



Bureau of Justice Statistics Special Report

Survey of 40 Counties, 1998

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Juvenile Felony Defendants in Criminal Courts

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In 40 of the Nation's largest urban counties, approximately 7,100 juveniles were charged with felonies in adult criminal court during 1998. Nearly two-thirds of the defendants were charged with a violent felony.

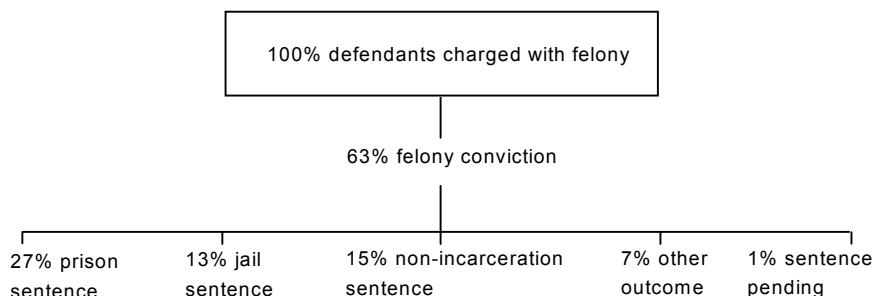
These findings are from a BJS-sponsored data collection in Baltimore City and 39 urban counties in 19 States. (The term "40 counties" in this report refers to this sample.) Information was collected on all juvenile defendants who went to criminal court. (See *Methodology* for complete project description.) This report provides aggregate county data. Tables of individual county data are available on the BJS website. (See <www.usdoj.gov/bjs>.)

State laws establish the age at which defendants are automatically tried in criminal courts. Defendants at or below this age (the "upper age of jurisdiction") are handled in juvenile courts unless certain criteria are met. Each State specifies the criteria that must be met for juveniles to be prosecuted in criminal court.

- Transfer to criminal court traditionally involves a hearing before a juvenile court judge to determine whether a juvenile is amenable to treatment in the juvenile system. In cases where a juv-

Highlights

27% of the 7,135 juvenile felony defendants were sentenced to prison



Nearly two-thirds of juvenile felony defendants charged with a violent crime in 40 counties, 1998

Characteristic	Juveniles	Adults*
Most serious felony arrest charge		
Violent offense	63.5%	24.4%
Property offense	17.7	28.1
Drug offense	15.1	38.8
Public-order offense	3.5	8.7

Most serious sanction for convicted defendants		
Prison	43.3%	26.1%
Jail	20.3	33.5
Probation	24.4	26.1

*Source: 1998 State Court Processing Statistics. Comparison is between a nearly identical sample of 40 counties. See *Methodology*.

- In 1998 in 40 of the largest urban counties, approximately 7,100 juvenile felony defendants were adjudicated in adult criminal court.
- In criminal court juveniles (64%) were more likely than adults (24%) to be charged with a violent felony.

These juvenile defendants were generally regarded as serious offenders, as 52% did not receive pretrial release, 63% were convicted of a felony, and 43% of those convicted received a prison sentence.

- States have expanded mechanisms by which juveniles can be charged in criminal courts. In 1998 statutory exclusion was the most common method (42%) used to charge juvenile defendants compared to the more traditional juvenile waiver (24%).
- Of the 7,135 juvenile felony defendants, 62% were black, 20% were white, 96% were male, and at the time of arrest 55% were within 1 year of adulthood as defined by their State.
- 66% of the juvenile felony defendants were convicted, either of a felony or a misdemeanor. Of those convicted, 64% were sentenced to jail or prison as the most serious penalty. The average prison sentence received was about 90 months.

enile court judge transfers jurisdiction to the criminal courts, transfer is effected by means of a *judicial waiver*.

- State statutes can specify the criteria that will exclude a juvenile from juvenile court. Juveniles sent to criminal court by these means are said to be *statutorily excluded* from juvenile court jurisdiction.

- The *prosecutorial direct file*, sometimes referred to as a concurrent jurisdiction waiver, occurs where State statutes have established criteria for cases which may be prosecuted in either juvenile or criminal court. For such cases, discretion lies with the prosecutor.

The most common method of transferring juveniles to adult court, statutory exclusion, represented 42% of all such cases in the 40 counties. Prosecutorial direct file accounted for 35%, and the judicial waiver, 24% (table 1).

Arrest charge

Nearly two-thirds of the juveniles processed in adult court in 1998 were charged with a violent felony (table 2).

Almost a third were charged with robbery and about a fifth with assault.

Property offenses accounted for 18% of the juvenile felony defendants. Drug offenses accounted for 15%, with drug trafficking the majority of these drug offenses. Less than 4% of the juvenile felony defendants had a public-order arrest charge.

Gender and race/Hispanic origin

In 1998, 96% of the juveniles charged with a felony in criminal court were male (table 3). Females made up 6% of those juveniles charged with a vio-

lent offense. Among all other general arrest charge categories (drug, property, and public-order crime), about 2% of the juvenile felony defendants were female.

Table 2. Most serious arrest charge for juvenile felony defendants in 40 large urban counties, 1998

Most serious arrest charge	Juvenile felony defendants	
	Number	Percent
All offenses	7,135	100.0%
Violent offenses	4,528	63.5%
Murder	377	5.3
Rape	241	3.4
Robbery	2,227	31.2
Assault	1,470	20.6
Other violent offense	213	3.0
Property offenses	1,264	17.7%
Burglary	602	8.4
Theft	320	4.5
Other property offense	342	4.8
Drug offenses	1,078	15.1%
Drug trafficking	790	11.1
Other drug offense	288	4.0
Public-order offenses	250	3.5%
Weapons	184	2.6
Other public-order	66	0.9
Other felony offenses	15	0.2%

Note: In this and subsequent tables, motor vehicle thefts are included in the "Other property offense" category.

