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National Report

Juvenile Offenders and Victims:

2014 NATIONAL REPORT

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Juvenile Offenders and Victims: 2014 National Report

Melissa Sickmund and Charles Puzzanchera, Editors

National Center for Juvenile Justice

December 2014

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This report was prepared by the National Center for Juvenile Justice, the research division of the National Council of Juvenile and Family Court Judges, and was supported by cooperative agreement #2010–MU–FX–K0058 and grant #2013–MU–FX–0005 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice.

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Suggested citation: Sickmund, Melissa, and Puzzanchera, Charles (eds.). 2014. *Juvenile Offenders and Victims: 2014 National Report*. Pittsburgh, PA: National Center for Juvenile Justice.

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Preface

Juvenile Offenders and Victims: 2014 National Report is the fourth edition of a comprehensive report on juvenile crime, victimization, and the juvenile justice system. The report consists of the most requested information on juveniles and the juvenile justice system in the U.S. Developed by the National Center for Juvenile Justice (NCJJ) for the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the report draws on reliable data and relevant research to provide a comprehensive and insightful view of young offenders and victims, and what happens to those who enter the juvenile justice system in the United States. The report offers—to Congress, state legislators, other state and local policymakers, educators, juvenile justice professionals, and concerned citizens—empirically based answers to frequently asked questions about the nature of juvenile crime and victimization and about the justice system's response.

The juvenile justice system must react to the law-violating behaviors of youth in a manner that not only protects the community and holds youth accountable but also enhances youth's ability to live productively and responsibly in the community. The system must also intervene in the lives of abused and neglected children who lack safe and nurturing environments.

To respond to these complex issues, juvenile justice practitioners, policymakers, and the public must have access to useful and accurate information about the system and the youth the system serves. At times, the information needed is not available or, when it does exist, it is often too scattered or inaccessible to be useful.

This report bridges that gap by pulling together the most requested information on juveniles and the juvenile justice system in the United States. The report draws on numerous national data collections to address the specific information needs of those involved with the juvenile justice system. The report presents important and, at times, complex information using clear, nontechnical writing and easy-to-understand graphics and tables. It is designed as a series of briefing papers on specific topics, short sections designed to be read separately from other parts of the report.

The material presented here represents the most reliable information available for the 2010 data year on juvenile offending and victimization and the juvenile justice system. Given the breadth of material covered in this report, a data-year cutoff had to be established. We elected 2010 as a common anchoring point because all the major data sets required for the report were current through 2010 at the time we began writing. Although some newer data are now available, the patterns displayed in this report remain accurate.

We expect that this report will be used mainly as a reference document, with readers turning to the pages on specific topics when the need arises. But we encourage you to explore other sections when time permits. Each section offers something new, something that will expand your understanding, confirm your opinions, or raise questions about what you believe to be true.

It has been nearly 20 years since the first edition of this report. Since that seminal publication, this report has become a primary source of information on juvenile crime, juvenile victimization, and the juvenile justice system, and it will provide a context for debates over the direction we are taking to respond to these important social issues.

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Acknowledgments

This report is the result of an ongoing effort that has benefited from the assistance of many individuals. Authors at the National Center for Juvenile Justice (NCJJ) for various chapters and sections include:

- Melissa Sickmund (chapters on juvenile victims, juvenile justice system structure and process, juvenile offenders in court, and juvenile offenders in correctional facilities).
- Charles Puzzanchera (chapters on juvenile population characteristics, juvenile victims, juvenile offenders, law enforcement and juvenile crime, and juvenile offenders in court).
- Teri Deal (sections on juveniles in poverty, teen pregnancy, abuse and neglect reports, child maltreatment case processing, recidivism, Survey of Youth in Residential Placement, juveniles in adult jails, and juveniles in adult prisons).
- Sarah Hockenberry (chapters on juvenile offenders in court, and juvenile offenders in correctional facilities).
- Sean Addie (section on gangs, and chapter on juvenile justice system structure and process).
- Karyl Troup-Leasure (sections on dropouts, juvenile victimization, school victimization, victims of bullying, Youth Risk Behavior Survey, Monitoring the Future, Pathways to Desistance Study, and recidivism).

In addition to authors' contributions, the following NCJJ staff provided assistance and review: Gregg Halemba (dual jurisdiction youth); Nina Hyland (foster care and adoption); Anne Rackow (foster care); Crystal Robson (juvenile living arrangements, teen pregnancy, gangs, juveniles in adult jails, and juveniles in adult prisons); Linda Szymanski (statutes); and Lauren Vessels (youth exposed to violence, and recidivism). Anthony Sladky, Jason Smith, and Greg Chamberlin provided computer programming and data analyses. Nancy Tierney was responsible for report production (desktop publishing, graphics design, layout, indexing, and copy editing).

Andrea Sedlak at Westat, Inc., authored and reviewed sections on abuse and neglect reports, child maltreatment case processing, the Survey of Youth in Residential Placement, and the Prison Rape Elimination Act.

Within the Office of Juvenile Justice and Delinquency Prevention (OJJDP), Brecht Donoghue serves as the project monitor under the direction of Robert L. Listenbee, OJJDP Administrator. David Bierie, Nels Ericson, and Catherine Doyle at OJJDP provided additional reviews of the report.

The following staff at Lockheed Martin, under the direction of Catherine Doyle at OJJDP, also provided production assistance: Amy Salsbury (cover design) and Marly Davidson (editing and document quality control).

Finally, this work would not be possible without the efforts of the many individuals who collect and report the data at the local, state, and federal levels—data that are the essence of this report.

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Chapter 1

Population characteristics

Problems experienced by children today are the products of multiple and sometimes complex causes. Data presented in this chapter indicate that conditions for juveniles have improved in recent years in some areas, and not in others. For example, teenage birth rates have declined to historically low levels; however, the proportion of teen births to unmarried females continues to rise. Fewer children are being raised in two-parent families. The proportion of juveniles living in poverty has increased since the mid-2000s, returning to the relatively high levels of the early 1990s. Although high school dropout rates have fallen for most juvenile demographic groups, the rates are still too high, especially in an employment market where unskilled labor is needed less and less.

This chapter serves to document the status of the U.S. youth population on several indicators of child well-being and presents an overview of some of the more commonly requested demographic, economic, and sociological statistics on juveniles. These statistics pertain to factors that may be directly or indirectly associated with juvenile crime and victimization. Although these factors may be correlated with juvenile crime and/or victimization, they may not be the immediate cause but may be linked to the causal factor. The sections in this chapter summarize demographic, poverty, and living arrangement data developed by the U.S. Census Bureau, birth statistics from the National Center for Health Statistics, and education data from the National Center for Education Statistics.

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In 2010, 1 in 4 residents in the United States was under age 18

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

For 2010, the U.S. Census Bureau estimated that 74,181,500 persons in the United States were under the age of 18, the age group commonly referred to as juveniles. The juvenile population reached a low point in 1984, at 62.5 million, then grew each year through 2010, increasing 19%.

Current projections indicate that the juvenile population will continue to grow throughout the 21st century. The Census Bureau estimates that it will increase 10% between 2010 and 2035—about one-half of one percent per year. By 2050, the juvenile population will be 16% larger than it was in 2010.

In 2010, juveniles were 24% of the U.S. resident population. The Census Bureau estimates that this proportion will decline to 21% by 2050; i.e., the relative increase in the adult population will exceed the increase in the juvenile population during the first half of the 21st century.

The racial character of the juvenile population is changing

The Census Bureau changed its racial classifications with the 2000 decennial census. Prior to the 2000 census, respondents were asked to classify themselves into a single racial group: (1) white, (2) black or African American, (3) American Indian or Alaska Native, or (4) Asian or Pacific Islander. In the 2000 census, Asians were separated from Native Hawaiians and Other Pacific Islanders. In addition, respondents could classify themselves into more than one racial group. The number of juveniles classifying themselves as multiracial is expected to double between 2010 and 2030.

