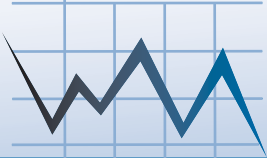




Juvenile Offenders and Victims



National Report Series

Bulletin

June 2003

This Bulletin is part of the Juvenile Offenders and Victims National Report Series. Published every 4 years, the National Report offers a comprehensive statistical overview of the problems of juvenile crime, violence, and victimization and the response of the juvenile justice system. During each interim year, the Bulletins in the National Report Series provide access to the latest information on juvenile arrests, court cases, juveniles in custody, and other topics of interest. Each Bulletin in the series highlights selected topics at the forefront of juvenile justice policymaking, giving readers focused access to statistics on some of the most critical issues. Together, the National Report and this series provide a baseline of facts for juvenile justice professionals, policymakers, the media, and concerned citizens.

Juveniles in Court

Melissa Sickmund

A Message From OJJDP

Courts with juvenile jurisdiction handle some 1.8 million delinquency cases each year. This Bulletin, part of OJJDP's National Report Series, summarizes the latest national statistics on juveniles in court. Drawing on court data and research findings from diverse sources, including OJJDP's National Juvenile Court Data Archive and the Bureau of Justice Statistics' National Judicial Reporting Program, the Bulletin provides an overview of how courts process cases involving juvenile offenders.

Juveniles in Court should serve as a useful resource for practitioners and policymakers concerned about juvenile offending. In addition to providing information on juvenile court activities, the Bulletin includes information about who is under juvenile court jurisdiction and how juvenile courts transfer juveniles to criminal court. Also discussed in the Bulletin are research findings about very young offenders involved with the juvenile court.

Access to sound data is an integral aspect of assessing and addressing any problem effectively. In this regard, the statistics cited in this Bulletin provide helpful insights into the nature and scope of juvenile delinquency in our nation.

J. Robert Flores
Administrator



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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 agencies make this decision after talking to the victim, juvenile, and parents and after reviewing the juvenile's prior contacts with the juvenile justice system. Nearly one-quarter of all juveniles arrested in 1998 were handled within the police department and then released; nearly 7 in 10 arrested juveniles were referred to juvenile court.

Federal regulations discourage holding juveniles in adult jails and lockups. In some instances, law enforcement must detain a juvenile in secure custody in an adult facility for a brief period in order to contact a parent or guardian or to arrange transportation to a juvenile detention facility. Federal regulations require that, in these cases, the juvenile be securely detained for no longer than 6 hours and

in an area out of sight or sound of adult inmates.

Most delinquency cases are referred by law enforcement agencies

Of all delinquency cases referred to juvenile court in 1998, 84% were referred by law enforcement agencies. The remaining referrals were made by parents, victims, schools, probation officers, and others.

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.

About half of all cases referred to juvenile court intake are handled informally. Most informally processed cases are dismissed. In the other informally processed cases, the juvenile voluntarily agrees to specific conditions for a specified time period.

These conditions often are outlined in a written agreement, generally called a

consent decree. It may include conditions such 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 (trial) or a petition requesting a waiver hearing to transfer the case to criminal court.

A delinquency petition states the allegations and requests the juvenile court to *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, witnesses are called and the facts of the case are presented. In nearly all adjudicatory hearings, the judge determines whether the juvenile was responsible for the offense(s); in some states, however, 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 action 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 1998, juveniles were detained in 19% of delinquency cases processed by juvenile courts.

Detention may extend beyond the adjudicatory and dispositional hearings. If

residential placement is ordered and no placement beds are available, detention may continue until a bed becomes available.

The juvenile court may transfer the case to criminal court

The prosecutor or intake officer files a waiver petition when he or she believes that a case under jurisdiction of the juvenile court would be handled more appropriately in criminal court. When a waiver petition is filed, the juvenile court judge reviews the facts of the case and determines whether there is probable cause to believe that the juvenile committed the act. The judge 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 whether the juvenile is amenable to treatment in the juvenile justice system. The prosecutor may argue

that the juvenile has been adjudicated several times in the past and that interventions ordered by the juvenile court 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 1998, juvenile courts waived 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.

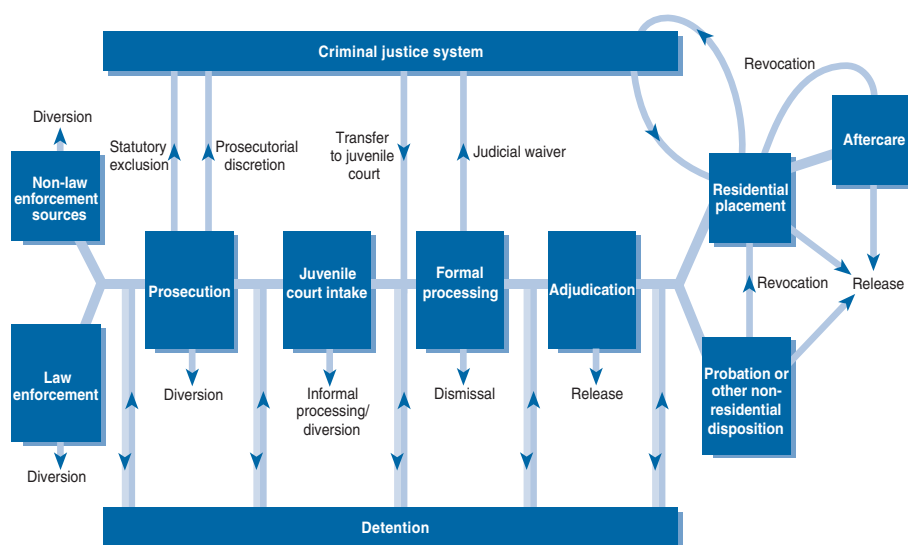
Prosecutors may file certain cases directly in criminal court

In more than half of the states, the legislature has 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, the legislature has given both the juvenile and adult courts original jurisdiction in certain cases. Prosecutors, thus, 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 and available support systems and programs.

What are the stages of processing a delinquency case in the juvenile justice system?



Note: This chart gives a simplified view of caseload through the juvenile justice system. Procedures vary among jurisdictions.

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 cases placed on probation also receive other dispositions

Most juvenile dispositions are multifaceted and involve some sort of supervised probation. In 1998, formal probation was the most severe disposition ordered in 58% of the cases in which the youth was adjudicated delinquent.

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 or 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.

The judge may order residential placement

In 1998, juvenile courts ordered residential placement in 26% 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, prisonlike environment or a more open (even homelike) 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 juvenile's progress.

Juvenile aftercare is similar to adult parole

On 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 and must meet certain conditions. 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.

In many ways, the processing of status offense cases parallels that of delinquency cases. Not all states, however, consider all of the behaviors noted above 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. In 1998, about half of all status offense cases referred to juvenile court came from law enforcement agencies.

The federal Juvenile Justice and Delinquency Prevention Act discourages the holding of 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 or observe a curfew.

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.

State statutes define who is under juvenile court jurisdiction

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 New Hampshire and Wisconsin lowered their upper age from 17 to 16 in 1996.

Oldest age for original juvenile court jurisdiction in delinquency matters:

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.

Many states exclude married or otherwise emancipated juveniles from juvenile court jurisdiction. States often have statutory exceptions to basic age criteria. The 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.

At the end of the 1999 legislative session, 16 states had 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:

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. At the end of the 1999 legislative session, statutes in 35 states extended 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:

Age	State
18	Alaska, Iowa, Kentucky, Nebraska, Oklahoma, Tennessee
19	Mississippi, North Dakota
20	Alabama, Arizona,* Arkansas, Connecticut, Delaware, District of Columbia, Florida, 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
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.

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.

All states allow juveniles to be tried as adults in criminal court under certain circumstances

Transferring juveniles to criminal court is not a new phenomenon

In some states, provisions that enabled transfer of certain juveniles to criminal court were in place before the 1920s. Other states have permitted transfers since at least the 1940s. For many years, all states have had at least one provision for trying certain youth of juvenile age as adults in criminal court. Such 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*.

Most states have multiple ways to impose adult sanctions on juveniles

Statutes at the end of the 1999 legislative session

State	Judicial waiver			Concurrent jurisdiction	Statutory exclusion	Reverse waiver	Once an adult, always an adult	Blended sentencing
	Discretionary	Presumptive	Mandatory					
Total States	46	16	15	15	29	24	34	22
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, while those charged with relatively less serious offenses and/or younger juveniles may be eligible for discretionary waiver.

Source: Author's adaptation of Griffin's *State Juvenile Justice Profiles*.

Nearly all states have expanded their transfer provisions recently

Traditionally, discretionary judicial waiver was the transfer mechanism on which most states relied. Beginning in the 1970s and continuing through the present, however, state legislatures have increasingly moved 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. From 1992 through 1999, 49 states and the District of Columbia enacted or expanded their transfer provisions. Nebraska was the only exception. An increasing number of state legislatures have enacted mandatory waiver or exclusion statutes. Less common, then and now, are concurrent jurisdiction provisions.

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 1999 legislative session, 21 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, transfers convicted 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.

Laws in 22 states allow blended sentencing

Blended sentencing statutes allow courts to impose juvenile and/or adult correctional sanctions on certain young offenders. In some states, blended sentencing authority lies with the juvenile court, in others with the criminal court.

Blended sentencing authority specified by statute, 1999:

Court	State
Juvenile	Alaska, Colorado, Connecticut, Illinois, Kansas, Massachusetts, Michigan, Minnesota, New Mexico, Rhode Island, South Carolina, Texas
Criminal	Arkansas, California, Colorado, Florida, Idaho, Iowa, Michigan, Missouri, Oklahoma, Vermont, Virginia, West Virginia

Blended sentencing has been referred to as a “middle ground” between traditional juvenile and adult sanctions. Judges have flexibility to choose from a broader array of punishments. In some states, the adult sanction may be suspended but can be reinstated if the terms of the juvenile sanction are violated. A blended sentence, therefore, is seen as one last chance for the juvenile to avoid adult sanctions.

Judicial waiver remains the most common transfer provision

In the District of Columbia and all states except Massachusetts, Nebraska, New Mexico, and New York, 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 are distinguished from statutory exclusion provisions in that the case originates in juvenile rather than criminal court.

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 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.

Transfer decisionmaking has changed

Studies of transfer in the 1990s found that, independent of law changes, waiver decisions have changed. One Pennsylvania study found that waiver was more likely for youth in 1994 than for youth in 1986. Although Pennsylvania's waiver law did not change, the waiver criteria seemed to change. Analysis showed that both the 1986 and 1994 groups had similar numbers of prior adjudications and residential placements. However, juveniles with cases waived in 1994 had gone through the court's full range of sanctions with less serious offense histories than youth with cases waived in 1986.

Two other studies focused on cases judicially waived in South Carolina and in Utah in the mid-1980s through the mid-1990s. Analyses found that juvenile court judges granted most waiver requests. Overall, judges approved approximately 8 out of 10 waiver requests made by prosecutors. In South Carolina, the proportion of waiver requests granted rose from about 70% in the mid-1980s to 96% in 1994.