Table 1. Juvenile felony defendants in 40 large urban counties, by transfer mechanism, 1998

	Juvenile felony defendants	
	Number	Percent
Total	7,053	100.0%
Judicial waiver	1,675	23.7%
Prosecutor direct file	2,445	34.7
Statutory exclusion	2,933	41.6

Note: The transfer mechanism was not known for 82 defendants.

Table 3. Gender and race/Hispanic origin of juvenile felony defendants in 40 large urban counties, by most serious arrest charge, 1998

Most serious arrest charge	Juvenile felony defendants							
	Number of defendants	Percent		Number of defendants	Percent			Hispanic, any race
		Male	Female		Black non-Hispanic	White non-Hispanic	Other non-Hispanic	
All offenses	7,133	95.8%	4.2%	7,073	62.2%	19.9%	1.8%	16.2%
Violent offenses	4,527	94.4%	5.6%	4,471	60.1%	18.6%	2.3%	19.0%
Murder	377	97.9	2.1	370	49.5	15.7	5.7	29.2
Rape	241	98.8	1.2	238	63.4	20.2	1.7	14.7
Robbery	2,227	94.0	6.0	2,197	66.9	15.1	1.5	16.6
Assault	1,469	93.1	6.9	1,454	55.0	21.9	2.5	20.6
Other violent offense	213	96.7	3.3	212	40.1	36.3	4.2	19.3
Property offenses	1,264	98.1%	1.9%	1,261	48.5%	35.1%	1.1%	15.3%
Burglary	602	97.8	2.2	600	42.5	39.8	1.7	16.0
Theft	320	97.5	2.5	320	51.6	31.9	0.3	16.3
Other property offense	342	99.1	0.9	341	56.3	29.6	0.9	13.2
Drug offenses	1,078	98.1%	1.9%	1,078	86.8%	7.2%	0.7%	5.2%
Drug trafficking	790	98.4	1.6	790	89.0	5.8	0.5	4.7
Other drug offense	288	97.6	2.4	288	80.9	11.1	1.4	6.6
Public-order offenses	249	98.4%	1.6%	248	62.5%	19.4%	0.8%	17.3%
Weapons	183	98.4	1.6	183	65.6	16.9	1.1	16.4
Other public-order offense	66	98.5	1.5	65	53.8	26.2	0.0	20.0
Other felony	15	93.3%	6.7%	15	40.0%	20.0%	13.3%	26.7%

Note: Gender is missing for 2 cases. Race/ethnicity is missing for 62 cases. Detail may not add to total due to rounding.

In 1998 in the 40 counties, 62% of the juvenile felony defendants were black, 20% were white, 16% were Hispanic, and almost 2% were another race.

A majority of the juvenile felony defendants charged with a violent (60%), drug (87%), or public-order (63%) felony offense were black. Blacks were 49% of property defendants. Whites were 35% of juvenile felony property defendants and nearly 20% of juveniles charged with violent or public-order felony offenses.

Hispanic juveniles represented more than 15% of those charged with a felony property offense and nearly 20% of violent or public-order felony arrest charges. Whites and Hispanics each accounted for less than 10% of juvenile felony drug defendants.

Age at arrest

The established upper age of jurisdiction for criminal jurisdiction varied for the 19 States in the 40 county sample. In 1998 New York had an upper age of jurisdiction of 15, 6 States (Georgia, Illinois, Michigan, Missouri, Texas, and Wisconsin) had an upper age of jurisdiction of 16, and the remainder (Alabama, Arizona, California, Florida, Hawaii, Indiana, Kentucky, Maryland, Ohio, Pennsylvania, Tennessee, and Washington) had an upper age of jurisdiction of 17.

Most juveniles (55%) in adult court in the 40 large counties were within 1 year of adulthood at the time of arrest as defined by their State (figure 1). Regardless of the State upper age of jurisdiction, the majority of juveniles transferred to criminal courts would have been considered adults within a year; 40% were within 6 months of adult status. Ten percent of the juvenile felony defendants were 3 or more years away from the upper age of jurisdiction.

About 26% of defendants were less than 16 years old, 31% were between ages 16 and 17, and 43% were 17 years or older (table 4).

Pretrial release

Fifty-two percent of the juvenile felony defendants were released prior to the disposition of their case (table 5).

Those charged with a violent felony offense were the least likely to be released pretrial (45%). Fewer than 10% of defendants charged with murder were released, and under half of those charged with rape (47%), rob-

bery (49%), or assault (47%) were released. Over 60% of those charged with property, drug, or public-order offenses were released before trial.

Of the 3,576 juveniles who were released pending trial, 55% were charged with a violent offense; about 20% with a property or drug offense, and 4% were charged with a public-order offense.

Cumulative percentage of juvenile felony defendants, by proximity to the upper age of jurisdiction, in 40 large urban counties, 1998

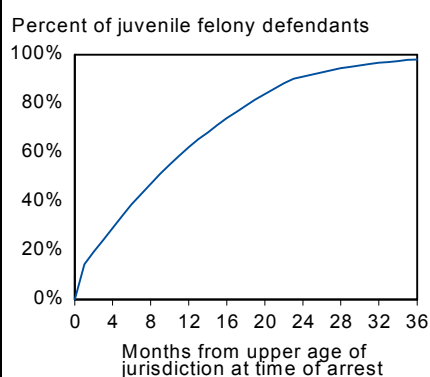


Figure 1

Table 4. Juvenile felony defendants in 40 large urban counties, by age at arrest, 1998

Age at arrest	Juvenile felony defendants	
	Number	Percent
All ages	7,135	100.0%
Less than 14*	21	0.3%
14 to 15	488	6.8
15 to 16	1,373	19.2
16 to 17	2,187	30.7
17 to 18	2,844	39.9
18 and over	222	3.1

*All but 2 defendants in the "Less than 14" category were between ages 13 and 14.