In 2010, Hispanic youth accounted for more than 25% of the juvenile population in 7 states

State	2010 juvenile population ages 10–17	Percentage of juvenile population: Non-Hispanic White	Black	American Indian	Asian	Hispanic	Percent change 2000–2010
U.S. total	74,181,500	56%	15%	1%	5%	23%	2%
Alabama	1,132,500	61	31	1	1	6	1
Alaska	187,400	58	5	21	8	8	–2
Arizona	1,629,000	43	5	5	3	43	19
Arkansas	711,500	67	20	1	2	11	5
California	9,295,000	30	7	1	12	51	0
Colorado	1,225,600	60	5	1	3	31	11
Connecticut	817,000	63	12	0	5	20	–3
Delaware	205,800	55	27	0	4	13	6
Dist. of Columbia	100,800	19	67	0	2	12	–12
Florida	4,002,100	48	22	0	3	28	10
Georgia	2,491,600	49	35	0	4	13	14
Hawaii	303,800	20	3	0	62	15	3
Idaho	429,100	79	1	1	1	17	16
Illinois	3,129,200	54	18	0	5	23	–4
Indiana	1,608,300	76	13	0	2	10	2
Iowa	728,000	83	6	0	2	9	–1
Kansas	726,900	71	8	1	3	17	2
Kentucky	1,023,400	83	10	0	2	5	3
Louisiana	1,118,000	54	39	1	2	5	–8
Maine	274,500	92	3	1	2	2	–9
Maryland	1,353,000	49	34	0	6	11	0
Massachusetts	1,418,900	70	9	0	6	15	–5
Michigan	2,344,100	71	18	1	3	7	–10
Minnesota	1,284,100	76	9	2	6	8	0
Mississippi	755,600	50	45	1	1	4	–2
Missouri	1,425,400	76	15	1	2	6	0
Montana	223,600	83	1	10	1	5	–3
Nebraska	459,200	74	7	1	2	15	2
Nevada	665,000	42	10	1	7	39	29
New Hampshire	287,200	90	2	0	3	5	–7
New Jersey	2,065,200	53	15	0	9	22	–1
New Mexico	518,700	27	2	11	1	58	2
New York	4,324,900	53	17	0	7	22	–8
North Carolina	2,281,600	57	25	1	3	13	16
North Dakota	149,900	84	3	9	1	4	–7
Ohio	2,730,800	76	17	0	2	5	–5
Oklahoma	929,700	60	10	13	2	14	4
Oregon	866,500	69	3	2	5	21	2
Pennsylvania	2,792,200	73	14	0	3	9	–4
Rhode Island	224,000	67	9	1	3	21	–10
South Carolina	1,080,500	57	34	0	2	8	7
South Dakota	202,800	77	3	14	1	5	0
Tennessee	1,496,000	69	21	0	2	7	7
Texas	6,865,800	35	12	0	4	48	16
Utah	871,000	78	2	1	3	17	21
Vermont	129,200	93	2	1	2	2	–12
Virginia	1,853,700	59	23	0	6	11	6
Washington	1,581,400	65	6	2	9	19	4
West Virginia	387,400	92	5	0	1	2	–3
Wisconsin	1,339,500	75	10	1	3	10	–2
Wyoming	135,400	81	1	3	1	13	5

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

Source: Authors' analyses of Puzzanchera et al.'s. *Easy Access to Juvenile Populations* [online analysis].

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

With that understood, in 2010, 76% of the juvenile population was classified as white, 17% black, 2% American Indian, and 5% Asian. These proportions will change in the near future if the anticipated differential growth of these subgroups comes to pass.

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

Race	1990–2010	2010–2030
White	10%	–0.3%
Black	19	–0.9
American Indian	40	–3.3
Asian	40	19.9
Total	13	8.3

The Hispanic proportion of the juvenile population will increase

In 2010, 23% of juveniles in the U.S. were of Hispanic ethnicity. Ethnicity is different from race. Nearly 9 of every 10 Hispanic juveniles were classified racially as white. More specifically, 89% of Hispanic juveniles were white, 6% black, 4% American Indian, and 2% Asian.

The Census Bureau estimates that the number of Hispanic juveniles in the U.S. will increase 37% between 2010 and 2030. This growth will bring the Hispanic proportion of the juvenile population to nearly 30% by 2030 and to 36% by 2050.

How useful are race/ethnicity classifications

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

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

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

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

In 2010, at least 9 of every 10 juveniles in Maine, New Hampshire, Vermont, and West Virginia were non-Hispanic and white. In contrast, more than half of California's and New Mexico's juvenile populations were Hispanic (51% and 58%, respectively). Other states with large Hispanic juvenile populations were Arizona (43%), Nevada (39%), and Texas (48%).

In 2010, five states had juvenile populations with more than 10% American Indians or Alaska Natives. These states were Alaska (21%), Montana (10%), New Mexico (11%), Oklahoma (13%), and South Dakota (14%).

The states with the greatest proportion of black juveniles in their populations in 2010 were Georgia (35%), Louisiana (39%), Maryland (34%), Mississippi (45%), and South Carolina (34%). The black juvenile population was highest in the District of Columbia (67%).

* The National Center for Health Statistics modifies the Census Bureau's population data to convert the detailed racial categories to the traditional four-race categories. This bridging is accomplished by estimating a single racial group classification of mixed-race persons based on responses to the National Health Interview Survey, which asked respondents to classify themselves using both the old and new racial coding structures.

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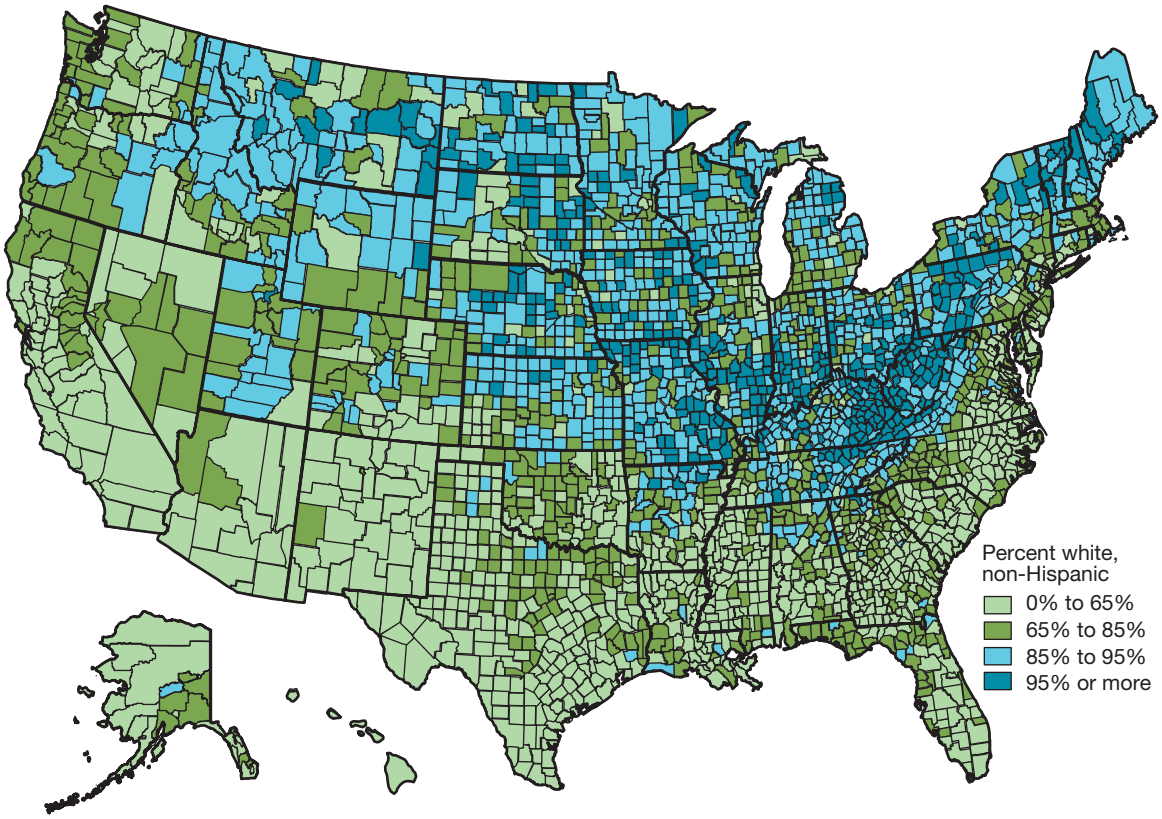
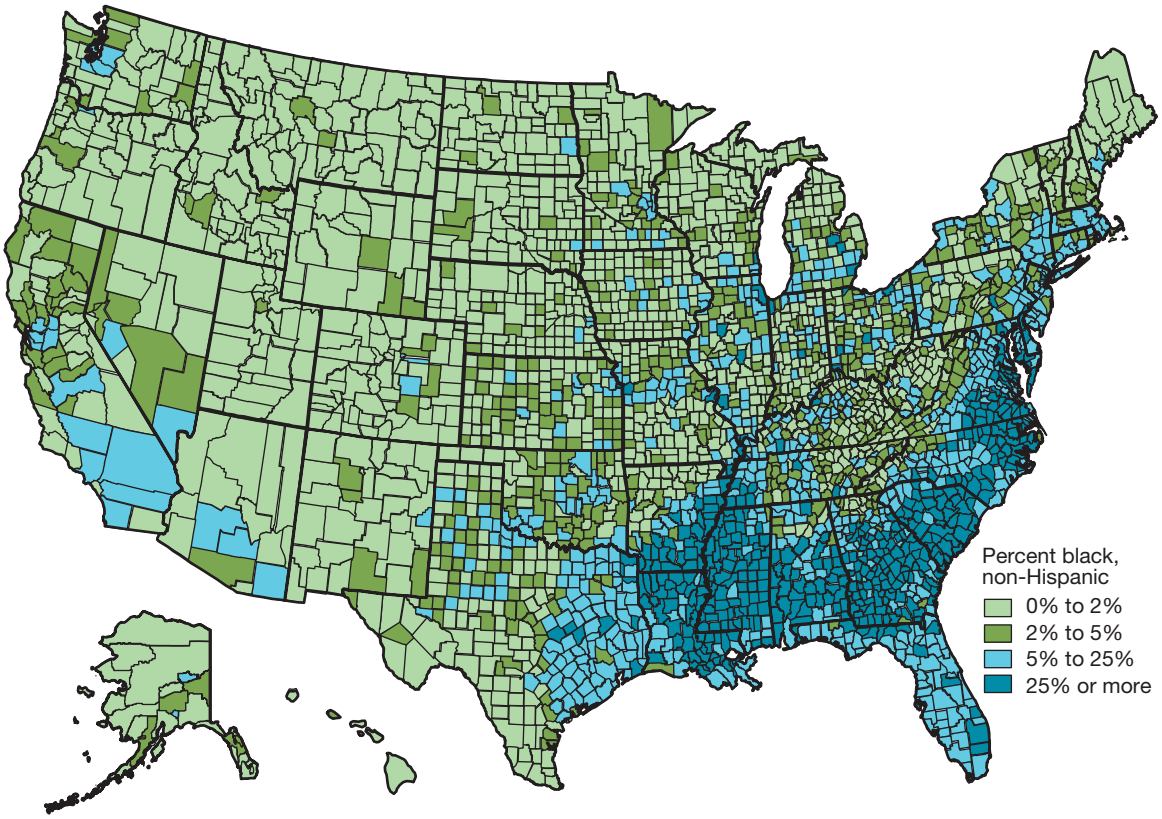
Proportion of non-Hispanic white youth in the juvenile population (ages 0–17), 2010