Two factors distinguished cases that judges waived from those not waived: the seriousness of the juvenile's crime and the extent of his or her court history. The cases most likely to be waived, regardless of the offenders' court history, involved serious person offenders who used weapons and injured someone. Even first-time offenders were waived if they injured their victim. For other cases, the court took into account the youth's history; those with

In most states, juvenile court judges may waive juvenile court jurisdiction over certain cases and transfer them to criminal court

State	Minimum age for judicial waiver	Judicial waiver offense and minimum age criteria, 1999							
		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	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	14	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	15						
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						
Montana	NS	NS							
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			15	15		
Rhode Island	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.

Examples: Alabama allows waiver for juveniles age 14 or older charged with any criminal offense. Maryland allows waiver for any juvenile charged with a capital crime (an act punishable by death or life imprisonment) and for juveniles age 15 or older charged with any criminal offense.

Source: Author's adaptation of Griffin's *State Juvenile Justice Profiles*.

longer histories were more likely to be waived. This coincides closely with the waiver criteria outlined in the U.S. Supreme Court's *Kent* decision. The Court stated that, "An offense . . . will be waived if . . . it is heinous or of an aggravated character, or—even though less serious—if it represents a pattern of repeated offenses. . . ."

Few states allow prosecutorial discretion

At the end of the 1999 legislative session, 15 states had concurrent jurisdiction provisions, which gave 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 4,000 youth to criminal court in fiscal year 1998–99. In comparison, juvenile court judges nationwide waived an estimated 8,100 cases to criminal court in 1998.

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.

In most states, laws allow transfer of certain very young offenders

At the end of the 1999 legislative session, in 23 states and the District of Columbia, no minimum age was 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:

Age	State
None	Alaska, Arizona, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Indiana, Maine, Maryland, Montana, Nebraska, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Washington, West Virginia, and Wisconsin
10	Kansas and Vermont
12	Colorado and Missouri
13	Illinois, Mississippi, New Hampshire, New York, North Carolina, and Wyoming
14	Alabama, Arkansas, California, Connecticut, Iowa, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, North Dakota, Ohio, Utah, and Virginia
15	New Mexico

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, 1999							
		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			
Colorado	14		14		14	14	14		14
Dist. of Columbia	16				16	16	16		
Florida	NS	16		NS	14	14	14		14
Georgia	NS			NS					
Louisiana	15				15	15	15	15	
Massachusetts	14		14			14			14
Michigan	14		14		14	14	14	14	
Montana	12				12	12	16	16	16
Nebraska	NS	16	NS						
Oklahoma	15				15	15	15	16	15
Vermont	16	16							
Virginia	14				14	14			
Wyoming	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 may be filed directly in criminal court. "NS" indicates that in at least one of the offense restrictions indicated, no minimum age is specified.

Examples: In Arizona, prosecutors have discretion to file directly in criminal court those cases involving juveniles age 14 or older charged with certain felonies (defined by state statutes). In Florida, prosecutors may "direct file" cases involving juveniles age 16 or older charged with a misdemeanor (if they have a prior adjudication) or a felony offense and those age 14 or older charged with murder or certain person, property, or weapon offenses; no minimum age is specified for cases in which a grand jury indicts a juvenile for a capital offense (punishable by death or life imprisonment).

Source: Author's adaptation of Griffin's *State Juvenile Justice Profiles*.

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. At the end of the 1999 legislative session, 29 states had 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 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 age 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 age 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 juvenile court

State	Minimum age for statutory exclusion	Statutory exclusion offense and minimum age criteria, 1999							
		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	16			16	16	16			
Delaware	15		15						
Florida	NS	NS							
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	15				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.

Examples: In California, cases involving juveniles age 16 or older charged with capital crimes (punishable by death or life imprisonment), murder, or certain other person offenses must be filed in criminal court. In Delaware, cases involving juveniles age 15 or older charged with certain felonies must be initiated in criminal court.

Source: Author’s adaptation of Griffin’s *State Juvenile Justice Profiles*.

The Juvenile Court Statistics series details the activities of U.S. juvenile courts

Juvenile Court Statistics has provided data 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.

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 received 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 1998, 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 1998 were based on data from more than 2,100 jurisdictions containing nearly 70% 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 provides annual estimates of the number of delinquency and formally processed 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.

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 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 1.8 million delinquency cases in 1998—about the same as in 1997

Juvenile court caseloads have grown and changed

In 1998, U.S. courts with juvenile jurisdiction handled an estimated 1.8 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 4,800 delinquency cases per day in 1998. In comparison, approximately 1,100 delinquency cases were processed daily in 1960.

Changes in the juvenile court delinquency caseload in recent years have strained the courts' resources and programs. The volume of cases handled by juvenile courts increased 44% between 1989 and 1998. Courts were asked to respond not only to more cases but also to a different type of caseload.

Most delinquency cases are referred to court by law enforcement

Delinquency cases are referred to juvenile courts from a number of different sources, including law enforcement agencies, social services agencies, victims, probation officers, schools, and parents. In 1998, 84% of delinquency cases were referred by law enforcement agencies. This proportion has changed little over the past decade.

Percentage of delinquency cases referred by law enforcement agencies:

Offense	1998
Delinquency	84%
Person	86
Property	90
Drugs	92
Public order	63

Youth were charged with a property offense in nearly half of the delinquency cases handled by juvenile courts in 1998

Most serious offense	Number of cases	Percentage of total cases	Percent change	
			1989–98	1997–98
Delinquency	1,757,400	100%	44%	-3%
Person offenses	403,800	23	88	1
Criminal homicide	2,000	<1	6	-2
Forcible rape	6,000	<1	26	-7
Robbery	29,600	2	29	-12
Aggravated assault	65,100	4	36	-6
Simple assault	262,400	15	128	3
Other violent sex offenses	10,500	1	53	-1
Other person offenses	28,200	2	87	26
Property offenses	797,600	45	11	-8
Burglary	125,800	7	-7	-9
Larceny-theft	370,500	21	13	-10
Motor vehicle theft	44,200	3	-34	-11
Arson	8,400	0	27	-9
Vandalism	118,700	7	40	0
Trespassing	64,000	4	26	-5
Stolen property offenses	34,000	2	35	3
Other property offenses	32,100	2	37	-3
Drug law violations	192,500	11	148	1
Public order offenses	363,500	21	73	0
Weapons offenses	40,700	2	61	4
Obstruction of justice	152,000	9	102	2
Disorderly conduct	92,100	5	100	-4
Liquor law violations	19,600	1	29	59
Nonviolent sex offenses	10,900	1	-13	-3
Other public order offenses	48,100	3	36	-10
Violent Crime Index*	102,600	6	33	-8
Property Crime Index**	548,800	31	3	-10

■ Juvenile court delinquency caseloads increased 44% from 1989 to 1998. The juvenile population increased just 15% in that time.

■ Although a substantial portion of the growth in court referrals is related to arrests, changes in juvenile court caseloads are also influenced by other forces. Between 1989 and 1998, the overall growth in juvenile court cases (44%) was greater than the growth in arrests of persons younger than age 18 (24%). During the same period, Violent Crime Index arrests rose 15%, arrests for Property Crime Index offenses dropped 12%, and drug arrests rose 86%.

*The FBI's Violent Crime Index includes criminal homicide, forcible rape, robbery, and aggravated assault.

**The FBI's Property Crime Index includes burglary, larceny-theft, motor vehicle theft, and arson.

Note: Detail may not add to totals because of rounding. Percent change calculations are based on unrounded numbers.

Source: Author's adaptation of Puzanchara et al.'s *Juvenile Court Statistics 1998*.

Within detailed offenses, there is a range of offense 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 encompass a wide range of seriousness. For example:

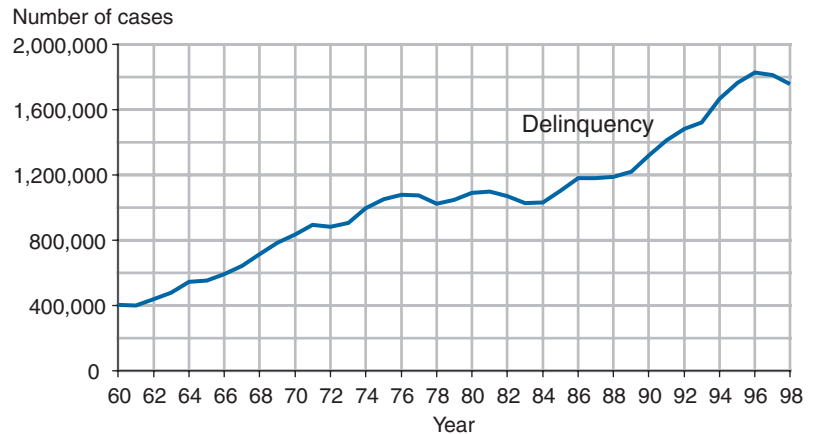
Aggravated assault is the unlawful intentional infliction of serious bodily injury or unlawful threat or attempt to inflict bodily injury or death by means of a deadly or dangerous weapon with or without actual infliction of any injury. Aggravated assault includes the following situations:

- 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.

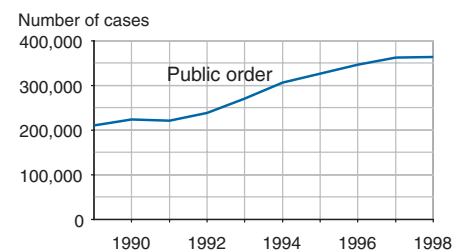
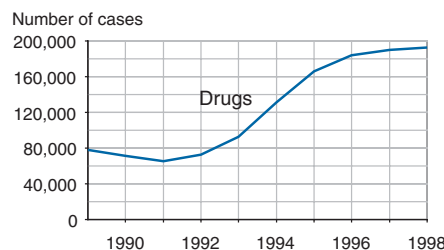
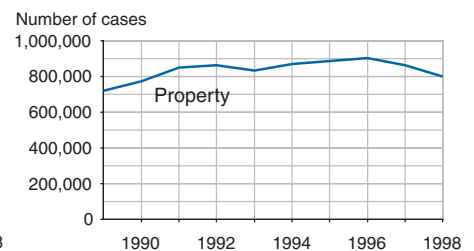
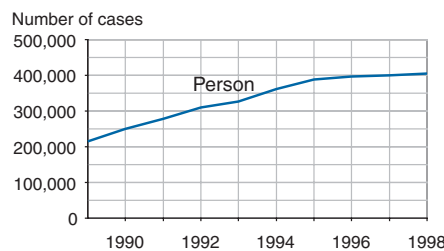
Robbery is the unlawful taking or attempted taking of property in the immediate possession of another person by force or threat of force. Robbery includes the following situations:

- 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."

Juvenile courts handled more than four times as many delinquency cases in 1998 as in 1960



Delinquency cases, by offense category



- Between 1989 and 1998, the volume of cases handled by juvenile courts increased across all four general offense categories. Person offense cases rose 88%, property cases rose 11%, drug cases rose 148%, and public order cases rose 73%.
- Although increases occurred in all four general offense categories, the trend patterns were different. Person and public order cases increased steadily from 1989 through 1998; drug cases were initially flat, then increased sharply in the mid-1990s, and then leveled off; property offense cases changed relatively little during the time period.

Source: Author's adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 1998*.

Delinquency caseloads for both males and females have increased sharply in recent years

Caseloads grew faster for females than males

The overall delinquency caseload for females grew at an average rate of 7% per year between 1989 and 1998, compared with 3% per year for males. The result was an 83% overall increase in female cases, compared with a 35% increase for males.