Table 5. Juvenile felony defendants in 40 large urban counties, by most serious arrest charge and whether released prior to case disposition, 1998

Most serious arrest charge	Total number of defendants	Percent of juvenile felony defendants		Number released	Percent of total released
		Released	Detained		
All offenses	6,949	51.5%	48.5%	3,576	100.0%
Violent offenses	4,434	44.6%	55.4%	1,977	55.3%
Murder	375	9.6	90.4	36	1.0
Rape	230	47.4	52.6	109	3.0
Robbery	2,172	48.6	51.4	1,055	29.5
Assault	1,444	47.3	52.7	683	19.1
Other violent	213	44.1	55.9	94	2.6
Property offenses	1,223	60.4%	39.6%	739	20.7%
Burglary	585	55.6	44.4	325	9.1
Theft	305	64.6	35.4	197	5.5
Other property offense	333	65.2	34.8	217	6.1
Drug offenses	1,041	67.9%	32.1%	707	19.8%
Drug trafficking	768	68.0	32.0	522	14.6
Other drug offense	273	67.8	32.2	185	5.2
Public-order offenses	237	60.8%	39.2%	144	4.0%
Weapons	173	67.6	32.4	117	3.3
Other public-order offense	64	42.2	57.8	27	0.8
Other felony offenses	14	64.3%	35.7%	9	0.3%

Note: For 186 cases, data were missing or the case was closed before the release/detain decision.

About half of released juvenile felony defendants were released by a non-financial arrangement (personal recognizance, unsecured, or conditional supervised release) (table 6). The remaining half were released by some form of financial release (surety, deposit, cash, or property bonds).

About half of released juvenile felony defendants charged with a violent (48%) or property (49%) offense were released by a financial arrangement. Sixty-four percent of released public-order defendants and 53% of released drug defendants were released by a financial arrangement. More than 70% of released murder defendants were released by a financial arrangement.

Adjudication outcome

Sixty-six percent of the juvenile felony defendants prosecuted in criminal court were convicted. Of the 6,568 juveniles arrested for a felony for whom adjudication outcome data were available, 63% were convicted of a felony, 2% were convicted of a misdemeanor, and

1% were adjudicated delinquent (table 7).

Most cases in which the defendant was not convicted were dismissed by the

court or not pursued by the prosecutor. About 1% of all juvenile felony defendants were found not guilty, by either a jury or bench trial.

Table 6. Type of release for juvenile felony defendants in 40 large urban counties, by most serious arrest charge, 1998

Most serious arrest charge	Number released	Percent of juvenile felony defendants released	
		Financial ^a	Nonfinancial ^b
All offenses	3,466	49.5%	50.5%
Violent offenses	1,937	47.6%	52.4%
Murder	35	71.4	28.6
Rape	105	61.0	39.0
Robbery	1,034	39.0	61.0
Assault	669	57.1	42.9
Other violent offense	94	51.1	48.9
Property offenses	705	48.8%	51.2%
Burglary	307	50.5	49.5
Theft	189	56.1	43.9
Other property offense	209	39.7	60.3
Drug offenses	672	52.5%	47.5%
Drug trafficking	493	52.7	47.3
Other drug offense	179	52.0	48.0
Public-order offenses	143	63.6%	36.4%
Weapons	116	65.5	34.5
Other public-order offense	27	55.6	44.4
Other felony	9	55.6%	44.4%

Note: Of the 3,576 cases, the specific release arrangement was unknown for 110 cases.

^aThe types of financial release include surety, deposit, cash, and property bonds.

^bNon-financial release includes release on recognizance, unsecured bond, and conditional release.

Table 7. Adjudication outcome for juvenile felony defendants in 40 large urban counties, by most serious arrest charge, 1998

Most serious arrest charge	Number of defendants	Overall total	Percent of juvenile felony defendants						
			Convicted				Not convicted		
			Total	Felony	Misde-meanor	Adjudicated delinquent*	Total	Dismissed/not prosecuted	Acquitted
All offenses	6,568	100.0%	65.9%	62.6%	2.4%	0.9%	34.1%	33.1%	1.0%
Violent offenses	4,094	100.0%	59.3%	56.5%	2.0%	0.8%	40.7%	39.4%	1.3%
Murder	242	100.0	73.6	73.6	0.0	0.0	26.4	19.0	7.4
Rape	194	100.0	50.5	48.5	1.0	1.0	49.5	47.4	2.1
Robbery	2,106	100.0	59.4	57.3	1.3	0.8	40.6	40.0	0.6
Assault	1,352	100.0	54.8	50.6	3.3	0.9	45.2	44.1	1.1
Other violent offense	200	100.0	79.5	75.5	3.5	0.5	20.5	19.0	1.5
Drug offenses	1,011	100.0%	73.6%	70.6%	2.2%	0.8%	26.4%	25.9%	0.5%
Drug trafficking	740	100.0	74.9	71.5	2.3	1.1	25.1	24.6	0.5
Other drug offense	271	100.0	70.1	68.3	1.8	0.0	29.9	29.5	0.4
Property offenses	1,205	100.0%	80.2%	76.0%	3.1%	1.1%	19.8%	19.3%	0.5%
Burglary	567	100.0	83.3	80.2	1.9	1.2	16.5	16.0	0.5
Theft	306	100.0	80.3	76.1	3.9	0.3	19.6	19.6	0.0
Other property offense	332	100.0	74.4	68.7	4.2	1.5	25.6	24.7	0.9
Public-order offenses	244	100.0%	73.7%	66.4%	5.7%	1.6%	26.2%	24.6%	1.6%
Weapons	178	100.0	68.6	62.4	5.1	1.1	31.4	29.2	2.2
Other public-order offense	66	100.0	87.9	77.3	7.6	3.0	12.1	12.1	0.0
Other felony	14	100.0%	57.1%	57.1%	0.0%	0.0%	42.9%	42.9%	0.0%

Note: Of the 7,135 total, 565 cases had outcomes pending; 2 non-pending cases had missing adjudication outcomes.