Proportion of non-Hispanic black youth in the juvenile population (ages 0–17), 2010



Source: Authors' adaptation of National Center for Health Statistics' *Vintage 2012 Postcensal Estimates of the Resident Population of the United States (April 2, 2010, July 1, 2010–July 1, 2012), by Year, County, Single-Year of Age (0, 1, 2, . . ., 85 Years and Over), Bridged Race, Hispanic Origin, and Sex* [machine-readable date file].

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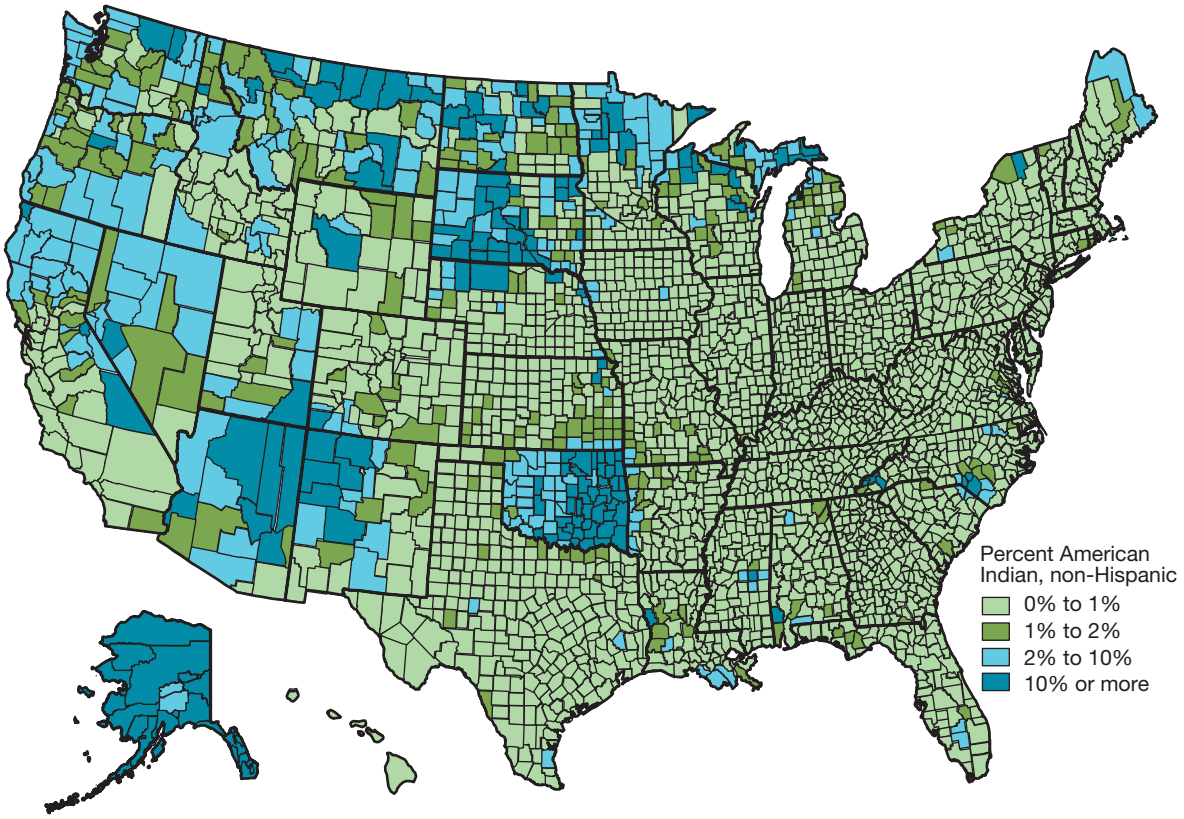
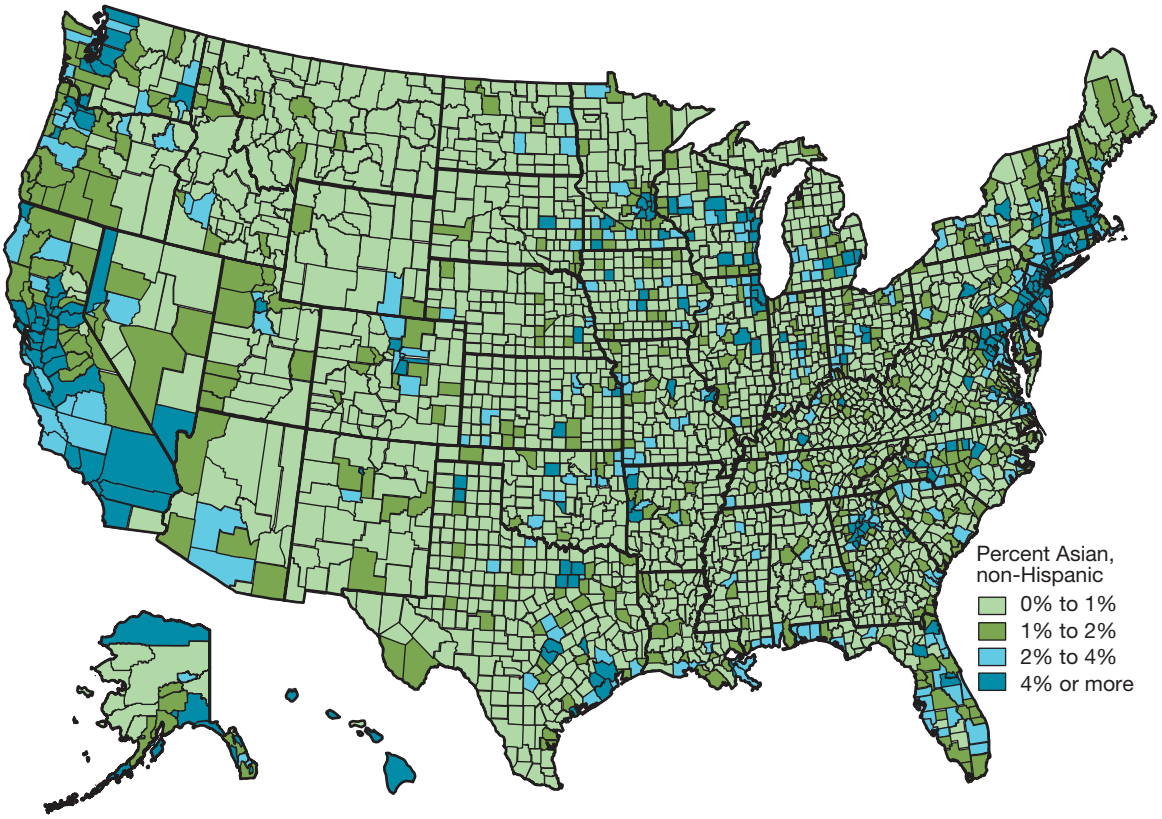
Proportion of non-Hispanic American Indian/Alaska Native youth in the juvenile population (ages 0–17), 2010



Proportion of non-Hispanic Asian youth in the juvenile population (ages 0–17), 2010



Source: Authors' adaptation of National Center for Health Statistics' *Vintage 2012 Postcensal Estimates of the Resident Population of the United States (April 2, 2010, July 1, 2010–July 1, 2012), by Year, County, Single-Year of Age (0, 1, 2, . . ., 85 Years and Over), Bridged Race, Hispanic Origin, and Sex* [machine-readable date file].