Percent change in number of cases, 1989–98:

Offense	Male	Female
Delinquency	35%	83%
Person	71	157
Property	3	44
Drugs	142	182
Public order	65	105

Offense profiles were similar for males and females

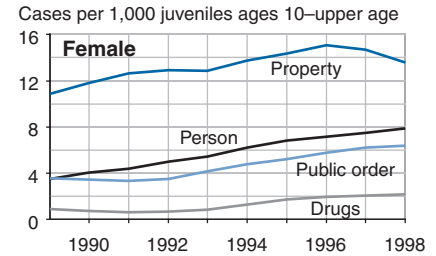
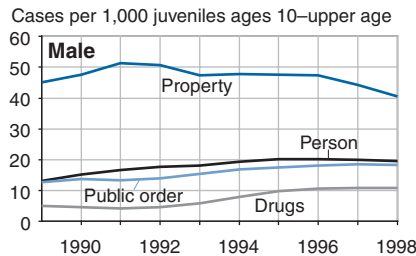
Compared with the offense profiles in 1989, both male and female delinquency caseloads had greater proportions of person offense cases in 1998, and males had a greater proportion of drug offense cases.

Offense profile of delinquency cases:

Offense	Male	Female
1998		
Delinquency	100%	100%
Person	22	26
Property	45	45
Drugs	12	7
Public order	21	21
1989		
Delinquency	100%	100%
Person	17	19
Property	59	58
Drugs	7	5
Public order	17	19

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

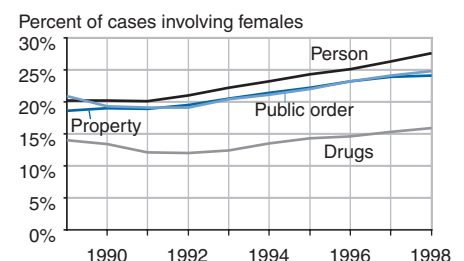
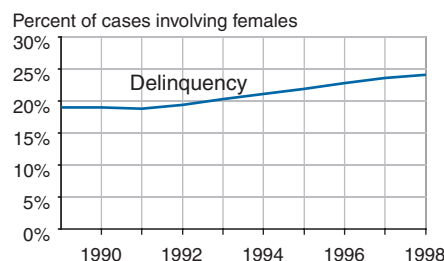
Although case rates are much lower for females than for males, the female rates have increased more sharply in the last decade



- From 1989 to 1998, females had a greater relative change in case rates than males in each of the four general offense categories. Drug case rates rose 145% for females and 111% for males; person case rates rose 124% for females and 49% for males; public order case rates rose 79% for females and 43% for males; and property case rates rose 25% for females and dropped 10% for males.

Source: Author's adaptation of Puzanchera et al.'s *Juvenile Court Statistics 1998*.

The proportion of delinquency cases involving females was greater in 1998 than in 1989



- The female proportion of delinquency cases increased from 19% in 1989 to 24% in 1998. The sharpest increase was seen among person offense cases. Females accounted for 20% of person cases in 1989, compared with 28% in 1998.

Source: Author's adaptation of Puzanchera et al.'s *Juvenile Court Statistics 1998*.

As in 1989, the delinquency caseloads for both males and females in 1998 consisted primarily of property offense cases. Compared with males, females

had a greater proportion of person offense cases and a smaller proportion of drug offense cases.

Black juveniles were referred to juvenile court at a rate more than double that for white juveniles

A disproportionate number of cases involved black youth

Although two-thirds of delinquency cases involved white youth, a disproportionate number of cases involved blacks (29%), given their proportion of the juvenile population. In 1998, whites made up 79% of the juvenile population, blacks 15%, and youth of other races 5%.

Racial profile of delinquency cases:

Offense	White	Black	Other races	Total
1998				
Delinquency	67%	29%	4%	100%
Person	62	35	3	100
Property	70	26	4	100
Drugs	68	29	3	100
Public order	68	29	3	100
1989				
Delinquency	68%	29%	3%	100%
Person	56	40	3	100
Property	72	25	4	100
Drugs	58	40	2	100
Public order	70	27	3	100

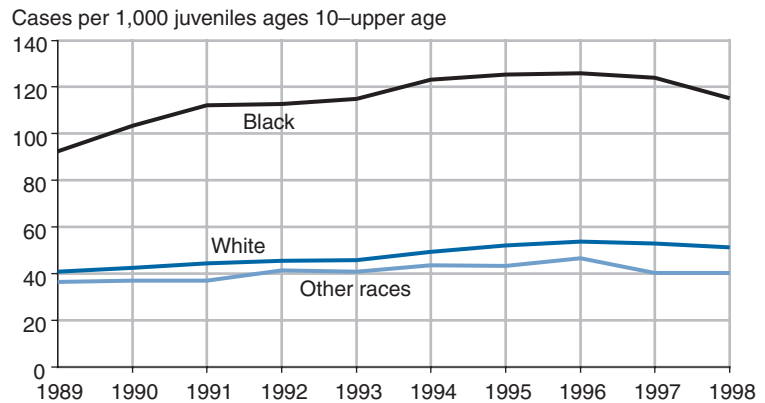
Note: Detail may not total 100% because of rounding. All racial groups include Hispanics.

The racial profile of delinquency cases overall was essentially the same in 1998 as in 1989, although there were noticeable changes in some offense categories. The black proportion of person cases dropped from 40% in 1989 to 35% in 1998, and the black proportion of drug cases dropped from 40% in 1989 to 29% in 1998.

Offense profiles for whites and blacks differed

Delinquency caseloads of black juveniles contained a greater proportion of person offenses than did caseloads of white

Case rates increased from 1989 to 1998 for all racial groups



- In 1998, the overall delinquency case rate for black juveniles (115) was more than twice the rate for whites (51) and nearly triple the rate for youth of other races (40).
- In all four general offense categories, case rates were higher for blacks than for whites and higher for whites than for youth of other races.
- The differences in rates by race were more pronounced for person offenses than for the other three general offense categories.

Note: Juveniles of Hispanic ethnicity can be of any race, but most are included in the white racial category.

Source: Author's adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 1998*.

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 1989, person and public order offenses made up a larger share and property offenses a smaller share of delinquency cases for all racial groups in 1998. Among black juveniles, person offenses rose 3 percentage points, public order offenses rose 5 points, and property offenses dropped 10 points. Among white juveniles, person offenses rose 6 percentage points, public order offenses rose 3 points, and property offenses dropped 15 points.

Offense profile of delinquency cases:

Offense	White	Black	Other races
1998			
Delinquency	100%	100%	100%
Person	21	28	19
Property	47	40	53
Drugs	11	11	8
Public order	21	21	20
1989			
Delinquency	100%	100%	100%
Person	15	25	16
Property	62	50	64
Drugs	5	9	4
Public order	18	16	17

Note: Detail may not total 100% because of rounding. All racial groups include Hispanics.

All age groups contributed to delinquency caseload increases between 1989 and 1998

Delinquency case rates rose between 1989 and 1998 for most ages

In 1998, juvenile courts handled 60.4 delinquency cases for every 1,000 juveniles (youth subject to original juvenile court jurisdiction) in the U.S. population. The 1998 delinquency case rate was 25% greater than the 1989 rate. For all but the youngest age groups, age-specific case rates showed similar increases. The greatest increase was among 17-year-olds.

Most delinquency cases involved older teens

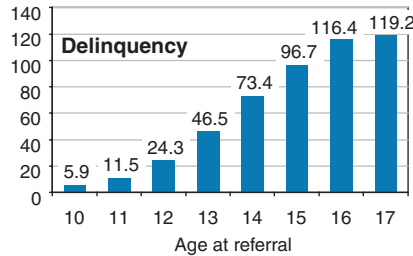
Juveniles age 15 and older made up 64% of the delinquency caseload in 1998. Juveniles ages 13 and 14 were involved in 26% of delinquency cases, while juveniles age 12 and younger accounted for 10%. There was some variation in age profiles across offenses. Juveniles age 12 and younger accounted for greater proportions of person (14%) and property (13%) cases than of drug (2%) or public order (6%) cases. These proportions were not substantially different from those in 1989.

Why do juvenile courts handle more 16- than 17-year-olds?

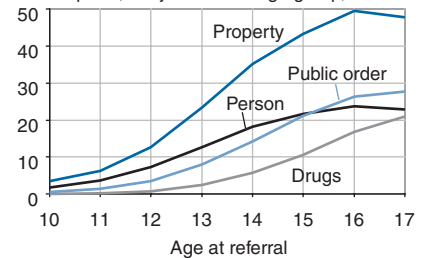
Although comparable numbers of 17-year-olds and 16-year-olds were arrested in 1998, the number of juvenile court cases involving 17-year-olds (286,700) was lower than the number involving 16-year-olds (411,600). The explanation lies primarily in the fact that, in 13 states,

Delinquency case rates generally increase with age

Cases per 1,000 juveniles in age group, 1998



Cases per 1,000 juveniles in age group, 1998

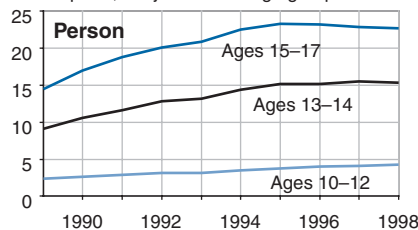


- The delinquency case rate for 16-year-olds was 1.5 times the rate for 14-year-olds, the rate for 14-year-olds was 3 times the rate for 12-year-olds, and the rate for 17-year-olds was slightly greater than the rate for 16-year-olds.
- Case rates increased through age 17 for drug and public order offenses, but for person and property offenses, rates peaked for 16-year-olds and then declined for 17-year-olds.

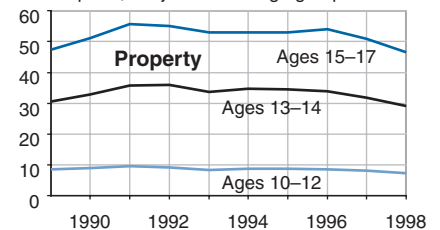
Source: Author's adaptation of Puzanchara et al.'s *Juvenile Court Statistics 1998*.