Detail may not add to total due to rounding.

*Nearly all of the criminal court cases that were adjudicated delinquent were from counties in Florida where such adjudication outcomes are permissible.

In 1998 59% of the juvenile defendants charged with a violent offense were convicted — a lower conviction rate than for those juveniles charged in criminal court with property (80%), public-order (74%), or drug offenses (74%).

Seventy-four percent of juvenile felony defendants charged with murder were found guilty; 7% were found not guilty. In the 40 counties, no juvenile defendant charged with murder was adjudicated delinquent.

Half of the juvenile felony defendants charged with rape were convicted; 48% had cases that were dismissed or not pursued by the State, and 2% were found not guilty.

Conviction offense and arrest charge

The majority of convicted juvenile felony defendants were convicted for the same type of offense for which they were originally charged (table 8). For those arrested for murder and subsequently convicted, 86% were convicted

of the original charge of murder. Almost 30% of the juveniles convicted had been charged with robbery: 89% of these juveniles were convicted of robbery.

Sentencing

Sentencing outcomes for 4,101 juvenile felony defendants convicted in criminal courts reveal that 64% received some form of incarceration (prison or jail) as the most serious penalty (table 9).

Table 8. Conviction offense for convicted juvenile felony defendants in 40 large urban counties, by most serious arrest charge, 1998

Most serious arrest charge	Number convicted	Percent of convicted juvenile felony defendants convicted for —								
		Felony								Misdemeanor
		Murder	Rape	Robbery	Assault	Drug trafficking	Burglary	Theft	Weapons	
Total	4,268	3.7%	2.0%	26.9%	14.9%	11.2%	10.1%	7.1%	3.0%	3.6%
Murder	178	86.0%	0.0%	2.8%	4.5%	0.6%	1.1%	0.6%	0.0%	0.0%
Rape	96	0.0	86.5	2.1	1.0	0.0	1.0	0.0	0.0	2.1
Robbery	1,234	0.0	0.1	88.6	2.9	0.3	2.7	1.1	0.6	2.3
Assault	729	0.4	0.0	5.2	79.7	0.0	0.3	0.4	1.2	6.2
Drug trafficking	546	0.0	0.0	0.0	0.0	86.3	0.0	0.0	0.4	3.1
Burglary	466	0.0	0.0	0.0	0.4	0.0	82.0	9.9	0.4	2.4
Theft	245	0.0	0.0	0.0	0.0	0.0	1.6	86.1	0.4	4.9
Weapons	120	0.0	0.0	0.0	1.7	0.0	0.0	0.0	85.0	7.5

Note: Percent convicted presented only for selected offense categories. 56 cases, that were adjudicated delinquent, are not shown.

Table 9. Most serious type of sentence received by convicted juvenile felony defendants in 40 large urban counties, by conviction offense, 1998

Most serious conviction offense	Number of defendants ^a	Overall total	Percent of convicted juvenile felony defendants						
			Incarceration			Non-incarceration			Other outcome ^b
			Total	Prison	Jail	Total	Probation	Fine	
All offenses	4,101	100.0%	63.6%	43.3%	20.3%	24.7%	24.4%	0.3%	11.8%
Violent offenses	2,071	100.0%	71.9%	59.6%	12.3%	17.7%	17.5%	0.2%	10.3%
Murder	139	100.0	94.2	94.2	0.0	0.7	0.7	0.0	5.0
Rape	74	100.0	74.4	67.6	6.8	16.2	16.2	0.0	9.5
Robbery	1,083	100.0	66.9	58.6	8.3	21.3	21.1	0.2	11.7
Assault	607	100.0	72.2	54.9	17.3	17.0	16.5	0.5	10.9
Other violent offense	168	100.0	83.3	51.2	32.1	12.5	12.5	0.0	4.2
Property offenses	961	100.0%	59.0%	28.9%	30.1%	26.7%	26.2%	0.5%	14.3%
Burglary	417	100.0	60.6	36.9	23.7	22.3	22.1	0.2	17.0
Theft	299	100.0	57.2	25.8	31.4	30.8	29.8	1.0	12.0
Other property offense	245	100.0	58.4	19.2	39.2	29.4	29.0	0.4	12.2
Drug offenses	711	100.0%	47.3%	24.5%	22.8%	40.8%	40.5%	0.3%	12.0%
Drug trafficking	470	100.0	48.1	29.4	18.7	40.6	40.2	0.4	11.3
Other drug offense	241	100.0	45.6	14.9	30.7	41.1	41.1	0.0	13.3
Public-order offenses	195	100.0%	58.9%	29.2%	29.7%	32.8%	32.8%	0.0%	8.2%
Weapons	120	100.0	54.2	29.2	25.0	35.8	35.8	0.0	10.0
Other public-order offense	75	100.0	66.6	29.3	37.3	28.0	28.0	0.0	5.3
Other felony offense	11	100.0%	63.7%	45.5%	18.2%	27.3%	27.3%	0.0%	9.1%
Misdemeanor^c	152	100.0%	59.8%	16.4%	43.4%	19.8%	19.1%	0.7%	20.4%

Note: Detail may not add to total due to rounding.

^aSentencing data were missing for 54 cases. An additional 113 cases had pending or deferred sentences.

^b"Other outcome" includes being sentenced to time served, victim restitution, community service, electronic monitoring, drug or alcohol treatment, drug testing, counseling and/or anger management, and suspended jail and prison sentences.

^cPrison sentences for misdemeanors were permissible in Baltimore City, MD.