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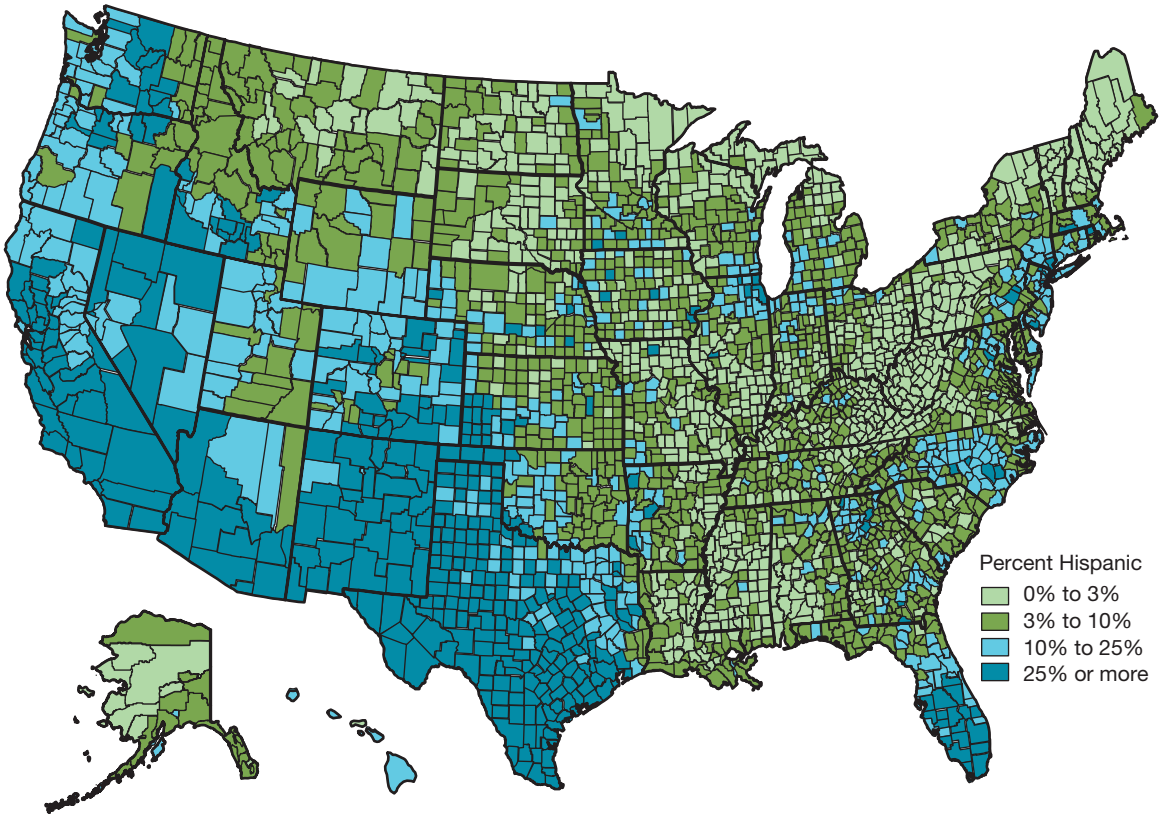
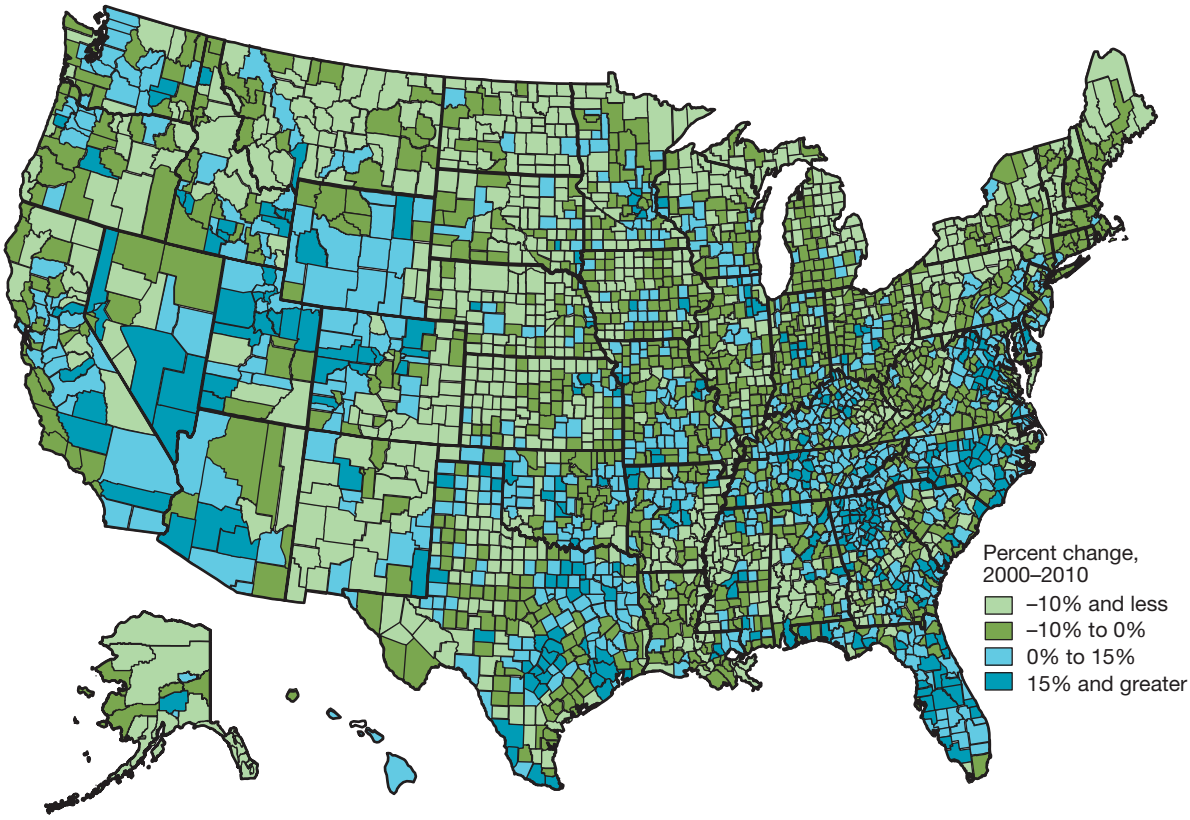
Proportion of Hispanic youth in the juvenile population (ages 0–17), 2010



Change in the juvenile population (ages 0–17), 2000–2010



Source: Authors' adaptation of National Center for Health Statistics' *Vintage 2012 Postcensal Estimates of the Resident Population of the United States (April 2, 2010, July 1, 2010–July 1, 2012), by Year, County, Single-Year of Age (0, 1, 2, . . ., 85 Years and Over), Bridged Race, Hispanic Origin, and Sex* [machine-readable date file].

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In 2010, poverty was more common among children under age 5 than any other age group

Exposure to poverty at an early age is linked to delinquency

Research has often supported a connection between poverty and involvement in crime. Youth who grow up in families or communities with limited resources are at a higher risk of offending than those who are raised under more privileged circumstances. Those who are very poor or chronically poor seem to be at an increased risk of serious delinquency. The timing of exposure to poverty is especially important. A meta-analysis by Hawkins et al. of several studies found that family socioeconomic status at ages 6–11 is a stronger predictor of serious and violent delinquency at ages 15–25 than family socioeconomic status at ages 12–14.