Between 1989 and 1998, the pattern of change in case rates was generally similar across age groups

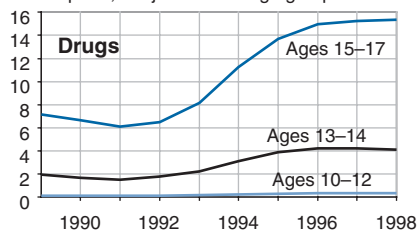
Cases per 1,000 juveniles in age group



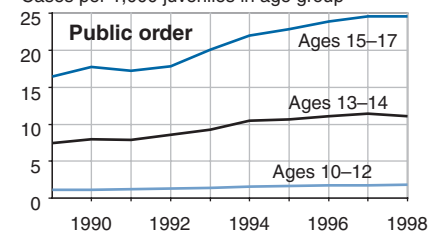
Cases per 1,000 juveniles in age group



Cases per 1,000 juveniles in age group



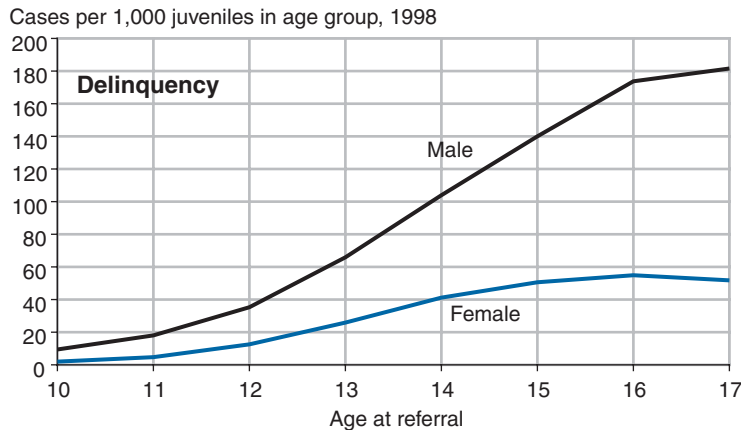
Cases per 1,000 juveniles in age group



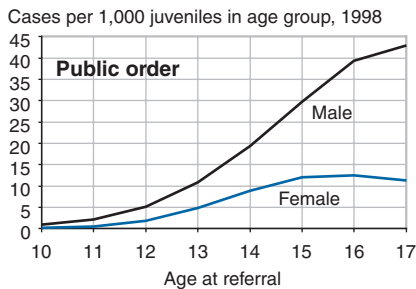
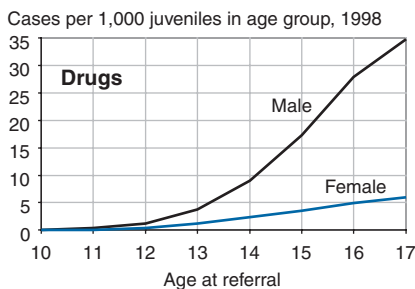
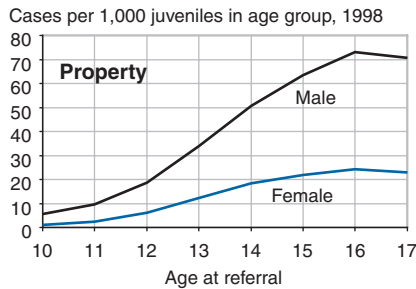
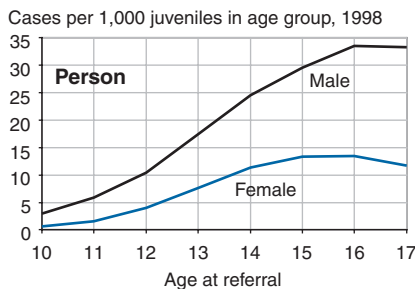
- Person case rates rose from 1989 through 1995; the rates then leveled off for older youth but not for youth ages 10–12.
- Across all age groups, property case rates were higher in the early 1990s than in the years since.
- Drug case rates rose sharply from 1991 through 1996, particularly for older youth.
- Public order case rates generally rose steadily for all age groups from 1989 to 1998.

Source: Author's adaptation of Puzanchara et al.'s *Juvenile Court Statistics 1998*.

In 1998, overall delinquency case rates increased with age through age 16 for both males and females



Delinquency case rates for males and females, by offense category, 1998



- Although delinquency case rates for females were much lower than those for males, the age-related increase in rates was greater for females than for males. For males, the rate for 16-year-olds was 18 times the rate for 10-year-olds. For females, the rate for 16-year-olds was 28 times the rate for 10-year-olds.
- Similar patterns were seen in each of the four general offense categories.
- The most striking age-related increase in rates was in drug cases. Drug case rates were highest for 17-year-olds of both sexes. The drug case rate for male 17-year-olds was more than 300 times the rate for male 10-year-olds. Among females, the magnitude of difference was 500-fold.

Source: Author's adaptation of Puzanchera et al.'s *Juvenile Court Statistics 1998*.

17-year-olds are excluded from the original jurisdiction of the juvenile court. 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 in the U.S.

Even after controlling for their differential representation in the juvenile population, the case rates for 16-year-olds are often slightly greater than the rates for 17-year-olds. One reason may be state legislation that targets certain older juveniles for processing directly in criminal courts (via either statutory exclusion or concurrent jurisdiction provisions). In these situations, when a youth of juvenile age is arrested, the matter goes before a criminal court rather than before a juvenile court.

In 1998, the offense profiles of younger and older youth differed

In 1998, the caseload of juveniles age 12 and younger had larger proportions of person and property offenses and smaller proportions of drug and public order offenses, compared with caseloads of older juveniles. In 1989, the proportions of person offense cases were similar for younger and older youth.

Offense profile of delinquency cases:

Offense	Age 12 and younger	Ages 13-14	Age 15 and older
1998			
Delinquency	100%	100%	100%
Person	31	26	21
Property	54	49	42
Drugs	2	7	14
Public order	13	19	23
1989			
Delinquency	100%	100%	100%
Person	19	19	17
Property	71	62	55
Drugs	1	4	8
Public order	9	15	20

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

Most delinquency cases do not involve detention between referral to court and disposition

When is secure detention used?

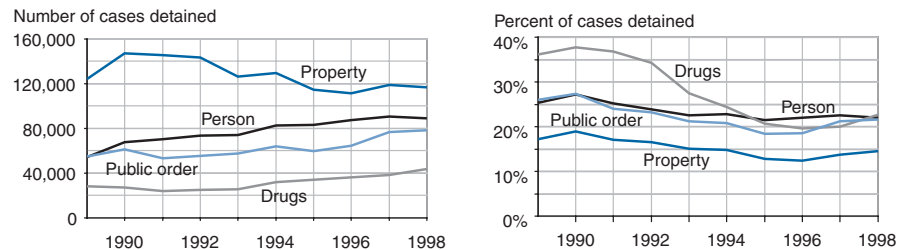
A youth may be placed in a secure juvenile detention facility at various points during the processing of his or her case. Most delinquency cases, however, do not involve detention. Although detention practices vary from jurisdiction to jurisdiction, a general model of detention practices is useful.

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, the youth will be detained if there is reason to believe he or she 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 all states, legislation 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 case 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.

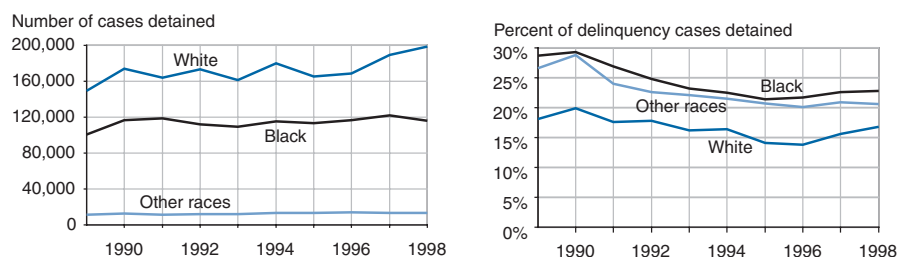
Although the percentage of cases involving detention dropped from 1989 to 1998, the number of cases involving detention increased



- Overall, youth were detained in 19% of delinquency cases handled in 1998.
- The number of delinquency cases involving detention rose 25% from 1989 to 1998. Person offense cases had the largest relative increase in detained cases (63%).
- Although there was a 6% decline in detained property cases between 1989 and 1998, they accounted for the largest volume of cases involving detention in every year.
- In 1998, the percentage of cases that involved detention was lower for property offense cases (15%) than for the other general offense categories (22–23%).
- For all four general offense categories, the probability of detention was lower in 1998 than in 1989. This was especially true for drug cases.

Source: Author's adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 1998*.

White youth were least likely to be detained, but they accounted for the largest volume of delinquency cases involving detention



- The number of delinquency cases involving white youth who were detained rose 33% from 1989 to 1998. For black youth and youth of other races, the increases in the number of cases detained was smaller (15% and 19%, respectively).
- Trends in the likelihood of detention followed similar patterns for all racial groups, although the proportion of cases involving detention remained lower for white youth than for black youth or youth of other races.

Note: Juveniles of Hispanic ethnicity can be of any race, but most are included in the white racial category.

Source: Author's adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 1998*.

The detention caseload has changed

Property offense cases continue to account for the largest proportion of delinquency cases involving detention, but their share declined from 1989 to 1998. Person offense cases had an increase in their share of the detention caseload.

Offense profile of delinquency cases involving detention:

Offense	1989	1998
Delinquency	100%	100%
Person	21	27
Property	48	36
Drugs	11	13
Public order	21	24

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

Relative to their share of the juvenile population, black youth were overrepresented in the detention caseload in 1998. Black youth made up 15% of the population but 35% of cases involving detention. Compared with the detention caseload in 1989, however, the extent of their overrepresentation has diminished somewhat. Youth of other races were not overrepresented in the detention caseload relative to their proportion in the population.

Racial profile of delinquency cases involving detention:

Race	1989	1998
All races	100%	100%
White	57	61
Black	39	35
Other races	4	4

Note: Detail may not total 100% because of rounding. All racial groups include Hispanics.

Not only were black youth overrepresented among cases involving detention relative to their proportion of the juvenile population, they were also overrepresented relative to their proportion of the overall delinquency caseload. Although black juveniles made up 29% of all delinquency cases processed in 1998, they accounted for 35% of cases involving detention.

This overrepresentation was greatest for drug cases. Black youth were involved in 29% of all drug cases handled but in 44% of drug cases involving detention.

Percentage of cases that involved black juveniles, 1998:

Offense	All cases	Detained cases
Delinquency	29%	35%
Person	35	38
Property	26	34
Drugs	29	44
Public order	29	29

Juveniles age 15 or younger accounted for 53% of cases involving detention in 1998. Those age 12 or younger made up 5% of the detention caseload that year. The age profile for detained delinquency cases changed only slightly between 1989 and 1998.

Age profile of delinquency cases involving detention:

Age	1989	1998
All ages	100%	100%
10 or younger	1	1
11	1	1
12	4	3
13	9	9
14	16	15
15	24	24
16	26	26
17 or older	19	21

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

Males were more likely than females to be detained

Overall, the youth was detained in 20% of delinquency cases involving males in 1998. In comparison, females were detained in 14% of their delinquency cases. Both males and females were least likely to be detained in property offense cases.

Percentage of delinquency cases involving detention, 1998:

Offense	Male	Female
Delinquency	20%	14%
Person	24	18
Property	16	9
Drugs	23	19
Public order	22	19

With the exception of drug cases, the use of detention for both males and females declined a few percentage points from 1989 to 1998. For males, the proportion of drug cases involving detention was 15 points higher in 1989 than in 1998; for females, it was 9 points higher.

Detention was used more frequently for older juveniles than for younger juveniles in 1998

Percentage of delinquency cases detained, by age at referral, 1998

Offense	10	11	12	13	14	15	16	17
Delinquency	7%	7%	12%	16%	18%	20%	21%	22%
Person	7	10	17	18	21	25	25	28
Property	6	6	9	13	15	16	17	17
Drugs	*	9	13	18	21	24	23	25
Public order	11	9	13	19	22	23	23	23

*Too few cases to obtain a reliable percentage.

Source: Author's adaptation of Puzanchera et al.'s *Juvenile Court Statistics 1998*.

