution collected, community service hours logged, and successful program completions.

The number of youth under age 18 held in adult jails quadrupled between 1990 and 1999, then dropped

In 2004, youth younger than 18 accounted for 1% of jail inmates

According to the Bureau of Justice Statistics, an estimated 7,083 youth younger than 18 were held in adult jails on June 30, 2004. These under-18 inmates accounted for 1.0% of the total jail population, the same as 2003 and less than 2000 (1.2%) and 1994 (1.4%). In 2004, most jail inmates younger than 18 (87%) were held as adults; this proportion was greater than in 2000 (80%) and 1994 (76%). Under-18 inmates are held as adults if they are convicted or awaiting trial as adult criminal offenders, either because they were transferred to criminal court or because they are in a state that considers all 17-year-olds (or all 16- and 17-year-olds) as adults for purposes of criminal prosecution.

On a typical day in 2004, about 7,000 persons younger than 18 were inmates in jails in the U.S.



- Between 1990 and 1999, while the adult jail inmate population increased 48%, the jail inmate population under age 18 increased more than 300%.
- Between 1999 and 2004, the adult jail inmate population increased 19%, while the jail inmate population under age 18 decreased 25%.
- The number of jail inmates younger than 18 held as adults was 6,159 in 2004—up 21% from 1994.
- The number of jail inmates younger than 18 held as juveniles in 2004 was 924—down 42% from 1994.

Source: Authors' adaptation of Beck's *Prison and Jail Inmates at Midyear 1999*, Beck and Karberg's *Prison and Jail Inmates at Midyear 2000*, Harrison and Karberg's *Prison and Jail Inmates at Midyear 2002*, and Harrison and Beck's *Prison and Jail Inmates at Midyear 2004*.

The Juvenile Justice and Delinquency Prevention Act limits the placement of juveniles in adult facilities

The Act states that "… juveniles alleged to be or found to be delinquent," as well as status offenders and nonoffenders "will not be detained or confined in any institution in which they have contact with adult inmates …." This provision of the Act is commonly referred to as the "sight and sound separation requirement." Subsequent regulations implementing the Act clarify this requirement and provide that brief and inadvertent contact in nonresidential areas is not a violation. The Act also states that "… no juvenile shall be detained or confined in any jail or lockup for adults …." This provision is known as the jail and lockup removal requirement. Regulations exempt juveniles being tried as criminals for felonies or who have been convicted as criminal felons from the jail and lockup removal requirement. In institutions other than adult jails or lockups or in jails and lockups under temporary hold exceptions, confinement of juvenile offenders is permitted if juveniles and adult inmates cannot see each other and no conversation between them is possible. This reflects the sight and sound separation requirement.

Some temporary hold exceptions to jail and lockup removal include: a 6-hour grace period that allows adult jails and lockups to hold alleged delinquents in secure custody until other arrangements can be made (including 6 hours before and after court appearances) and a 48-hour exception, exclusive of weekends and holidays, for rural facilities that meet statutory conditions.

Some jurisdictions have established juvenile detention centers that are collocated with adult jails or lockups. A collocated juvenile facility must meet specific criteria to establish that it is a separate and distinct facility. The regulations allow time-phased use of program areas in collocated facilities.

Between 1997 and 2004, while prison populations grew, the number of prisoners under age 18 fell 54%

Youth under age 18 accounted for 1% of new court commitments to state adult prisons in 2002

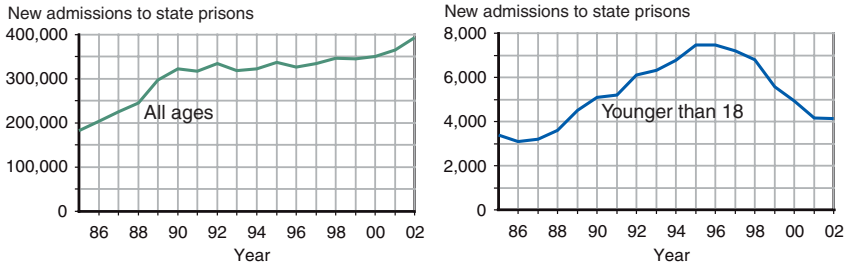
Based on data from the Bureau of Justice Statistics' National Corrections Reporting Program (NCRP), an estimated 4,100 new court commitments to state adult prison systems in 2002 involved youth younger than age 18 at the time of admission. These youth accounted for 1.1% of all new court commitments in 2002—down from a peak of 2.3% in 1996 and two-thirds the level in the mid-1980s. This decline in the youth proportion was primarily the result of the large increase in the overall prison population during this period. Between 1985 and 2002, the annual number of new court commitments to state prisons that involved youth younger than 18 increased 22%, while overall new commitments increased 114%.