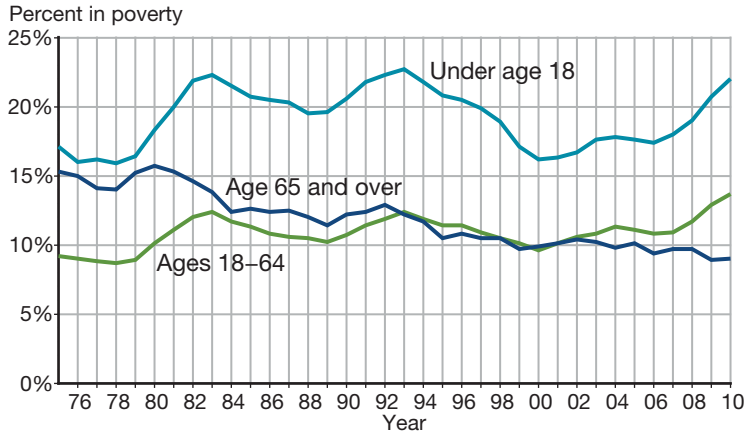
The linkage between poverty and delinquency, however, may not be direct. Some argue that the problems associated with low socioeconomic status (e.g., inability to meet basic needs, low access to support resources) are stronger predictors of delinquency than socioeconomic status alone. For example, Agnew et al. found that self-reported delinquency was highest among individuals who experienced several economic problems.

The proportion of juveniles living in poverty has grown

The U.S. Census Bureau assigns each person and family a poverty threshold according to the size of the family and ages of its members.* The national poverty thresholds are used throughout the U.S. and are updated for inflation annually. In 2000, the poverty threshold for a family of four with two children was $17,463. In 2010, this threshold was $22,113. In comparison, the poverty threshold for a family of six with four children was $29,137 in

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

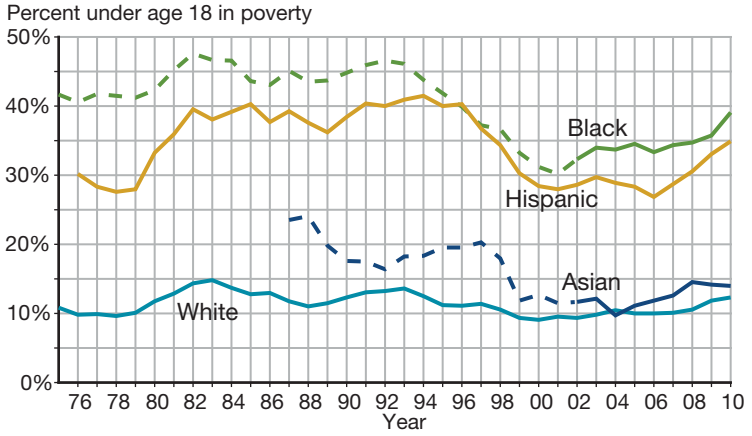
Over the past decade, the proportion of Americans under age 65 living in poverty has increased, with the proportion of juveniles in poverty considerably larger than that of adults



- The proportion of juveniles living in poverty in 2010 (22%) is similar to the two previous peaks in 1983 (22%) and 1993 (23%).

Source: Authors' adaptation of the U.S. Census Bureau's *Current Population Survey. Historical Poverty Tables. Table 3: Poverty Status of People by Age, Race, and Hispanic Origin: 1959–2010.*

In 2010, non-Hispanic black juveniles and Hispanic juveniles were 3 times more likely to live in poverty than non-Hispanic white juveniles



- Regardless of race or Hispanic ethnicity, the proportion of juveniles living in poverty in 2010 is the highest that it has been in the past decade.

Notes: The white racial category does not include persons of Hispanic ethnicity. The black and Asian racial categories include persons of Hispanic ethnicity prior to 2002 (dashed line) and do not include persons of Hispanic ethnicity beginning with 2002 data (solid line). The Asian racial category does not include Native Hawaiian and Other Pacific Islanders, beginning with 2002 data. Statistics on American Indians are not presented here because the small numbers produce unreliable trends.

Source: Authors' adaptation of the U.S. Census Bureau's *Current Population Survey. Historical Poverty Tables. Table 3: Poverty Status of People by Age, Race, and Hispanic Origin: 1959–2010.*

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2010. Although the thresholds in some sense reflect families' needs, they are not intended to be a complete description of what individuals and families need to live.

In 2010, 15% of all persons in the U.S. lived at or below their poverty thresholds. This proportion was far greater for persons under age 18 (22%) than for those ages 18–64 (14%) and those above age 64 (9%). The youngest children were the most likely to live in poverty: while 21% of juveniles ages 5–17 lived in households with resources below established poverty thresholds, 26% of children under age 5 did so.

Many children live far below poverty thresholds in what is labeled as extreme poverty. One technique for gaining a perspective on the frequency of extreme poverty is to look at the proportion of children who are living below 50% of the poverty level—e.g., in 2010, how many children lived in families of four with two children and incomes less than $11,057, half the poverty threshold. In 2010, 10% of persons under age 18 were living below 50% of the poverty level, compared with 7% of persons ages 18–64 and 3% of persons over age 64. This proportion was once again highest for children under age 6 (12%). In all, more than 45% of juveniles living in poverty lived in what can be characterized as extreme poverty.

In 2010, 22% of juveniles in the U.S. lived below the poverty level; 20 states had proportions greater than the national average

	Percent of persons living below the poverty threshold, 2010					Percent of persons living below the poverty threshold, 2010			
State	All ages	Ages 0–17	Ages 18–64	Over age 64	State	All ages	Ages 0–17	Ages 18–64	Over age 64
U.S. total	15.1%	22.0%	13.8%	8.9%	Missouri	15.0%	21.0%	14.8%	6.0%
Alabama	17.2	24.7	15.9	10.3	Montana	14.5	22.2	12.8	10.4
Alaska	12.5	16.2	11.2	*	Nebraska	10.2	13.8	9.2	7.6
Arizona	18.8	28.7	17.2	6.2	Nevada	16.6	23.9	15.1	9.4
Arkansas	15.3	21.9	13.3	12.4	New Hampshire	6.5	6.2	6.3	7.6
California	16.3	23.4	15.1	7.8	New Jersey	11.1	15.0	9.9	9.7
Colorado	12.3	19.0	10.6	7.6	New Mexico	18.3	26.9	16.7	9.8
Connecticut	8.6	11.9	8.1	5.1	New York	16.0	24.4	14.1	10.9
Delaware	12.2	18.6	10.9	7.6	North Carolina	17.4	28.2	14.8	9.7
Dist. of Columbia	19.5	33.9	16.5	*	North Dakota	12.6	17.0	11.2	11.5
Florida	16.0	23.0	15.5	9.5	Ohio	15.4	23.9	13.8	7.8
Georgia	18.8	25.1	17.1	12.9	Oklahoma	16.3	25.3	14.1	9.4
Hawaii	12.4	20.3	10.3	8.5	Oregon	14.3	21.9	13.5	6.1
Idaho	13.8	18.9	12.9	6.8	Pennsylvania	12.2	17.3	11.5	8.3
Illinois	14.1	21.1	12.6	8.0	Rhode Island	14.0	21.5	12.6	9.1
Indiana	16.3	26.3	13.2	11.7	South Carolina	16.9	25.5	15.4	10.0
Iowa	10.3	13.5	10.1	5.2	South Dakota	13.6	17.3	13.3	8.5
Kansas	14.5	23.8	12.2	6.7	Tennessee	16.7	23.6	15.1	11.9
Kentucky	17.7	24.9	16.9	8.5	Texas	18.4	26.8	16.1	10.0
Louisiana	21.5	30.3	18.1	19.9	Utah	10.0	13.7	8.7	6.7
Maine	12.6	18.9	11.7	8.5	Vermont	10.8	14.6	10.3	7.9
Maryland	10.9	14.0	10.3	7.6	Virginia	10.7	12.7	10.0	10.4
Massachusetts	10.9	14.4	10.9	5.7	Washington	11.6	16.8	10.8	6.3
Michigan	15.7	21.5	15.2	7.9	West Virginia	16.8	21.0	16.9	9.9
Minnesota	10.8	15.0	9.5	8.7	Wisconsin	10.1	13.8	9.7	6.1
Mississippi	22.5	34.4	19.9	11.7	Wyoming	9.6	13.6	8.4	*

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

Source: Author's adaptation of the U.S. Census Bureau's *Current Population Survey, 2011 Annual Social and Economic Supplement, POV46, Poverty Status by State*.