Formal case handling was more likely in 1998 than in 1989, and more cases were adjudicated

In 1998, juvenile courts petitioned nearly 6 of 10 delinquency cases and adjudicated youth delinquent in more than 6 of 10 of those petitioned cases

Most serious offense	Petitioned cases, 1998		Percentage of petitioned cases adjudicated
	Number	Percent	
Delinquency	1,000,300	57%	63%
Person offenses	236,500	59	61
Criminal homicide	1,700	86	40
Forcible rape	4,600	77	66
Robbery	26,000	88	62
Aggravated assault	47,200	73	64
Simple assault	131,800	50	60
Other violent sex offenses	7,900	75	61
Other person offenses	17,400	62	55
Property offenses	422,600	53	65
Burglary	96,600	77	71
Larceny-theft	153,400	41	64
Motor vehicle theft	33,500	76	71
Arson	5,100	61	65
Vandalism	60,100	51	61
Trespassing	27,600	43	58
Stolen property offenses	22,900	67	59
Other property offenses	23,500	73	58
Drug law violations	121,100	63	63
Public order offenses	220,100	61	63
Weapons offenses	26,000	64	65
Obstruction of justice	111,500	73	70
Disorderly conduct	37,100	40	54
Liquor law violations	8,700	45	55
Nonviolent sex offenses	6,400	59	66
Other public order offenses	30,300	63	50
Violent Crime Index*	79,500	77	63
Property Crime Index**	288,500	53	67

■ Generally, the more serious the case, the more likely it was to be formally handled.

*The FBI's Violent Crime Index includes criminal homicide, forcible rape, robbery, and aggravated assault.

**The FBI's Property Crime Index includes burglary, larceny-theft, motor vehicle theft, and arson.

Note: Detail may not add to totals because of rounding.

Source: Author's adaptation of Puzanhera et al.'s *Juvenile Court Statistics 1998*.

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. Informal case handling is considered when the decisionmaker (police, probation, intake, prosecutor, or other screening officer) believes that accountability and rehabilitation can be achieved without formal court intervention. Compared with informally handled cases, formally processed 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 the 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 1989, juvenile courts formally processed 50% of delinquency cases. By 1998, that proportion had increased to 57%. Compared with the likelihood of formal processing in 1989, cases in three of the four general offense categories were more likely to be handled formally in 1998. Only the percentage of drug offense cases remained virtually the same.

In 1998, drug offense cases were the most likely to be petitioned for formal handling, and property offense cases were the least likely.

Percentage of delinquency cases petitioned:

Offense	1989	1998
Delinquency	50%	57%
Person	56	59
Property	48	53
Drugs	62	63
Public order	50	61

The percentage of cases petitioned increased for all demographic groups

The likelihood of formal case processing increased between 1989 and 1998 for both genders and for all ages and races.

Percentage of delinquency cases petitioned:

Characteristic	1989	1998
Gender		
Male	53%	60%
Female	40	48
Race		
White	46	54
Black	61	65
Other races	50	52
Age		
15 or younger	48	54
16 or older	54	61

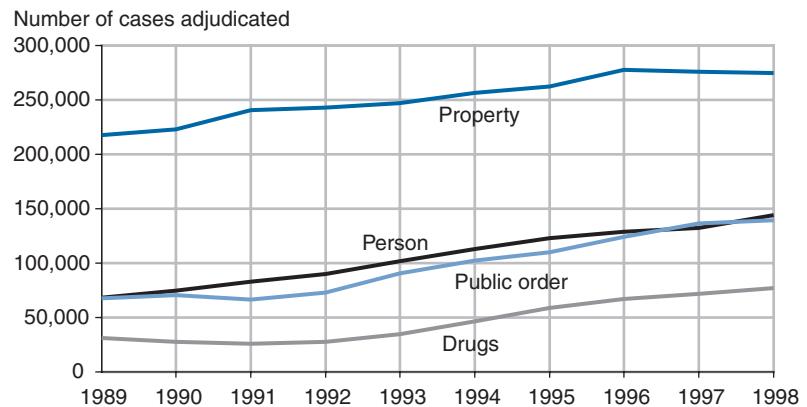
Note: All racial groups include Hispanics.

Males were more likely to have their cases petitioned than were females. This was true for each of the general offenses. Black youth had a higher proportion of cases petitioned than white youth or youth of other races. This also was found in each of the general offenses. Juveniles age 16 or older were more likely to have their cases petitioned than were younger juveniles (overall and across offenses).

Adjudication was more likely for some types of cases than for others

Youth were adjudicated delinquent in a smaller proportion of person offense

Delinquency adjudications grew 65% between 1989 and 1998



■ The number of adjudicated delinquency cases increased 146% for drug cases, 111% for person cases, 105% for public order cases, and 26% for property cases.

Source: Author's adaptation of Puzanhera et al.'s *Juvenile Court Statistics 1998*.

cases than in cases involving other types 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 until a judge has had a chance to review them. In addition, person offense cases are more likely than other cases to be judicially waived to criminal court.

In the majority of formally processed cases involving males in 1998, the youth was adjudicated delinquent. The likelihood of adjudication was somewhat lower for females. This pattern held even when controlling for offense category.

Percentage of petitioned cases in which the juvenile was adjudicated delinquent, 1998:

Offense	Male	Female
Delinquency	64%	61%
Person	62	58
Property	66	61
Drugs	64	61
Public order	63	63

The proportion of cases adjudicated in 1998 also varied by the race of the youth. Black youth were less likely to be

adjudicated than were white youth or youth of other races.

Percentage of petitioned cases in which the juvenile was adjudicated delinquent, 1998:

Offense	White	Black	Other races
Delinquency	65%	60%	66%
Person	63	58	65
Property	66	61	66
Drugs	65	60	71
Public order	64	61	66

Note: All racial groups include Hispanics.

Cases involving younger youth were more likely to result in adjudication than were cases involving older youth.

Percentage of petitioned cases in which the juvenile was adjudicated delinquent, 1998:

Offense	Age 15 or younger	Age 16 or older
Delinquency	65%	62%
Person	62	59
Property	66	63
Drugs	66	62
Public order	65	61

Most adjudicated delinquency cases in 1998 resulted in residential placement or formal probation

Probation was more likely than residential placement

In 26% 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 58% of adjudicated delinquency cases, probation was the most severe sanction ordered.

Once adjudicated, females were less likely to be ordered to residential placement than were males, and white youth were less likely than were black youth or youth of other races. 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.

Percentage of adjudicated delinquency cases, 1998:

Characteristic	Residential placement	Formal probation
All cases	26%	58%
Gender		
Male	27	57
Female	20	63
Race		
White	24	58
Black	30	57
Other races	25	57
Age		
12 and younger	16	67
13	23	63
14	26	60
15	28	58
16	28	55
17 and older	25	53

Note: All racial groups include Hispanics.

In 1998, residential placement or formal probation was ordered in 84% of delinquency cases; in 1989, the proportion was 86%

Most serious offense	Percentage of adjudicated delinquency cases			
	Residential placement		Formal probation	
	1989	1998	1989	1998
Delinquency	31%	26%	55%	58%
Person offenses	33	27	54	58
Criminal homicide	64	51	33	39
Forcible rape	46	40	47	45
Robbery	45	43	43	47
Aggravated assault	33	30	54	56
Simple assault	28	23	58	61
Other violent sex offenses	29	33	61	55
Other person offenses	26	21	59	61
Property offenses	27	24	57	59
Burglary	34	29	57	59
Larceny-theft	22	22	59	61
Motor vehicle theft	36	39	51	52
Arson	27	25	58	57
Vandalism	18	17	61	62
Trespassing	23	20	55	60
Stolen property offenses	31	30	56	52
Other property offenses	25	16	58	64
Drug law violations	36	23	54	59
Public order offenses	38	28	50	54
Weapons offenses	27	26	63	62
Obstruction of justice	49	36	45	51
Disorderly conduct	20	15	58	64
Liquor law violations	18	9	57	52
Nonviolent sex offenses	37	34	56	58
Other public order offenses	23	13	49	46
Violent Crime Index*	39	35	49	52
Property Crime Index**	29	26	57	59

■ Cases involving youth adjudicated for serious person offenses, such as homicide, rape, or robbery, were most likely to result in residential placement.

■ The relatively high residential placement rate for public order cases stems from that category's inclusion of certain obstruction of justice offenses that have a high likelihood of placement (e.g., escapes from confinement and violations of probation or parole).

*The FBI's Violent Crime Index includes criminal homicide, forcible rape, robbery, and aggravated assault.

**The FBI's Property Crime Index includes burglary, larceny-theft, motor vehicle theft, and arson.

Source: Author's adaptation of Puzanchera et al.'s *Juvenile Court Statistics 1998*.

Residential placement and probation caseloads increased between 1989 and 1998

The total number of delinquency cases in which youth were placed out of the home (including informal/voluntary and formal placements) rose 41% between 1989 and 1998, from 125,700 to 176,700. The number of adjudicated cases ordered to residential placement increased 37% in that period, from 119,700 to 163,800.

The total number of delinquency cases receiving probation (either formal or informal) as the most severe initial disposition increased 56% between 1989 and 1998, from 425,900 to 665,500. The number of cases adjudicated and ordered to formal probation increased 73% in that time, from 211,400 to 366,100. The growth in probation caseloads was greater than the growth in delinquency caseloads at referral (44%) and adjudication (65%).

In addition, an increasing number of youth received other sanctions (e.g., community service, restitution) as their most severe disposition. Cases receiving other sanctions represented 17% of cases disposed in 1998. The majority (77%) of such cases were handled informally. Overall, the number of cases receiving other sanctions as their most severe disposition increased 61% from 1989 to 1998. The number of adjudicated cases receiving other sanctions as their most severe disposition rose 85% in this time, from 38,400 to 71,000.

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

The profiles of adjudicated cases ordered to residential placement and those ordered to probation changed between 1989 and 1998

Characteristic	Percentage of residential placement cases		Percentage of formal probation cases	
	1989	1998	1989	1998
Most serious offense	100%	100%	100%	100%
Person	19	24	17	23
Property	50	41	59	45
Drugs	9	11	8	12
Public order	22	24	16	21
Gender	100%	100%	100%	100%
Male	88	85	85	79
Female	12	15	15	21
Race	100%	100%	100%	100%
White	60	61	63	66
Black	36	36	33	31
Other races	4	3	4	3
Age	100%	100%	100%	100%
12 and younger	5	4	8	8
13	9	9	10	10
14	17	17	17	17
15	25	25	23	23
16	26	27	24	24
17 and older	18	19	18	18

- Compared with 1989, the profiles of residential placement and probation cases in 1998 contained greater proportions of person offenses and females.
- Compared with the profile of cases that resulted in residential placement in 1998, cases that resulted in formal probation involved a greater proportion of property offenses (45% versus 41%), females (21% versus 15%), whites (66% versus 61%), and youth age 13 or younger (18% versus 13%).

Note: Detail may not total 100% because of rounding. Juveniles of Hispanic ethnicity can be of any race, but most are included in the white racial category.

Source: Author's adaptation of Puzzanhera et al.'s *Juvenile Court Statistics 1998*.

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.