Forty-three percent of those convicted were sentenced to prison, and 20% to jail as their most serious incarceration penalty. Jail sentences are for short-term confinement (usually for a year or less) in a county or city facility, while prison sentences are for long-term confinement (usually for over a year) in a State facility. About 25% received non-incarceration sentences as the most serious penalty — primarily probation. Less than 1% of all convicted juvenile felony defendants received a fine as the most serious penalty.

In 1998 juvenile felony defendants convicted of a violent offense were more likely to receive a sentence of

incarceration than those convicted of a nonviolent offense. Sixty percent of juvenile defendants convicted of violent offenses received a prison sentence. An additional 12% were sentenced to jail. Nearly all defendants (94%) convicted of murder received a prison sentence, as did 68% of those convicted of rape.

About 60% of those convicted of property and public-order offenses received incarceration sentences. Forty-seven percent of convicted juvenile felony drug offenders received a sentence of confinement. Sixty percent of those convicted of misdemeanors received incarceration sentences — most frequently jail.

Sentence lengths

Four percent of juvenile felons received a sentence of life in prison (table 10). Including those life sentences, nearly 40% of all defendants sentenced to prison received sentences longer than 72 months. About 18% received prison terms up to 2 years. Twenty-six percent received sentences between 2 and 4 years. The most common prison sentence for violent offenders was over 72 months.

For property and public-order offenders, the most common prison sentence was up to 2 years.

The average or mean term of imprisonment for convicted offenders sentenced to incarceration was 89 months. The median sentence length was 60 months (figure 2). The difference between these measures is due to a small number of relatively long prison terms affecting the mean.

Juvenile felony defendants convicted of drug or property offenses received a median prison sentence of 36 months. Juveniles sent to prison for violent offenses received sentences with a mean length of 106 months (excluding “life”) and a median length of 72 months.

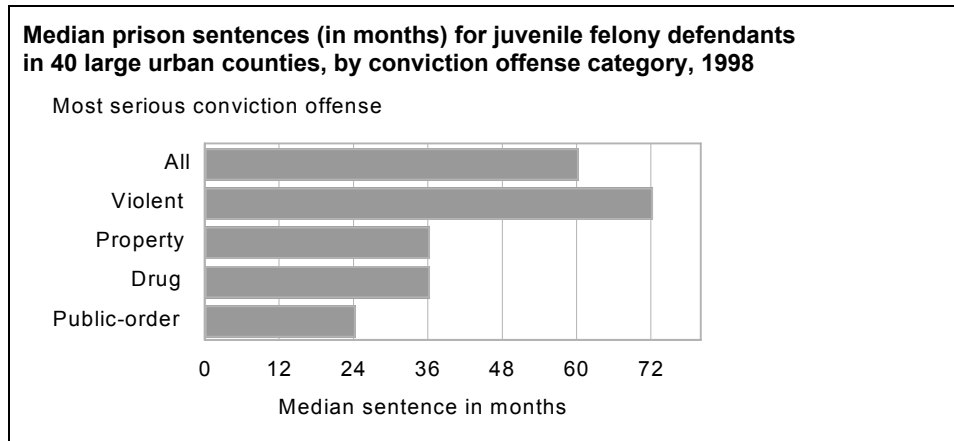


Figure 2

Table 10. Sentence length for juvenile felony defendants in 40 large urban counties sentenced to prison, by most serious conviction offense, 1998

Most serious conviction offense	Number sentenced to prison	Maximum sentence length in months						
		Mean	Median	Percent receiving —				Life
				0-24	25-48	49-72	Over 72*	
Total	1,736	89	60	17.7%	26.2%	17.4%	35.0%	3.7%
Violent offenses	1,227	106	72	9.7%	22.7%	18.4%	43.8%	5.3%
Property offenses	278	52	36	37.1	30.9	11.9	20.1	0.0
Drug offenses	174	58	36	28.7	36.8	22.4	12.1	0.0
Public-order offenses	57	34	24	54.4	40.4	1.8	3.5	0.0

Note: 30 cases, classified as other felony and misdemeanor, are not shown. Zero represents no cases in sample. Detail may not add to total due to rounding.
*Excludes life sentences.

More than 800 juvenile defendants received a term in a local jail as the most serious sanction (table 11). The most common jail sentences were 9 to 12 months (40%) and 4 months or less (37%). Three percent of juvenile felony defendants received jail sentences exceeding 1 year.

Nine hundred ninety-nine juvenile felony defendants received probation as the most serious sanction (table 12). About 3% of those sentenced to probation were to serve more than 5 years and 14%, a year or less.

Over a third of the juveniles sentenced to probation were convicted of a violent felony: most of them were to serve 4 years or more. Drug offenders comprised about 29% of the juveniles sentenced to probation. Most of these drug offenders were sentenced to 2 years or less of supervision.

Table 11. Sentence length for juvenile felony defendants in 40 large urban counties sentenced to jail as the most serious sanction, by conviction offense category, 1998

Most serious conviction offense	Number sentenced to jail	Percent of juvenile felony defendants sentenced to jail			
		0-4 mos	5-8 mos	9-12 mos	More than 1 year
Total	831	36.5%	21.3%	39.2%	3.0%
Violent offenses	254	26.4%	21.7%	48.8%	3.1%
Property offenses	289	43.3	20.4	33.2	3.1
Drug offenses	162	35.8	25.3	36.4	2.5
Public-order offenses	58	48.3	22.4	24.1	5.2
Misdemeanors*	66	34.8	13.6	50.0	1.5

Note: 2 cases designated as "other felony" not shown. Detail may not add to total due to rounding.

*Misdemeanor cases with a sentence length of more than 1 year were in one jurisdiction whose criminal code permitted such sentences.