Among youth newly admitted to state prisons in 2002, 6 in 10 had committed a person offense

Youth younger than 18 accounted for 4.3% of all new court commitments to state prisons for robbery in 2002. Their proportions in other offense categories were smaller: homicide (2.5%), assault (1.6%), weapons offenses (1.0%), property offenses (0.9%), and drug offenses (0.3%).

Compared with young adult inmates ages 18–24 at admission, new commitments involving youth younger than 18 had a greater proportion of violent offenses (primarily robbery and assault) and a smaller proportion of drug offenses (notably drug trafficking).

Between 1996 and 2002, the number of new admissions of youth younger than 18 to state prisons fell 45%



- New admissions to state prisons of youth younger than 18 rose steadily each year between 1986 and 1995. In comparison, the total number of inmates newly admitted to state prisons rose steadily from 1985 through 1990 and then essentially leveled off through 1995.
- The large decline in new admissions of youth younger than 18 to state prisons between 1996 and 2002 was in stark contrast to the general stability of adult admissions over this period.
- The decline in new admissions to state prisons of youth younger than 18 between 1996 and 2002 paralleled the decline in juvenile violent crime arrests over the same period.

Source: Authors' analyses of Strom's *Profile of State Prisoners Under Age 18, 1985–97*, Beck and Karberg's *Prison and Jail Inmates at Midyear 2000*, Harrison and Karberg's *Prison and Jail Inmates at Midyear 2002*, and Harrison and Beck's *Prison and Jail Inmates at Midyear 2004*; and authors' analyses of data from the National Corrections Reporting Program.

New admissions of youth under age 18 is not a count of "juveniles in prison"

Many youth younger than 18 committed to state prisons are in states where original juvenile court jurisdiction ends when the youth turns age 16 or 17, so these committed youth were never candidates for processing in the juvenile justice system. It is also the case that some youth whose crimes placed them under the original jurisdiction of a juvenile court and who were subsequently transferred to an adult court and sentenced to prison, entered prison after their 18th birthdays. So "new court commitments that involved youth younger than 18 at the time of admission" includes many youth whose criminal activity was always within the jurisdiction of the adult criminal justice system, while it misses prisoners whose law-violating behavior placed them initially within the juvenile justice system but who did not enter prison until after their 18th birthday.

Offense profile of new admissions to state prisons, 2002:

Most serious offense	Age at admission: Younger than 18	Age at admission: 18–24
All offenses	100%	100%
Person offenses	61	33
Homicide	7	4
Sexual assault	6	5
Robbery	32	13
Assault	14	10
Property offenses	23	29
Burglary	14	14
Larceny-theft	4	5
Motor vehicle theft	3	3
Arson	1	1
Drug offenses	9	28
Trafficking	5	14
Possession	3	8
Public order offenses	5	9
Weapons	3	4

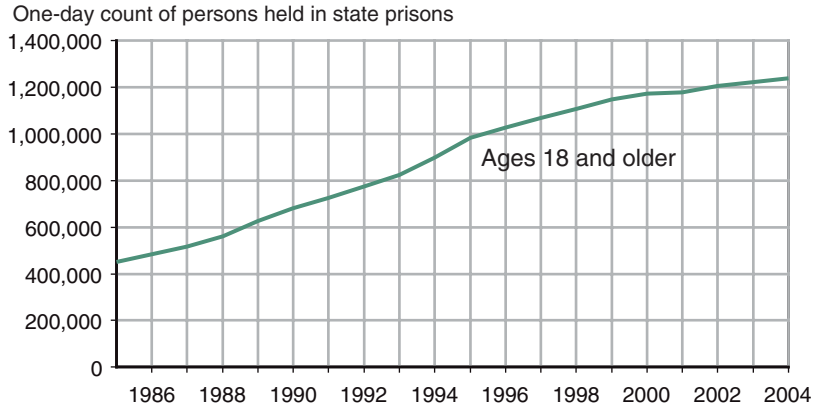
Note: General offense categories include offenses not detailed.