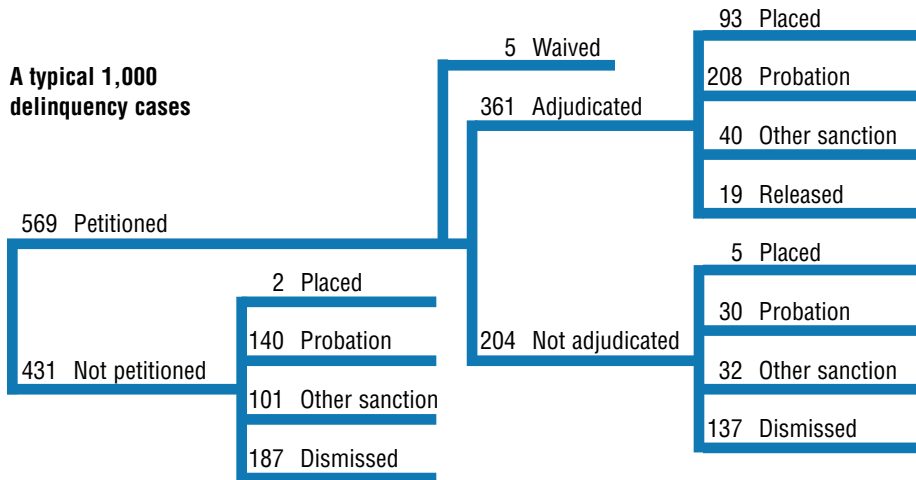
This compliance may be voluntary: the youth agrees to conditions in lieu of formal adjudication. Or compliance may be mandatory following adjudication: the youth is formally ordered to a term of probation and must comply with the conditions established by the court. More than half (55%) of juvenile probation

dispositions in 1998 were formal (i.e., enacted under court order following adjudication).

In addition to being required to meet regularly with a probation officer, a juvenile 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 probation conditions. If probation is revoked, the court may reconsider its disposition and impose stricter sanctions.

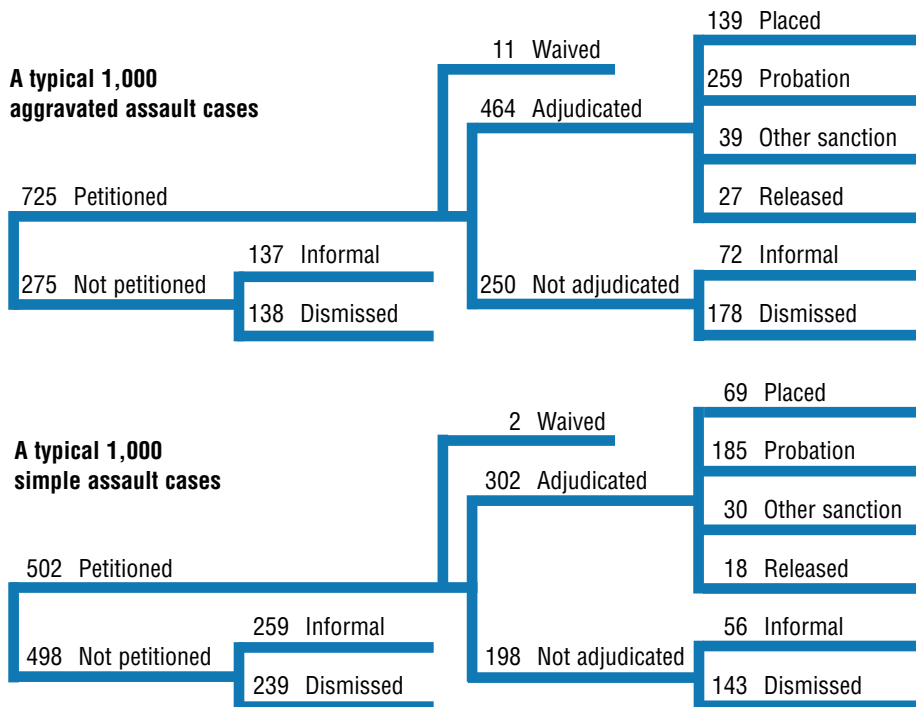
The processing of delinquency cases varied more by offense than by gender

Of every 1,000 delinquency cases handled in 1998, 208 resulted in court-ordered probation, 93 resulted in court-ordered residential placement, and 5 were waived to criminal court



- Although juvenile courts handled more than 4 in 10 cases without the filing of a petition, more than half of these cases received some form of court sanction. These sanctions included informal probation or other dispositions such as restitution, community service, or referral to another agency for services.
- In many formally handled delinquency cases that did not result in adjudication, the youth agreed to informal sanctions, including out-of-home placement, informal probation, or other dispositions such as restitution.

Compared with simple assault cases, aggravated assault cases were more likely to receive formal sanctions or to be waived to criminal court

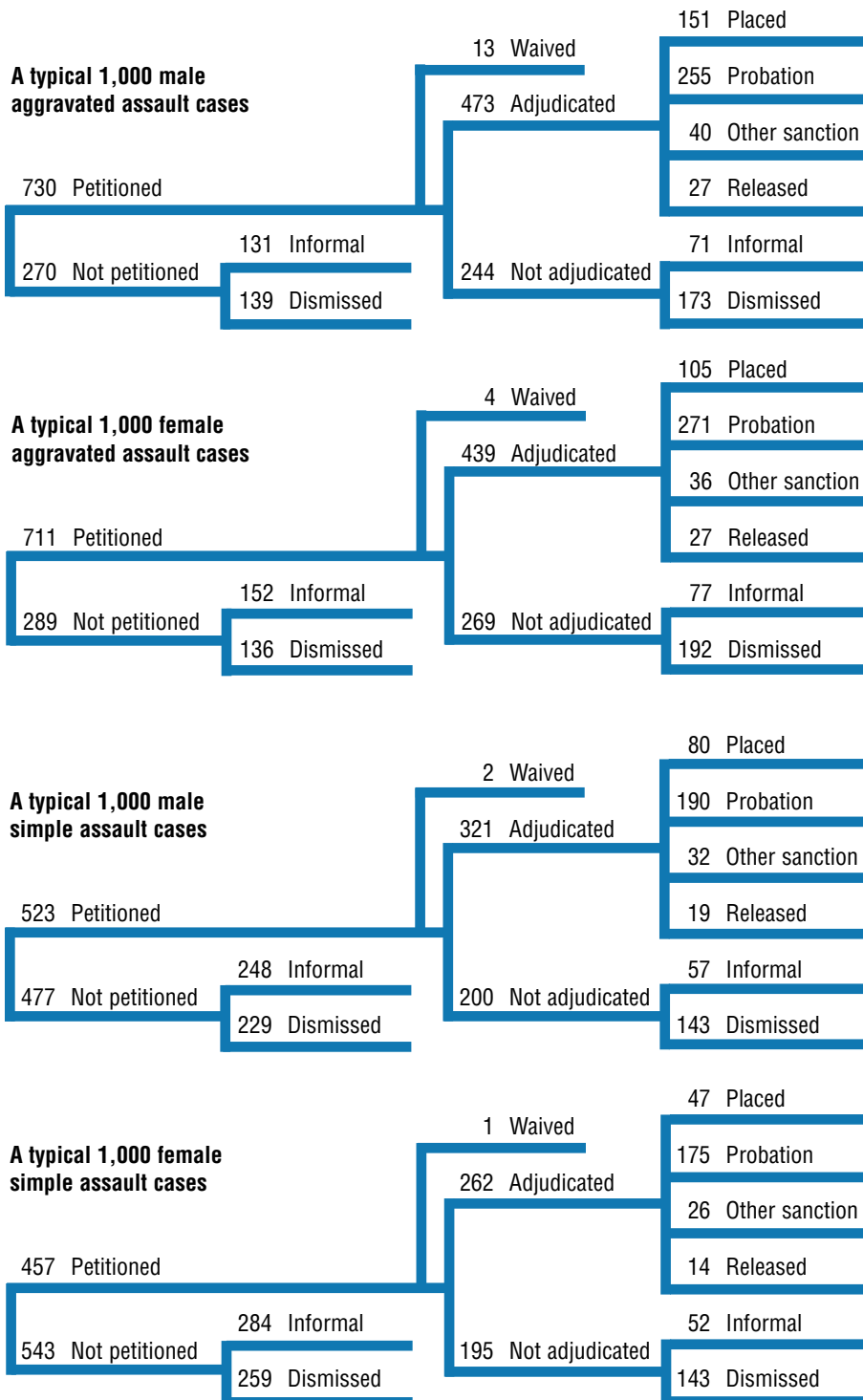


- Juvenile courts ordered formal sanctions or waived more than 4 in 10 aggravated assault cases and fewer than 3 in 10 simple assault cases.
- Juvenile courts waived 11 of 1,000 aggravated assault cases to criminal court. The figure for simple assault cases was 2 of 1,000.
- Of a typical 1,000 aggravated assault cases, 139 were ordered to residential placement, and 259 were ordered to formal probation following adjudication.
- Of a typical 1,000 simple assault cases, 69 were ordered to residential placement, and 185 were ordered to formal probation following adjudication.
- Among aggravated assault cases, 138 of 1,000 were dismissed at intake, and 178 were dismissed following an adjudicatory hearing. For simple assault cases, 239 of 1,000 were dismissed at intake, and 143 were dismissed following an adjudicatory hearing.

Note: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Author's adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 1998*.

Juvenile courts' handling of assault cases varied more by offense severity (aggravated assault versus simple assault) than by gender



- The proportion of aggravated assault cases that were petitioned was similar for males (730 of 1,000) and females (711 of 1,000).
- Of a typical 1,000 aggravated assault cases involving males, 151 were ordered to residential placement and 255 were ordered to formal probation following adjudication.
- Among females, 105 of 1,000 aggravated assault cases resulted in court-ordered residential placement and 271 in formal probation.
- Juvenile court processing of simple assault cases involving males and those involving females was substantially different from its handling of aggravated assault cases.
- Of a typical 1,000 simple assault cases involving males, 80 were ordered to residential placement and 190 were ordered to formal probation following adjudication.
- Among females, 47 of 1,000 simple assault cases resulted in court-ordered residential placement and 175 in formal probation.
- Among males, juvenile courts waived to criminal court 13 of 1,000 aggravated assault cases and 2 of 1,000 simple assault cases.
- In comparison, among females, juvenile courts waived to criminal court 4 of 1,000 aggravated assault cases and 1 of 1,000 simple assault cases.

Note: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Author's analysis of *National Juvenile Court Data Archive: 1998 Juvenile Court Case Records* [machine-readable data file].

The juvenile court's use of judicial waiver has changed over the past decade

The profile of waived cases has changed

In 1989, property cases were nearly half of all delinquency cases judicially waived from juvenile court to criminal court. In 1994, waived cases had a greater proportion of person offense cases than property cases (44% versus 37%). By 1998, property cases once again accounted for the largest proportion of waived cases (40% versus 36% for person cases). In comparison, drug and public order cases made up smaller proportions of waived cases in 1998 (16% and 8%, respectively).

Offense profile of judicially waived cases:

Offense	1989	1994	1998
Waived cases	100%	100%	100%
Person	28	44	36
Property	49	37	40
Drugs	16	11	16
Public order	7	8	8
Number of cases	8,000	12,100	8,100

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

The demographic characteristics of judicially waived cases have also changed somewhat over the past decade.