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In 2010, 2 in 5 black children were living in poverty, and 1 in 5 were living in extreme poverty (incomes less than half the poverty threshold)

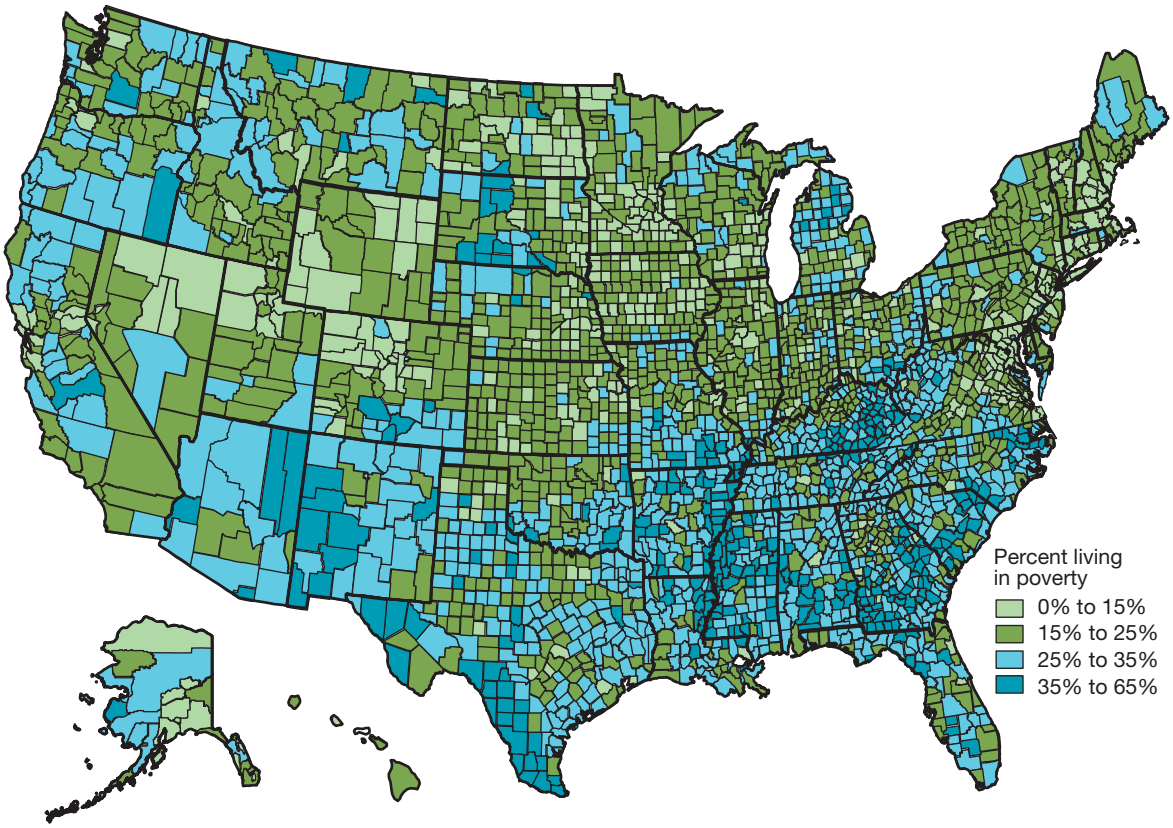
	Living below the poverty level							Living below 50% of the poverty level						
Age	All	White	Black	Amer. Indian	Asian	Multiple races	Hispanic	All	White	Black	Amer. Indian	Asian	Multiple races	Hispanic
All ages	15%	10%	27%	26%	12%	19%	27%	7%	4%	13%	14%	6%	9%	11%
Under age 18	22	12	39	35	14	23	35	10	5	20	19	5	12	15
Under age 5	26	15	46	42	15	30	38	12	6	26	20	6	15	17
Ages 5–17	21	12	36	32	13	19	34	9	5	18	19	5	10	14
Ages 18–64	14	10	23	24	11	14	23	6	5	12	13	6	8	9
Over age 64	9	7	18	17	14	15	18	3	2	5	5	6	5	5

- There was little difference between the proportions of juveniles in poverty compared with adults ages 18–64 in poverty for either white or Asian populations in 2010. Juveniles in poverty and adults ages 18–64 in poverty differed by 12 percentage points in the Hispanic population and 16 percentage points in the black population.

Note: Racial categories (white, black, American Indian, Asian, and multiple) do not include persons of Hispanic ethnicity. The Asian racial category does not include Native Hawaiian and Other Pacific Islanders.

Source: Author's adaptation of the U.S. Census Bureau's *Current Population Survey, 2011 Annual Social and Economic Supplement, POV46, Poverty Status by State*.

Proportion of juveniles (ages 0–17) living in poverty, 2010



Source: Authors' analysis of the U.S. Census Bureau's *Small Area Income & Poverty Estimates 2010* [machine-readable data file].

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The proportion of children living in single-parent homes more than doubled between 1970 and 2010

Juveniles living with both parents generally report less delinquency

A 2004 study by McCurley and Snyder explored the relationship between family structure and self-reported problem behaviors. The central finding was that youth ages 12–17 who lived in families with both biological parents were, in general, less likely than youth in other families to report a variety of problem behaviors, such as running away from home, sexual activity, major theft, assault, and arrest. The family structure effect was seen within groups defined by age, gender, or race/ethnicity. In fact, this study found that family structure was a better predictor of these problem behaviors than race or ethnicity. The family structure effect emerged among both youth who lived in neighborhoods described as "well kept" and those in neighborhoods described as "fairly well kept" or "poorly kept." For these reasons, it is useful to understand differences and trends in youth living arrangements. However, it is important to note that family structure may not be the proximate cause of problem behaviors. Rather, conditions within the family, such as poor supervision and low levels of parental involvement, are risk factors.

More than two-thirds of children lived in two-parent families in 2010

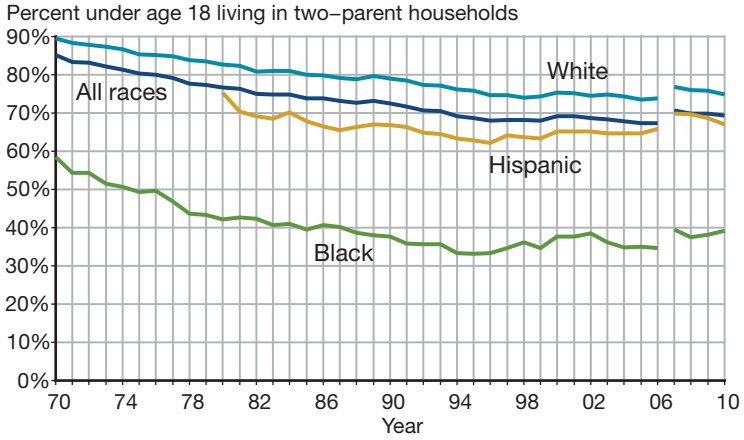
Analysis of the 1960 decennial census found that 88% of children under age 18 lived in two-parent families. The Census Bureau's Current Population Survey found that the proportion of children living in two-parent families declined throughout the 1970s and the 1980s and through the first half of the 1990s. In 2010, 69% of children were living in two-parent families—a level that has held since the mid-1990s. Most other children lived in one-parent households. The proportion of children living in single-parent households increased from 9% in 1960 to 27% in 2010.

Beginning with the Census Bureau's 2007 Current Population Survey, better data are available to document the proportion of children who live with married or unmarried parents. In 2010, 4% of children under age 18 were living with unmarried parents. This is a slight increase from the proportion (2%) reported from the 1996 Survey of Income and Program Participation (SIPP). This proportion varied with race and ethnicity: white non-Hispanic (2%), black (5%), Asian (1%), and Hispanic (6%). In 2010, two-thirds (66%) of U.S. children under age 18 lived with married parents. This proportion was highest for Asian (84%) and white non-Hispanic (75%) children, lower for Hispanic (61%) children, and lowest for black children (35%).

According to the Census Bureau, most children who live in single-parent households live with their mothers. The proportion of children living with their mothers in single-parent households grew from 8% of the juvenile population in 1960 to 23% in 2010. In 1970, the mothers of 7% of the children living in single-mother households had never been married; this proportion grew to 44% in 2010.

The proportion of children living with their fathers in one-parent households grew from 1% in 1960 to 3% in 2010. In 1970, the fathers of 4% of the children living in single-father households had never been married; this proportion grew to 26% in 2010, a pattern similar to the mother-only households.