Table 12. Sentence length for juvenile felony defendants in 40 large urban counties sentenced to probation as the most serious sanction, by conviction offense category, 1998

Most serious conviction offense	Number sentenced to probation	Percent of juvenile felony defendants sentenced to probation					
		0-12 mos	13-24 mos	25-36 mos	37-48 mos	49-60 mos	More than 60 mos
Total	999	13.8%	31.0%	24.7%	7.9%	19.8%	2.6%
Violent offenses	363	7.7%	14.3%	17.6%	10.7%	45.2%	4.4%
Property offenses	252	16.7	22.6	37.3	11.1	9.5	2.8
Drug offenses	288	14.9	58.0	21.5	3.1	1.7	0.7
Public-order offenses	64	20.3	34.4	35.9	4.7	3.1	1.6
Misdemeanors	29	41.4	37.9	10.3	0.0	10.3	0.0

Note: 3 cases were classified as other felony and are not shown. Zero represents no cases in sample.

Detail may not add to total due to rounding.

Comparing juvenile and adult defendants in criminal courts

A comparison of juvenile felony defendants with adult defendants in nearly the same set of counties in 1998

reveals differences between the most serious arrest charge (table 13).

For example, 64% of juvenile felony defendants had a violent offense as their most serious arrest charge, com-

pared to 24% of adults. Ninety-six percent of juvenile felony defendants were male compared to 82% of adult defendants in 1998.

Table 13. Most serious arrest charge for juvenile and adult felony defendants in 40 large urban counties, 1998

Most serious felony arrest charge	Juvenile felony defendants		Adult felony defendants	
	Number	Percent	Number	Percent
All offenses	7,135	100.0%	38,804	100.0%
Violent offenses	4,528	63.5%	9,475	24.4%
Murder	377	5.3	234	0.6
Rape	241	3.4	495	1.3
Robbery	2,227	31.2	2,487	6.4
Assault	1,470	20.6	4,954	12.8
Other violent offense	213	3.0	1,305	3.4
Property offenses	1,264	17.7%	10,919	28.1%
Burglary	602	8.4	2,938	7.6
Theft	320	4.5	3,530	9.1
Other property offense	342	4.8	4,451	11.5
Drug offenses	1,078	15.1%	15,050	38.8%
Drug trafficking	790	11.1	7,185	18.5
Other drug offense	288	4.0	7,865	20.3
Public-order offenses	250	3.5%	3,360	8.7%
Weapons	184	2.6	1,086	2.8
Other public-order offense	66	0.9	2,274	5.8
Other felony	15	0.2%%

Note: Detail may not add to total due to rounding.
 ...Not available.

Source: Data for adult felony defendants came from the 1998 State Court Processing Statistics dataset. Calculations exclude juveniles. Data for juvenile felony defendants came from the 40 county data collection, 1998.

Juvenile felony defendants
Number Percent

Male	6,830	95.8%
Female	303	4.2

Adult felony defendants
Number Percent

Male	31,822	82.1%
Female	6,954	17.9

Note: Gender was missing for 2 juveniles cases and 28 adults.

The likelihood of being released pre-trial was lower for juvenile felony defendants than for adults, generally due to their more serious arrest charges. About half of the juveniles charged in criminal courts were released pretrial, compared to about two-thirds of adults.

Juvenile felony defendants
Number Percent

Released	3,576	51.5%
Detained	3,373	48.5

Adult felony defendants
Number Percent

Released	23,245	62.1%
Detained	14,195	37.9

Note: 186 juvenile cases and 1,364 adult cases did not have known release/detention status.

The likelihood of conviction did not differ markedly between juvenile transferred defendants and adult felony defendants, with about two-thirds of each group being convicted of some offense (not shown in table).

For violent and property conviction offenses, similar percentages of juvenile felony defendants and adults were sentenced to incarceration as their most serious sanction (table 14).

Of those who received incarceration sentences, juvenile felony defendants were more likely than adults to receive prison sentences. For example, among those convicted of violent offenses, 60% of juveniles and 43% of adults were sentenced to prison. These differences could be related to criminal histories or statutory considerations which these data do not address.

Table 14. Most serious penalty for juvenile and adult felony defendants in 40 large urban counties, by conviction offense, 1998

Juvenile felony defendants

Most serious conviction offense	Percent of juvenile felony defendants							
	Overall total	Incarceration			Non-incarceration			Other outcome
		Total	Prison	Jail	Total	Probation	Fine	
All offenses	100.0%	63.6%	43.3%	20.3%	24.7%	24.4%	0.3%	11.8%
Violent offenses	100.0%	71.9%	59.6%	12.3%	17.7%	17.5%	0.2%	10.3%
Murder	100.0	94.2	94.2	0.0	0.7	0.7	0.0	5.0
Rape	100.0	74.4	67.6	6.8	16.2	16.2	0.0	9.5
Robbery	100.0	66.9	58.6	8.3	21.3	21.1	0.2	11.7
Assault	100.0	72.2	54.9	17.3	17.0	16.5	0.5	10.9
Property offenses	100.0%	59.0%	28.9%	30.1%	26.7%	26.2%	0.5%	14.3%
Burglary	100.0	60.6	36.9	23.7	22.3	22.1	0.2	17.0
Theft	100.0	57.2	25.8	31.4	30.8	29.8	1.0	12.0
Drug offenses	100.0%	47.3%	24.5%	22.8%	40.8%	40.5%	0.3%	12.0%
Public-order offenses	100.0%	58.9%	29.2%	29.7%	32.8%	32.8%	0.0%	8.2%
Misdemeanors	100.0%	59.8%	16.4%	43.4%	19.8%	19.1%	0.7%	20.4%