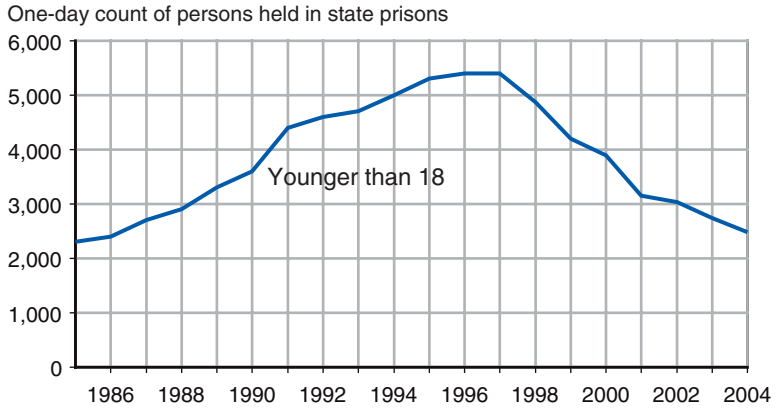
Nearly all (96%) youth younger than 18 newly admitted to prison in 2002 were male and most (79%) were age 17. Blacks accounted for 59% of new admissions under age 18, whites 28%, Hispanics 11%, and youth of other race/ethnicity 2%.

Prisons differ from jails

Jails are generally local correctional facilities used to incarcerate both persons detained pending adjudication and adjudicated/convicted offenders. Convicted inmates are usually misdemeanants sentenced to a year or less. Under certain circumstances, jails may hold juveniles awaiting juvenile court hearings. Prisons are state or federal facilities used to incarcerate offenders convicted in criminal court. Convicted inmates are usually felons sentenced to more than a year.

Between 1985 and 1997, the percentage increase in the population of inmates in state prisons was similar for those younger than 18 and those ages 18 and above





- From 1985 to 1997, the 1-day count of state prisoners younger than 18 grew 135% and the population of older inmates grew 138%.
- The trends of older and younger inmates diverged after 1997. The population of older inmates grew 16% between 1997 and 2004, while the population of inmates younger than age 18 fell 54%.
- The resulting increase between 1985 and 2004 was 8% for inmates younger than 18 and 175% for inmates age 18 and older.

Source: Authors' analyses of Strom's *Profile of State Prisoners Under Age 18, 1985–97*, Beck and Karberg's *Prison and Jail Inmates at Midyear 2000*, Harrison and Karberg's *Prison and Jail Inmates at Midyear 2002*, and Harrison and Beck's *Prison and Jail Inmates at Midyear 2004*.

Supreme Court decision in *Roper* v. *Simmons* (2005) prohibits the death penalty for youth younger than 18

A series of challenges to the juvenile death penalty preceded the *Roper* decision

The U.S. Supreme Court decision in *Furman* v. *Georgia* (1972) struck down all existing death penalty statutes. Sentencing under post-*Furman* statutes began in 1973. The constitutionality of these modern-era statutes was not determined until the 1976 decision in *Gregg* v. *Georgia*. Since the *Gregg* decision, the U.S. Supreme Court has been repeatedly asked to rule on the practice of executing offenders for crimes committed as juveniles. In *Eddings* v. *Oklahoma* (1982), the Court reversed the death sentence of a 16-year-old tried as an adult in criminal court. The Court held that a defendant's young age and mental and emotional development should be considered mitigating factors of great weight in deciding whether to apply the death penalty. The Court noted that adolescents are less self-disciplined, mature, and responsible than adults and are less able to consider the long-range implications of their actions. The Court, however, did not address the question of whether the imposition of the death sentence was prohibited because the offender was only 16 years old at the time of the murder.

In *Thompson* v. *Oklahoma* (1988), the issue before the Court was whether imposing the death penalty on an offender who was 15 years old at the time of the murder violated constitutional protections against cruel and unusual punishment. The Court concluded that the Eighth Amendment prohibited application of the death penalty to a person who was younger than 16 at the time of the crime. In *Stanford* v. *Kentucky* (1989), the Court stated: "We discern neither a historical nor a modern societal consensus forbidding the imposition of capital

Since 1973, 22 offenders have been executed in the U.S. for crimes they committed when they were younger than age 18