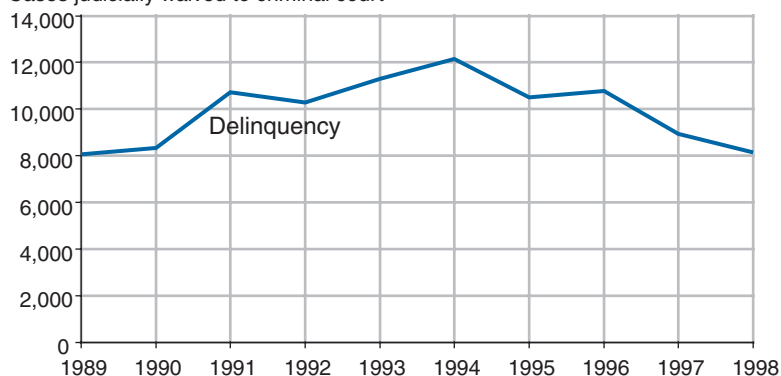
Percentage of formally handled cases judicially waived to criminal court:

Characteristic	1989	1998
Gender	100%	100%
Male	95	93
Female	5	7
Race	100%	100%
White	49	55
Black	49	42
Other races	2	3
Age	100%	100%
15 or younger	11	13
16 or older	89	87

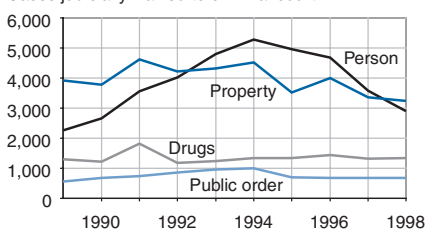
Note: Detail may not total 100% because of rounding. All racial groups include Hispanics.

Juvenile courts waived 33% fewer delinquency cases to criminal court in 1998 than in 1994

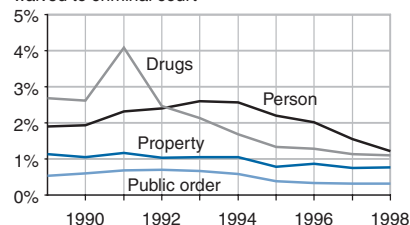
Cases judicially waived to criminal court



Cases judicially waived to criminal court



Percent of petitioned cases judicially waived to criminal court



- The number of delinquency cases waived to criminal court grew 51% between 1989 and 1994, from 8,000 to about 12,000. By 1998, waived cases were down 33%, nearly to the 1989 level.
- From 1993 through 1997, person offenses outnumbered property offenses among waived cases. In 1998, property offenses outnumbered person offenses among waived cases, as they had prior to 1993.
- The number of waived person offense cases increased 133% from 1989 to 1994 and then decreased 45% by 1998, for an overall increase of 28% from 1989 to 1998.
- The number of waived drug cases was relatively flat, other than a 1-year jump in 1991 when the number of drug cases waived was nearly 40% greater than the average for all other years between 1989 and 1998.
- The overall proportion of petitioned delinquency cases waived was 1.3% in 1989, peaked at 1.5% in 1991, and then dropped to 0.8% by 1998.
- From 1989 through 1992, drug cases were the most likely type of case to be waived. From 1993 through 1998, person offense cases were the most likely type of case to be waived.

Source: Author's adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 1998*.

Although the proportions of judicially waived cases involving females and younger juveniles increased slightly between 1989 and 1998, the vast majority of waived cases involved males age 16 or older. However, the proportion of older males among judicially waived cases decreased somewhat, from 85% in 1989 to 81% in 1998.

The likelihood of waiver varied across case characteristics

In 1998, a greater proportion of cases involving males was waived than cases involving females. This was true in each of the four general offense categories. For example, males charged with person offenses were four times as likely as females charged with person offenses to have their cases waived to criminal court. However, this comparison does not control for male-female differences in the seriousness of offenses within the person offense category.

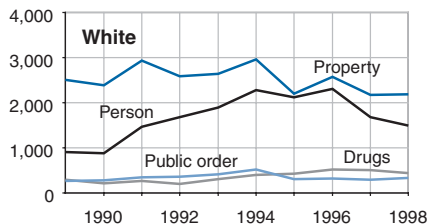
Percentage of formally handled cases judicially waived to criminal court, 1998:

Offense	Male	Female
Delinquency	0.9%	0.3%
Person	1.5	0.4
Property	0.9	0.3
Drugs	1.2	0.5
Public order	0.4	0.1

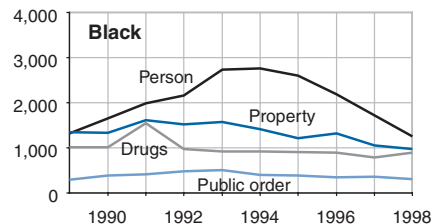
For delinquency cases overall, a larger proportion of cases involving black youth was waived than cases involving white youth or youth of other races. More specifically, black youth were more likely to be waived than other youth for person and drug offenses. For white youth and youth of other races, waiver was most likely in person offense cases; for black youth, it was most likely in drug offense cases.

Racial differences in waiver stem primarily from differences in the use of waiver for person and drug offense cases

Cases judicially waived to criminal court

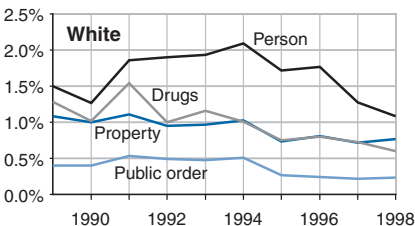


Cases judicially waived to criminal court

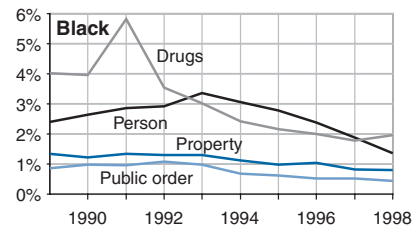


- Both whites and blacks experienced sharp increases in person cases waived between 1989 and 1994; and substantially fewer person cases waived in 1998 than in 1994.

Percent of petitioned cases judicially waived to criminal court



Percent of petitioned cases judicially waived to criminal court



- The likelihood of waiver was greater for black than for white juveniles in each of the four general offense categories. These data, however, do not control for racial differences in offense seriousness within those categories or in juveniles' offense histories.

Note: All racial groups include Hispanics.

Source: Author's adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 1998*.

Percentage of formally handled cases judicially waived to criminal court, 1998:

Offense	White	Black	Other races
Delinquency	0.7%	1.0%	0.8%
Person	1.1	1.4	2.2
Property	0.8	0.8	0.4
Drugs	0.6	2.0	0.4
Public order	0.2	0.4	0.4

Note: All racial groups include Hispanics.

In general, 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 and across racial groups.

Percentage of formally handled cases judicially waived to criminal court, 1998:

Offense/race	Age 15 or younger	Age 16 or older
Delinquency	0.2%	1.6%
White	0.1	1.3
Black	0.3	2.1
Other races	0.1	1.6
Person	0.3	2.6
White	0.2	2.3
Black	0.5	3.0
Other races	0.6	4.2
Property	0.1	1.6
White	0.1	1.6
Black	0.2	1.8
Other races	0.0	1.1
Drugs	0.3	1.6
White	0.1	0.9
Black	0.5	2.9
Other races	0.0	0.8
Public order	0.1	0.5
White	0.1	0.4
Black	0.1	0.8
Other races	0.0	0.9

Note: All racial groups include Hispanics.

Convicted transfers did not always receive harsher sanctions than adults received

Convicted juvenile transfers differ from adult felons

The National Judicial Reporting Program compiles information on sentences that felons receive in state courts nationwide and on the felons' characteristics. Data are collected on a sample basis every other year. The term "felony," although not uniformly defined or used across the country, is often defined as crimes for which a convicted offender can be sentenced to more than 1 year in prison.

Juvenile-age felony defendants convicted in criminal court were identified in 1996 data from a nationally representative sample of 344 counties. These juvenile transfers included those whose cases were statutorily excluded from juvenile court jurisdiction, filed in criminal court at the discretion of prosecutors, and judicially waived from juvenile court to criminal court. The sample of transfers was large, although not statistically representative of all juvenile transfers.

Compared with adult felons, juvenile transfers were more likely to be male than female and more likely to be black than white.

Percentage of convicted felons:

Characteristic	Transferred juvenile	Adult
Gender	100%	100%
Male	96	84
Female	4	16
Race	100%	100%
White	43	53
Black	55	45
Other races	2	2

Note: Detail may not total 100% because of rounding. All racial groups include Hispanics.

Juvenile transfers were more likely than adults to be convicted of a person offense

In most states, provisions for transferring juveniles to criminal court target the most serious offenses and the most serious juvenile offenders. The result is that, compared with adult felons, transferred juveniles had a substantially greater proportion of person offense convictions (especially robbery and aggravated assault) and a smaller proportion of drug convictions.

Percentage of convicted felons:

Most serious conviction offense	Transferred juvenile	Adult
All felonies	100%	100%
Person	53%	17%
Murder	7	1
Sexual assault	4	3
Robbery	23	4
Aggravated assault	17	7
Other person	1	1
Property	27%	30%
Burglary	19	9
Larceny	8	12
Fraud	1	8
Drugs	11%	37%
Possession	3	15
Trafficking	8	22
Weapons	3%	3%
Other offenses	6%	14%

Note: Detail may not add to totals because of rounding.

Some transfers received harsher sanctions than adults; others did not

Among defendants convicted of burglary, larceny, or weapons offenses, juvenile transfers were more likely to be sentenced

to prison than were adult felons convicted of similar offenses.

Percentage of convicted felons sentenced to prison:

Most serious conviction offense	Transferred juvenile	Adult
All felonies	60%	37%
Person	75%	78%
Murder	96	95
Sexual assault	73	75
Robbery	79	78
Aggravated assault	67	75
Property	46%	18%
Burglary	50	20
Larceny	37	17
Drugs	31%	34%
Possession	21	28
Trafficking	34	37
Weapons	55%	39%

Among defendants convicted of murder or weapons offenses, transfers received longer prison terms than adults. However, among those convicted of sexual assault, burglary, or drug offenses, transfers received shorter prison terms than adults.

Mean maximum sentence length (in months) for convicted felons sentenced to prison:

Most serious conviction offense	Transferred juvenile	Adult
All felonies	91	59
Person	118	101
Murder	277	250
Sexual assault	105	117
Robbery	101	95
Aggravated assault	80	66
Property	39	46
Burglary	41	57
Larceny	33	38
Drugs	30	47
Possession	21	38
Trafficking	32	52
Weapons	48	42

Those who begin offending as young children are more likely to become violent offenders

Early-onset offenders will place a burden on justice resources

Snyder (2001) studied the juvenile court records of more than 150,000 urban juveniles who aged out of the juvenile justice system (i.e., turned age 18) between 1980 and 1995. The study found that the earlier a youth enters the juvenile justice system, the more likely he or she is to acquire an extensive juvenile court record. The younger the juvenile is at first referral to court, the more likely he or she is to have at least four separate referrals to juvenile court intake, at least one referral for a serious offense, and at least one referral for a violent offense by the time he or she reaches age 18. As a result, early-onset youth will consume a disproportionate amount of the court's resources.