Adult felony defendants

Most serious conviction offense	Percent of adult felony defendants							
	Overall total	Incarceration			Non-incarceration			Other outcome
		Total	Prison	Jail	Total	Probation	Fine	
All offenses	100.0%	59.6%	26.1%	33.5%	27.4%	26.1%	1.3%	13.0%
Violent offenses	100.0%	71.7%	43.1%	28.6%	16.6%	16.4%	0.2%	11.6%
Murder	100.0	90.0	90.0	0.0	0.0	0.0	0.0	10.0
Rape	100.0	72.5	57.5	15.0	22.8	22.8	0.0	4.7
Robbery	100.0	74.1	55.0	19.1	11.6	11.6	0.0	14.3
Assault	100.0	70.1	37.1	33.0	19.2	19.0	0.2	10.7
Property offenses	100.0%	64.8%	32.8%	32.0%	26.4%	25.8%	0.6%	8.9%
Burglary	100.0	73.7	45.2	28.5	15.8	15.4	0.4	10.4
Theft	100.0	62.9	30.0	32.9	28.9	28.4	0.5	8.3
Drug offenses	100.0%	65.4%	30.1%	35.3%	22.4%	22.2%	0.2%	12.3%
Public-order offenses	100.0%	70.3%	34.8%	35.5%	22.3%	22.0%	0.3%	7.4%
Misdemeanors	100.0%	36.4%	1.4%	35.0%	43.5%	38.9%	4.6%	20.0%

Note: Adjudicated cases designated as 'Other violent, other property ...other felony' not shown but included in the overall offense category. Detail may not add to total due to rounding.

Source: Data for adult felony defendants came from the 1998 State Court Processing Statistics dataset. Calculations exclude juveniles. Data for juvenile felony defendants came from the 40 county data collection, 1998.

Methodology

The Juvenile Defendants in Criminal Courts (JDCC) sample is an independent sample of cases drawn from the county sample used in the State Court Processing Statistics 1998 series. (See *Felony Defendants in Large Urban Counties, 1998* <http://www.ojp.usdoj.gov/bjs/abstract/fdluc98.htm> for information on the SCPS sample.) Two county substitutions were made for the JDCC dataset: Honolulu, HI, replaced Erie County, NY, and Westchester County, NY, replaced Monroe County, NY. Within each sampled site, data were gathered on each juvenile felony case. Cases were tracked through adjudication or for up to 1 year. Data for adult defendants are from the SCPS 1998 survey.

Offense categories

Felony offenses were classified into 12 categories for this report. These were further classified into the four major crime categories of violent, property, drug, and public-order. The following listings are a summary of the crimes in each category; however, these lists are not meant to be exhaustive. All offenses, except for murder, include attempts and conspiracies to commit.

Violent offenses

Murder Includes homicide, nonnegligent manslaughter, and voluntary homicide. Does not include attempted murder (classified as felony assault), negligent homicide, involuntary homicide, or vehicular manslaughter, which are classified as other violent offenses.

Rape Includes forcible intercourse, sodomy, or penetration with a foreign object. Does not include statutory rape or nonforcible acts with a minor or someone unable to give legal consent, nonviolent sexual offenses, or commercialized sex offenses.

Robbery Includes the unlawful taking of anything of value by force or threat of force. Armed, unarmed, and aggravated robbery, car-jacking, armed burglary, and armed mugging are included.

Assault Includes aggravated assault, aggravated battery, attempted murder, assault with a deadly weapon, felony assault or battery on a law enforcement officer, and other felony assaults. Does not include extortion, coercion, or intimidation.

Other violent offenses Includes vehicular manslaughter, involuntary manslaughter, negligent or reckless homicide, nonviolent or nonforcible sexual assault, kidnaping, unlawful imprisonment, child or spouse abuse, cruelty to a child, reckless endangerment, hit-and-run with bodily injury, and intimidation.

Property offenses

Burglary Includes any type of entry into a residence, industry, or business with or without the use of force with the intent to commit a felony or theft. Does not include possession of burglary tools, trespassing, or unlawful entry for which the intent is not known.

Larceny/theft Includes grand theft, grand larceny, and any other felony theft, including burglary from an automobile, theft of rental property, and mail theft. Does not include motor vehicle theft, receiving or buying stolen property, fraud, forgery, or deceit.

Other property offenses Includes motor vehicle theft, forgery, fraud, receiving or buying stolen property, arson, reckless burning, damage to property, criminal mischief, vandalism, criminal trespassing, possession of burglary tools, and unlawful entry.

Drug offenses

Drug trafficking Includes trafficking, sales, distribution, possession with intent to distribute or sell, manufacturing, and smuggling of controlled substances. Does not include possession of controlled substances.

Other drug offenses Includes possession of controlled substances, prescription violations, possession of drug paraphernalia, and other drug law violations.

Public-order offenses

Weapons Includes the unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly weapon or accessory.

Other public-order offenses Includes driving-related offenses, flight/escape, parole or probation violations, prison contraband, habitual offender, obstruction of justice, rioting, libel, slander, treason, perjury, prostitution/pandering, bribery, and tax law violations.

Additional notes on key variables

Age Juvenile status is measured by the age at time of offense. Only those cases in which the defendant was a juvenile at time of offense were retained in the study.

Race and Hispanic/Latino origin Jurisdictions were not able to report both a defendant's race and Hispanic origin. Defendants were classified as black, white, other race, or Hispanic. These four categories account for 100% of the defendants.

Judicial waivers were permitted in nearly every State in the dataset. The most commonly employed method of transfer, statutory exclusion, was permitted in 13 of the 19 States. Direct filing was permitted in four States.

Appendix 1. Filing mechanisms by State, 1998

	Waiver	Statutory	Direct filing
Alabama	x	x	
Arizona	x	x	x
California	x		
Florida	x	x	x
Georgia	x	x	x
Hawaii	x		
Illinois	x	x	
Indiana	x	x	
Kentucky	x		
Maryland	x	x	
Michigan	x		x
Missouri	x		
New York		x	
Ohio	x	x	
Pennsylvania	x	x	
Tennessee	x		
Texas	x	x*	
Washington	x	x	
Wisconsin	x	x	

*Only perjuries are statutorily waived in Texas.