	Executions of under-18 offenders: January 1, 1973–December 31, 2004				
			Age at		
Name	Year of execution	State	Offense	Execution	Race/ ethnicity
Charles Rumbaugh	1985	TX	17	28	white
James Terry Roach	1986	SC	17	25	white
Jay Kelly Pinkerton	1986	TX	17	24	white
Dalton Prejean	1990	LA	17	30	black
Johnny Frank Garrett	1992	TX	17	28	white
Curtis Paul Harris	1993	TX	17	31	black
Frederick Lashley	1993	MO	17	29	black
Ruben Montoya Cantu	1993	TX	17	26	Hispanic
Christopher Burger	1993	GA	17	33	white
Joseph John Cannon	1998	TX	17	38	white
Robert Anthony Carter	1998	TX	17	34	black
Dwayne A. Wright	1998	VA	17	26	black
Sean R. Sellers	1999	OK	16	29	white
Douglas Christopher Thomas	2000	VA	17	26	black
Steve E. Roach	2000	VA	17	23	white
Glen Charles McGinnis	2000	TX	17	27	black
Gary Graham (Shaka Sankofa)	2000	TX	17	36	black
Gerald L. Mitchell	2001	TX	17	33	black
Napoleon Beazley	2002	TX	17	25	black
T.J. Jones	2002	TX	17	25	black
Toronto Patterson	2002	TX	17	27	black
Scott A. Hain	2003	OK	17	32	white

- Georgia, Louisiana, Missouri, South Carolina, and Texas limit juvenile court jurisdiction to youth 16 and younger; thus, 18 of the 22 executed offenders who were younger than 18 when they committed their crimes were adults at the time, at least for purposes of assessing criminal responsibility.
- Some juvenile death penalty milestones: 1985 saw the first execution in the modern era of an under-18 offender; 1998 saw the first execution since 1973 of an offender who, under state statute, was a juvenile at the time of his crime (Virginia); 1999 saw the first execution of an offender who was 16 at the time of his crime (Oklahoma); 2003 saw the last execution of an offender who was younger than 18 at the time of his crime (Oklahoma). In 2004, no offenders were executed for crimes they committed before age 18.

Source: Authors' adaptation of Death Penalty Information Center's *Juveniles and the death penalty* [online].

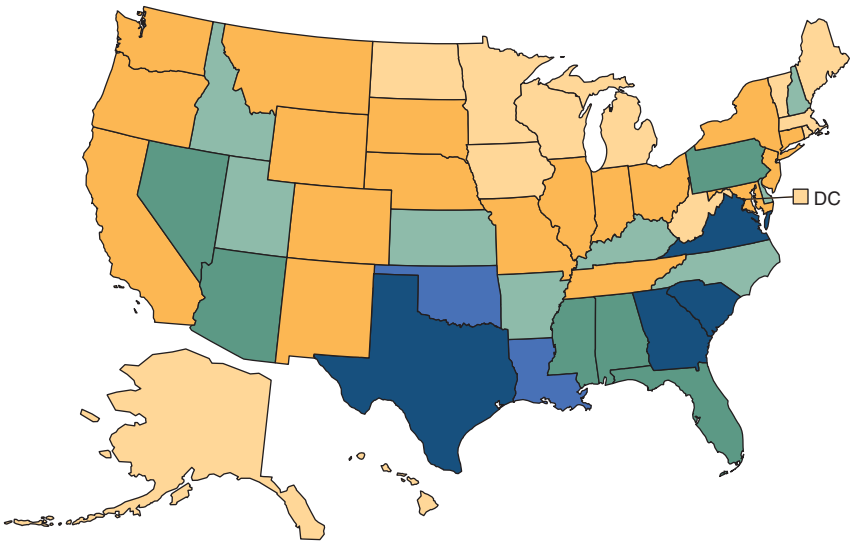
punishment on any person who murders at 16 or 17 years of age. Accordingly, we conclude that such punishment does not offend the Eighth Amendment prohibition against cruel and unusual punishment."