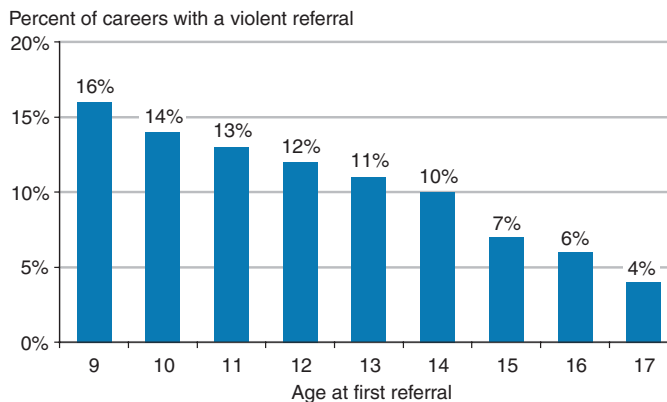
Most early-onset offenders, however, do not become serious, violent, or chronic offenders. For example, 84% of youth first referred to court intake at age 9 were never referred to juvenile court for a violent offense. They were far more likely, however, to be referred to juvenile court for a violent crime eventually.

Juvenile court career patterns differ depending on when offenders began their careers, before or after age 13.

Number of youth out of a typical 1,000:

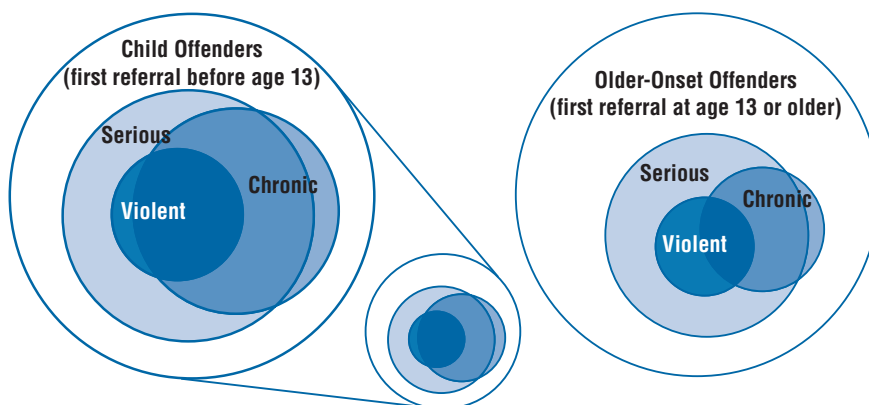
Career type	First referral	
	Before age 13	Age 13 or older
Single referral	411	629
Serious	473	312
Chronic	317	116
Violent	130	72
Chronic and violent	104	31

The likelihood of becoming a violent offender declines with the age at first referral to juvenile court



- Of those referred to juvenile court for the first time at age 9, 16% had at least one referral for a violent offense before they turned 18.

Child offenders had a greater proportion of serious, violent, and chronic careers than older-onset youth



- Those outside the serious, violent, and chronic inner circles were referred to court between 1 and 3 times but never for a serious offense. Overlaps represent careers with multiple attributes. The circles and their overlaps are drawn in proportion to the number of careers with those attributes.

Violent offenses: murder, kidnapping, violent sexual assault, robbery, and aggravated assault.
Serious offenses: violent offenses plus burglary, serious larceny, motor vehicle theft, arson, weapons offenses, and drug trafficking.
Chronic offenders: 4 or more referrals in court career.

Note: If these circles were drawn to scale, the child offender circle would be one sixth of the circle for older onset offenders—roughly the size of the small circle in the center.

Source: Author's adaptation of Snyder's *Epidemiology of official offending*, in *Child Delinquents: Development, Intervention, and Service Needs*.

The formal status offense caseload differs substantially from the delinquency caseload

What are status offenses?

Status offenses are those 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, curfew violations, and underage drinking (which also applies to young adults through age 20).

Police refer few truancy, ungovernability, or runaway cases to court

Law enforcement agencies referred 4 in 10 runaway cases formally handled in juvenile court between 1989 and 1998* and just 1 in 10 truancy and ungovernability cases. Law enforcement agencies were more likely to be the referral source for status liquor law violation cases than for other status offense cases.

Percentage of formal status offense cases referred by law enforcement agencies:

Offense	1989–98
Runaway	40%
Truancy	10
Ungovernability	11
Liquor	92

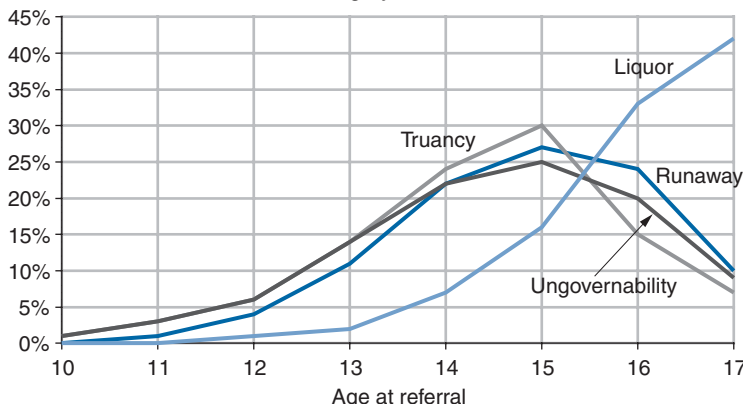
Females account for most runaway cases

Another major difference between delinquency and status offense cases is the large proportion of cases that involve females.

*Available data cannot support national estimates of the trends and volume of petitioned status offense cases. Data are, therefore, presented as sample-based profiles of cases disposed during the 10-year period 1989–98.

During the 10-year period 1989–98, the volume of petitioned truancy, runaway, and ungovernability cases peaked at age 15

Percent of cases within offense category, 1989–98



■ For liquor law violation cases, the proportion of cases increased substantially throughout the juvenile years.

Source: Author's adaptation of Puzzanhera et al.'s *Juvenile Court Statistics 1998*.

Percentage of formal status offense cases involving females:

Offense	1989–98
Runaway	61%
Truancy	46
Ungovernability	45
Liquor	29

The proportion of cases adjudicated varied by status offense category

Truancy and ungovernability cases were more likely to be adjudicated than other types of status offense cases.

Percentage of formal status offense cases adjudicated, 1989–98:

Offense	Total	Male	Female
Runaway	45%	46%	45%
Truancy	60	60	60
Ungovernability	61	61	60
Liquor	59	60	55

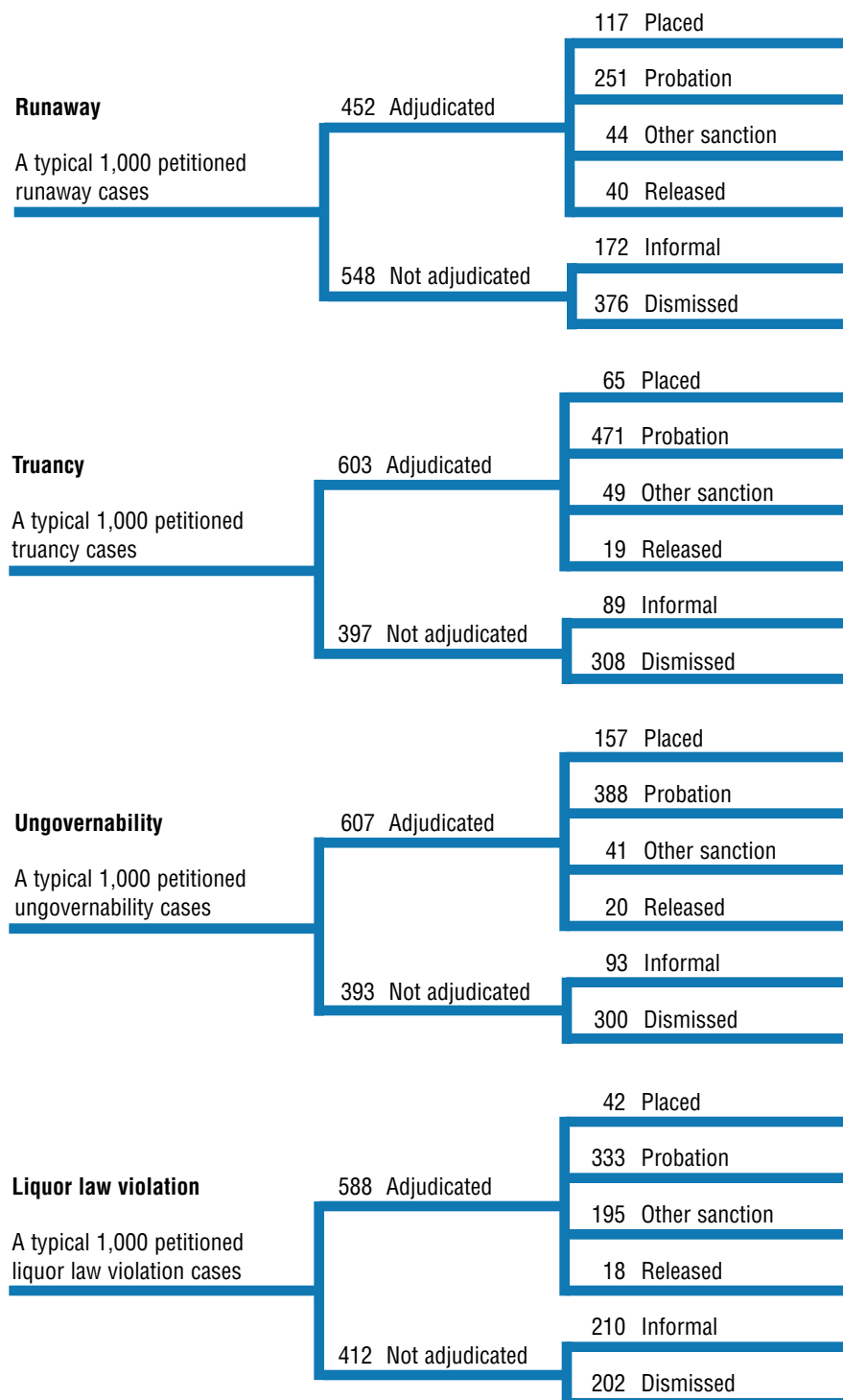
In most adjudicated status offense cases, the court ordered probation

From 1989 through 1998, among adjudicated runaway, truancy, ungovernability, and liquor law violation cases, formal probation was the most likely disposition. A few cases were ordered to out-of-home placement, and some (primarily liquor law violation 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.

Percentage of adjudicated status offense cases receiving disposition, 1989–98:

Offense	Residential placement	Formal probation
Runaway	26%	56%
Truancy	11	78
Ungovernability	26	64
Liquor	7	57

During the 10-year period from 1989 through 1998, juvenile courts were less likely to order formal probation in runaway cases than in other types of status offense cases



- Of a typical 1,000 petitioned runaway cases, 251 were ordered to formal probation. In comparison, the figure was 471 for truancy cases, 388 for ungovernability cases, and 333 for liquor law violation cases.
- Among petitioned runaway cases, the youth was not adjudicated in 548 of a typical 1,000 cases. Of these 548 cases, 172 received informal sanctions or were referred to a social services agency for handling, and 376 were dismissed.
- Of a typical 1,000 petitioned truancy cases, 603 were adjudicated, and 585 received some sort of formal sanction.
- Use of informal sanctions was relatively uncommon in formally processed truancy cases (89 of 1,000).
- Juvenile courts were more likely to order youth to residential placement in petitioned ungovernability cases (157 of 1,000) than in other types of status offenses, but formal probation was the most likely court-ordered disposition for ungovernability cases (388 of 1,000).
- Among petitioned liquor law violation cases, the most likely outcome was formal probation (333 of 1,000), although the court often ordered formal sanctions other than residential placement or probation (195 of 1,000).

Note: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding.

Source: Author's adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 1998*.



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