Adjudication type To be “adjudicated delinquent” refers to a juvenile not having a record of a conviction in the criminal court. It refers to a finding of delinquency by the criminal court judge and the imposition of a juvenile court sanction.

Selected reading on juveniles charged in criminal court

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In 1998 the upper age of jurisdiction was 17 in 25 of the 40 sampled jurisdictions. Counties in New York, at 15, had the lowest upper age of jurisdiction in the sample.

Appendix 2. County population characteristics of persons 10 years to upper age of jurisdiction, 1999

State	County	Upper age of jurisdiction, 1998	Total	Gender		Percent			Hispanic, any race	Juvenile felony defendants 1998	
				Males	Females	Black	White	Other		Number	Percent
	Overall population*		6,640,959	3,400,471	3,240,488	23.2%	67.1%	9.6%	27.2%	7,135	100.0%
Alabama	Jefferson	17	65,733	33,270	32,463	45.9%	53.5%	0.6%	0.8%	132	1.9%
Arizona	Maricopa	17	331,687	169,985	161,702	5.7	88.5	5.8	27.1	574	8.0
	Pima	17	88,562	45,247	43,315	5.1	86.7	8.2	39.3	264	3.7
California	Alameda	17	146,336	74,672	71,664	23.7	53.8	22.5	22.2	4	0.1
	Los Angeles	17	1,038,677	534,630	504,047	12.6	73.5	13.9	54.6	445	6.2
	Orange	17	294,606	152,701	141,905	2.2	81.1	16.5	35.8	82	1.1
	Sacramento	17	134,512	68,870	65,642	13.6	69.7	16.7	19.1	47	0.7
	San Bernardino	17	216,176	111,824	104,352	10.0	82.8	7.2	39.3	32	0.4
	San Francisco	17	56,427	29,156	27,271	15.8	37.5	46.7	22.4	3	0.0
	Santa Clara	17	168,358	86,771	81,587	5.0	70.6	24.3	32.6	39	0.5
	Ventura	17	89,387	45,990	43,397	3.1	88.5	8.4	40.5	6	0.1
Florida	Broward	17	153,507	78,032	75,475	29.0	68.1	2.9	15.5	520	7.3
	Dade	17	236,540	121,780	114,760	28.1	70.0	1.9	54.7	857	12.0
	Hillsborough	17	107,914	55,543	52,371	20.9	76.4	2.7	19.4	456	6.4
	Orange	17	92,570	46,980	45,590	24.5	71.5	4.0	17.1	279	3.9
Georgia	Fulton	16	66,292	33,567	32,725	66.9	30.7	2.4	3.7	39	0.5
Hawaii	Honolulu	17	85,632	44,072	41,560	4.4	29.3	66.3	9.8	15	0.2
Illinois	Cook	16	494,030	252,337	241,693	33.5	61.0	5.5	23.7	540	7.6
	DuPage	16	85,915	44,281	41,634	2.8	88.1	9.1	7.6	6	0.1
Indiana	Marion	17	84,227	43,062	41,165	31.7	66.6	1.7	2.0	175	2.5
Kentucky	Jefferson	17	67,991	34,848	33,143	25.0	73.5	1.5	1.3	113	1.6
Maryland	Baltimore City	17	69,731	35,137	34,594	75.3	23.1	1.6	1.3	586	8.2
	Montgomery	17	90,273	46,294	43,979	18.6	68.0	13.4	13.3	65	0.9
Michigan	Wayne	16	222,239	113,347	108,892	49.4	48.6	2.0	3.5	51	0.7
Missouri	Jackson	16	64,625	32,943	31,682	32.1	65.7	2.2	5.1	22	0.3
	St. Louis	16	95,672	48,955	46,717	23.1	74.4	2.4	1.6	30	0.4
New York	Bronx	15	105,611	53,360	52,251	47.3	47.9	4.8	54.4	234	3.3
	Kings	15	200,735	101,385	99,350	48.3	44.9	6.8	27.9	334	4.7
	New York	15	86,204	44,031	42,173	40.0	48.1	11.9	47.5	199	2.8
	Queens	15	141,579	72,527	69,052	30.7	50.6	18.7	25.8	121	1.7
	Suffolk	15	117,880	60,492	57,388	9.3	87.1	3.6	10.0	27	0.4
	Westchester	15	65,291	33,814	31,477	20.0	71.9	8.1	14.9	11	0.2
Ohio	Hamilton	17	93,656	47,945	45,711	29.4	68.9	1.7	0.9	36	0.5
Pennsylvania	Allegheny	17	122,569	62,501	60,068	18.1	79.9	2.0	1.1	50	0.7
	Philadelphia	17	161,242	81,527	79,715	51.1	44.6	4.3	9.9	359	5.0
Tennessee	Shelby	17	100,588	51,333	49,255	57.7	40.7	1.6	1.5	162	2.3
Texas	Dallas	16	198,564	101,191	97,373	26.6	67.9	5.4	26.0	28	0.4
	Harris	16	338,947	172,978	165,969	23.1	70.3	6.6	32.6	105	1.5
Washington	King	17	167,514	85,655	81,859	8.4	76.9	14.7	5.9	45	0.6
Wisconsin	Milwaukee	16	92,960	47,438	45,522	36.2	59.1	4.7	9.1	42	0.6

Note: Detail may not add to total due to rounding.

*Persons of Hispanic origin may be of any race; therefore, the total population is equal to the sum of the three racial groups.

Population data source: C. Puzanchera, W. Kang, R. Poole, and Y. Wan. *Easy Access to Juvenile Populations*. Office of Juvenile Justice and Delinquency Prevention, 2002. url: <<http://www.ojjdp.ncjrs.org/ojstatbb/ezapop>>. Figures based on U.S. Census Bureau data.

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This report in portable document format and in ASCII, its tables, and related statistical data are available at the BJS World Wide Web Internet site: <<http://www.ojp.usdoj.gov/bjs/>>

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