The Supreme Court cites a national consensus against the execution of juveniles in deciding *Roper* v. *Simmons*

In *Roper* v. *Simmons* (2005), for the second time in 16 years, the Supreme Court addressed whether under the Constitution it is permissible to execute an offender who was older than 15 but younger than 18 at the time of his crime. The Court was asked to reconsider its 1989 conclusion in *Stanford* v. *Kentucky*. Christopher Simmons had exhausted his appeals when the Supreme Court decided in *Atkins* v. *Virginia* (2002) that the Eighth and Fourteenth Amendments prohibit the execution of a mentally retarded person. Simmons filed a new petition for state postconviction relief, arguing that the *Atkins* reasoning should also mean that the Constitution prohibits the execution of a juvenile. The Missouri Supreme Court set aside Simmons' death sentence (*State ex rel. Simmons* v. *Roper*, 2003), concluding that since *Stanford*, "a national consensus has developed against the execution of juvenile offenders…"

In *Roper* v. *Simmons*, the U.S. Supreme Court noted that several states had abolished their juvenile death penalty since *Stanford* and none had established or reinstated it. The objective evidence of "consensus in this case—the rejection of the juvenile death penalty in the majority of states; the infrequency of its use even where it remains on the books; and the consistency in the trend toward abolition of the practice—provide sufficient evidence that today our society views juveniles, in the words *Atkins* used respecting the mentally retarded, as 'categorically less culpable than the average criminal'." Thus, the Court affirmed the Missouri Supreme Court judgment that set aside the death sentence imposed on Christopher Simmons, concluding that the "Eighth and Fourteenth Amendments forbid imposition of the death penalty on offenders who were under the age of 18 when their crimes were committed."

Although 20 states had death penalty provisions for offenders age 17 or younger when *Roper* v. *Simmons* was decided in 2005, few applied those provisions



- At the time *Roper* v. *Simmons* was being decided, 30 states and the District of Columbia did not have death penalty provisions that applied to offenders age 17 or younger.
- Only 4 states had executed one or more offenders for crimes committed at age 17 or younger since 1976 and had such "juvenile" offenders on death row at the time *Roper* v. *Simmons* was being decided (Georgia, South Carolina, Texas, and Virginia).

Source: Authors' adaptation of the Death Penalty Information Center's *Emerging national consensus on the juvenile death penalty* [online].

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Data of national scope were used whenever they were available. If national data were not available, multijurisdictional data were used. Single-site data were used only when no other data were available.

Specific questions about the Report should be directed to the authors at:

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Additional copies of this Report are available from:

National Criminal Justice Reference Service (NCJRS)
www.puborder.ncjrs.gov

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Juvenile and criminal justice:

The Office of Juvenile Justice and Delinquency Prevention
202–307–5911
www.ojp.usdoj.gov/ojjdp

National Criminal Justice Reference Service (NCJRS)
800–851–3420
www.ncjrs.gov

Bureau of Justice Statistics
202–307–0765
www.ojp.usdoj.gov/bjs

Reported crimes and arrests:

Federal Bureau of Investigation
Criminal Justice Information Services Division
304–625–4995
www.fbi.gov

Juvenile courts and state juvenile code statutes:

National Center for Juvenile Justice
412–227–6950
www.ncjj.org

Child maltreatment:

National Clearinghouse on Child Abuse and Neglect Information
800–394–3366
nccanch.acf.hhs.gov

Child Welfare League of America
National Data Analysis System
202–638–2952
ndas.cwla.org

Runaway and homeless youth:

National Clearinghouse on Families and Youth
301–608–8098
www.ncfy.com

Education and school crime:

National Center for Education Statistics
202–502–7300
nces.ed.gov

Labor:

Bureau of Labor Statistics
202–691–5200
www.bls.gov

Mortality and teen pregnancy:

National Center for Health Statistics
Division of Vital Statistics
301–458–4000
www.cdc.gov/nchs

Population:

U.S. Census Bureau
301–763–4636
www.census.gov

Other useful Web sites:

Blueprints for Violence Prevention
www.colorado.edu/cspv/blueprints

Child Trends Databank
www.childtrendsdatabank.org

Coordinating Council on Juvenile Justice and Delinquency Prevention
www.juvenilecouncil.gov

Crimes against Children Research Center
www.unh.edu/ccrc

Federal Interagency Forum on Child and Family Statistics
www.childstats.gov

Helping America's Youth
www.helpingamericasyouth.gov

Kids Count
(Annie E. Casey Foundation)
www.aecf.org/kidscount

National Archive of Criminal Justice Data
www.icpsr.umich.edu/nacjd

National Center for Injury Prevention and Control
www.cdc.gov/ncipc

National Center for Mental Health and Juvenile Justice
www.ncmhjj.com

National Institute of Corrections
www.nicic.org

National Institute of Justice
www.ojp.usdoj.gov/nij

Office of National Drug Control Policy
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