The proportion of children under age 18 living in two-parent homes has declined since 1970



- Between 1970 and 2010, the proportion of children living in single-parent homes increased from 9% to 22% for whites and from 32% to 53% for blacks. The proportion of Hispanic children increased from 21% in 1980 to 29% in 2010.

Notes: Race proportions include persons of Hispanic ethnicity. Persons of Hispanic ethnicity may be of any race; however, most are white. Beginning with 2007, estimates for two-parent homes include married or unmarried parents (biological, step, or adoptive).

Source: Authors' adaptation of the U.S. Census Bureau's *Current Population Survey. Families and Living Arrangements, Historical Tables*.

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The Census Bureau found a major difference between mother-only and father-only households: cohabitation was much more common in father-only households. A living arrangement is considered to be cohabitation when there is an unrelated adult of the opposite gender, who is not one's spouse, living in the household. In 2010, children living in single-parent households were more likely to have a cohabiting father (18%) than a cohabiting mother (10%).

Some children live in households headed by other relatives or by nonrelatives. In 2010, 3% of children lived in households headed by other relatives, and about half of these children were living in the home of a grandparent. (Across all household types, 10% of children lived in households that included a grandparent.) In 2010, 1% of all children lived with nonrelatives.

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

Overall, 88% of children in 2010 lived in families with one or both parents in the labor force. (Being in the labor force means that the person is employed or is actively looking for work.) Of all children living with two parents, 97% had at least one parent in the labor force, and 61% had both parents in the labor force. When just one parent in the two-parent families was in the labor force, 87% of the time it was the father. Among children living in single-parent households, those living with their fathers only were more likely to have the parent in the labor force than those living with their mothers only (86% vs. 74%).

Almost half of children living with only their mothers or neither parent live in poverty

The economic well-being of children is related to family structure. In 2010, 22% of all juveniles lived below the poverty level. However, children living in two-parent families were less likely to live in poverty (13%) than children living with only their fathers (22%), only their mothers (43%), or neither parent (43%).

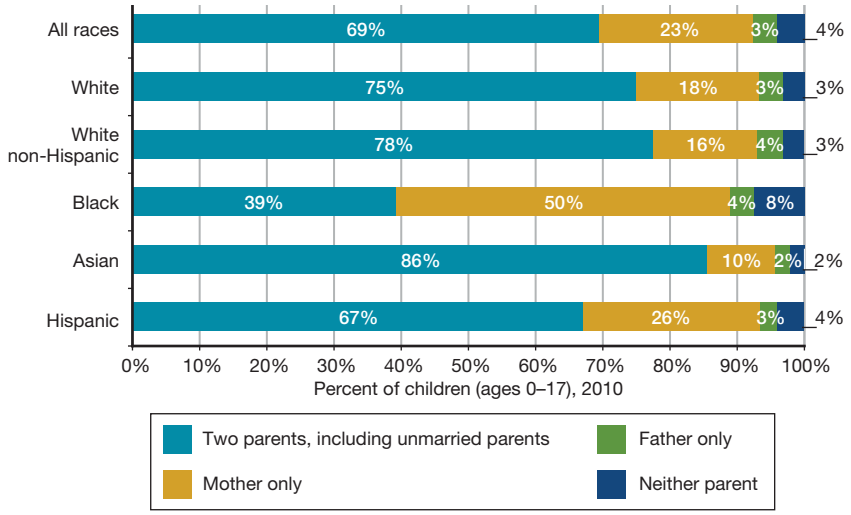
Family structure is also related to the proportion of children in households receiving public assistance or food stamps. Overall, 4% of children in 2010 lived in households receiving public assistance and 19% lived in households receiving food stamps, but the proportions were far greater for children living in single-mother families.

Percent of children receiving assistance, 2010:

Family structure	Food stamps	Public assistance
All types	19%	4%
Two parents	11	2
Married	10	2
Unmarried	31	7
Single parent	38	9
Mother only	41	10
Father only	17	3
Neither parent	26	10

In 2010, 57% of children receiving public assistance and 50% receiving food stamps lived in single-mother families. Two-parent families accounted for 31% of children receiving public assistance and 41% of those receiving food stamps.

In 2010, black children were the least likely to live with two parents regardless of the marital status of the parents



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

Source: Authors' adaptation of the U.S. Census Bureau's *Current Population Survey. 2010 Annual Social and Economic Supplement.*

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The teenage birth rate has seen an overall decrease between 1970 and 2010

Teen birth rates continue to fall through 2010

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

In 2010, the birth rate for older juveniles (i.e., females ages 15–17) was 17.3 live births for every 1,000 females in the age group. In the same year, the birth rate for young adults (i.e., women ages 18 and 19) was more than 3 times greater (58.2). The 2010 birth rate for females ages 10–14 (0.4) was lower than any time since 1970.

Birth rates for older juveniles and young adults varied by race and Hispanic ethnicity.

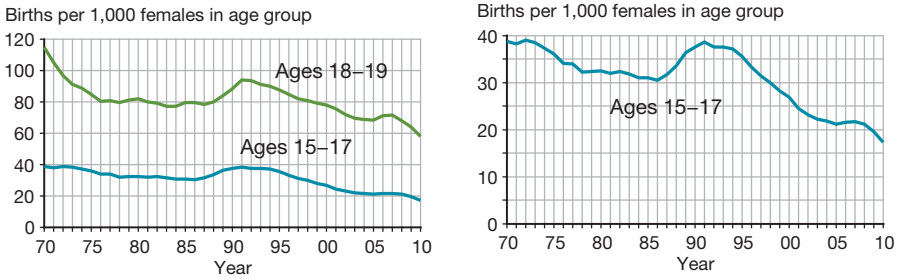
Births per 1,000 females, 2010:

Race/ethnicity	Ages 15–17	Ages 18–19
All races	17.3	58.2
White, non-Hispanic	10.0	42.5
Black, non-Hispanic	27.4	85.6
Hispanic	32.3	90.7

The birth rate for white non-Hispanic females ages 15–17 in 2010 was about one-third the rates of both Hispanic and black non-Hispanic females of the same age.

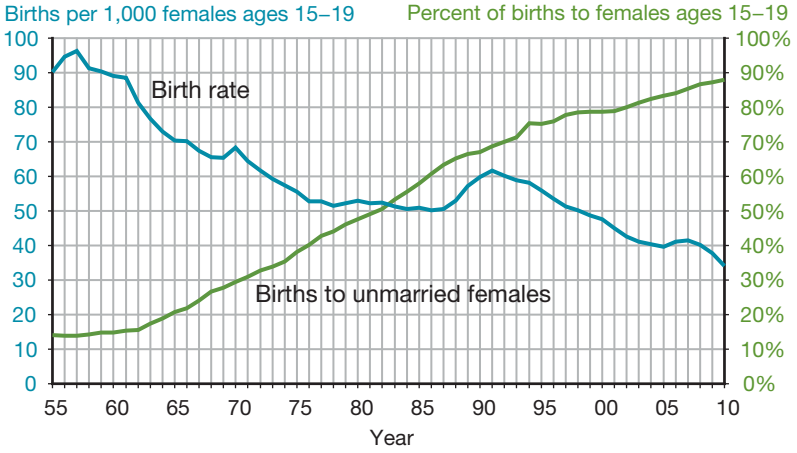
Between 1991 and 2010, birth rates declined more for older juveniles (55%) than young adults (38%). The decline for older juveniles was greatest for non-Hispanics blacks (68%), followed by non-Hispanic whites (58%) and Hispanics (53%).

Birth rates in 2010 for both older juveniles and young adults were about half their 1970 rates



- The birth rate for older female juveniles ages 15–17 saw a peak in 1991 (38.6 per 1,000 females) and then fell 55% to the 2010 rate of 17.3.
- After falling from its 1970 peak (114.7), the birth rate for young adult females ages 18–19 peaked again in 1991 at 94.0. The 2010 birth rate for young adult females was 38% lower than in 1991.

The annual birth rate for females ages 15–19 declined substantially between 1955 and 2010, while the proportion of these births that were to unmarried women increased



- In 1958, about 14% of births to females ages 15–19 were to unmarried women. By 2010, that proportion grew to 88%.

Source: Authors' adaptation of Martin et al.'s Births: Final Data for 2010, *National Vital Statistics Reports*, 61(1); National Center for Health Statistics' annual series, Births: Final Data, *National Vital Statistics Reports*, for the years 2000–2009; and Ventura et al.'s Births to Teenagers in the United States, 1940–2000, *National Vital Statistics Reports*, 49(10).

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Birth rates for females ages 15–17 varied greatly across states in 2010, ranging from 6.1 in New Hampshire to 30.6 in Mississippi

State	Births per 1,000 females in age group, 2010			Ratio of ages 15–17 to 18–19
	Age 15–19	Ages 15–17	Ages 18–19	
United States	34.2	17.3	58.2	30%
Alabama	43.6	22.9	71.8	32
Alaska	38.3	16.3	73.4	22
Arizona	41.9	22.3	69.8	32
Arkansas	52.5	24.7	91.4	27
California	31.5	16.4	53.4	31
Colorado	33.4	17.7	56.5	31
Connecticut	18.7	8.4	34.5	24
Delaware	30.5	16.0	48.9	33
Dist. of Columbia	45.4	35.7	52.0	69
Florida	32.0	15.5	55.2	28
Georgia	41.4	21.2	70.6	30
Hawaii	32.5	12.9	62.6	21
Idaho	33.0	15.1	58.9	26
Illinois	33.0	17.2	56.9	30
Indiana	37.3	18.4	63.5	29
Iowa	28.6	13.3	49.0	27
Kansas	39.3	19.2	67.9	28
Kentucky	46.2	21.9	80.2	27
Louisiana	47.7	23.5	81.0	29
Maine	21.4	8.3	40.3	21
Maryland	27.3	16.5	47.6	35
Massachusetts	17.2	9.0	27.4	33
Michigan	30.1	14.1	52.7	27
Minnesota	22.5	10.0	41.3	24
Mississippi	55.0	30.6	88.7	34
Missouri	37.1	17.0	65.1	26
Montana	35.0	12.9	67.0	19
Nebraska	31.1	14.8	54.0	27
Nevada	38.6	18.9	69.5	27
New Hampshire	15.7	6.1	29.2	21
New Jersey	20.1	9.6	37.6	26
New Mexico	53.0	29.9	86.4	35
New York	22.7	11.2	38.6	29
North Carolina	38.3	19.9	63.5	31
North Dakota	28.8	13.4	46.9	29
Ohio	34.1	16.0	60.2	27
Oklahoma	50.4	25.9	83.8	31
Oregon	28.2	13.3	48.9	27
Pennsylvania	27.0	14.2	43.8	32
Rhode Island	22.3	13.7	31.6	43
South Carolina	42.6	22.3	68.6	33
South Dakota	34.9	15.9	61.6	26
Tennessee	43.2	20.3	75.4	27
Texas	52.2	29.3	86.5	34
Utah	27.9	14.0	46.4	30
Vermont	17.9	7.5	30.5	25
Virginia	27.4	12.5	47.8	26
Washington	26.7	13.0	46.7	28
West Virginia	44.8	21.1	75.6	28
Wisconsin	26.2	11.7	47.2	25
Wyoming	39.0	17.0	68.9	25

- Comparing birth rates for older juveniles (age 15–17) with those of young adults (ages 18 and 19) shows that the older juvenile rate ranged from 19% of the young adult rate in Montana to 43% of the young adult rate in Rhode Island and 69% in the District of Columbia.

Source: Authors' adaptation of Martin et al.'s Births: Final Data for 2010, *National Vital Statistics Reports*, 61(1).

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

Birth rates for a large number of countries are collected annually by the Statistics Division of the United Nations. The most recent data available for industrialized countries were not available for a common year but ranged from 2007 to 2010.

Births per 1,000 females ages 15–19

Country	Birth rate	Data year
United States	39.1	2009
Russian Federation	29.8	2009
New Zealand	29.4	2009
United Kingdom	25.1	2009
Portugal	15.6	2009
Australia	15.5	2010
Israel	14.3	2009
Ireland	14.3	2009
Canada	14.1	2008
Spain	13.3	2007
France	11.9	2009
Greece	11.8	2009
Belgium	10.8	2008
Austria	10.3	2010
Norway	9.5	2010
Germany	9.2	2009
Finland	8.4	2009
Italy	6.5	2010
Sweden	5.9	2009
Denmark	5.5	2009
Netherlands	5.3	2009
Japan	4.9	2009
Switzerland	4.1	2009

Source: Authors' adaptation of the United Nations Statistics Division's *Adolescent Birth Rate, per 1,000 Women* [machine-readable data file].

Although decreasing since 2000, the birth rate for U.S. females ages 15–19 still remained one of the highest. In 2009, the U.S. had a teenage birth rate of 39.1, more than twice the rates of Portugal and Australia, 3 times the rate of Spain, and nearly 10 times the rates of Japan and Switzerland.

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Although high school dropout rates declined over the past 20 years, more than 370,000 youth quit high school in 2009

The dropout rate varies across demographic subgroups

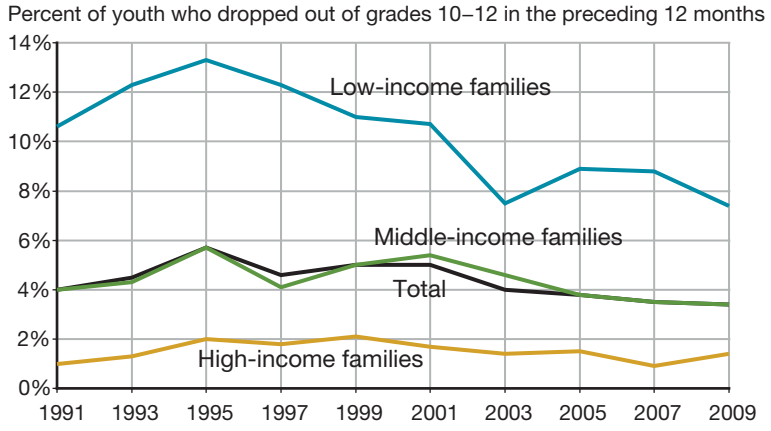
The National Center for Education Statistics (NCES) develops annual estimates of (1) the number of persons in grades 10–12 who dropped out of school in the preceding 12 months and (2) the percent of persons ages 16–24 who were dropouts. The first statistic (the event dropout rate) provides an annual estimate of flow into the dropout pool. The second statistic (the status dropout rate) provides an estimate of the proportion of dropouts in the young adult population. Event dropout rates are based on data from the annual October Current Population Survey (CPS). The CPS and the American Community Survey (ACS) are the sources for status dropout estimates.

Almost 4 of every 100 persons (3.4%) enrolled in high school in October 2008 left school before October 2009 without successfully completing a high school program—in other words, in the school year 2008/2009, about 373,000 youth dropped out and the event dropout rate was 3.4%. There was little difference in the 2009 event dropout rate for males (3.5%) and females (3.4%). The event dropout rates did not differ statistically among the various racial/ethnic groups: white non-Hispanic (2.4%), black non-Hispanic (4.8%), and Hispanic (5.8%). However, the event dropout rate was far lower (1.4%) for youth living in families with incomes in the top one-fifth of all family incomes than for youth living in families with incomes in the bottom one-fifth of all family incomes (7.4%).

Educational failure is linked to unemployment

The Bureau of Labor Statistics (BLS) estimates that 54% of the 2009/2010

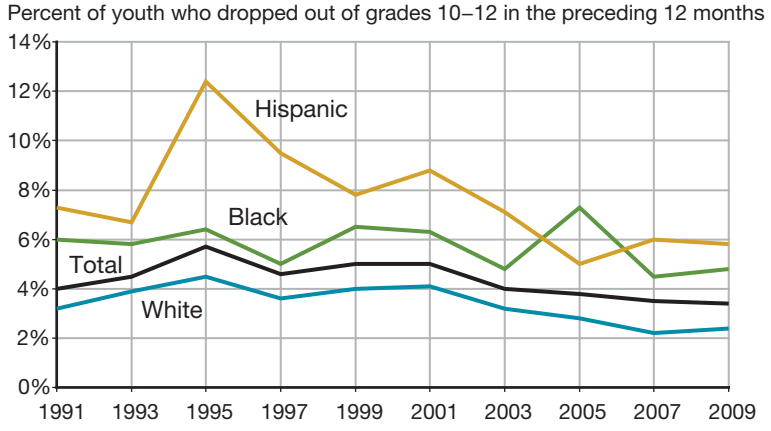
The average proportion of students who quit school without completing a high school program was lower in the 2000s than in the 1990s



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

Source: Authors' adaptation of Chapman et al.'s *Trends in High School Dropout and Completion Rates in the United States: 1972–2009*.

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



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

Source: Authors' adaptation of Chapman et al.'s *Trends in High School Dropout and Completion Rates in the United States: 1972–2009*.

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school year dropouts were in the labor force (employed or actively looking for work), and 43% of those dropouts in the labor force were unemployed. In comparison, 77% of the 2010 high school graduates who were not in college were in the labor force, and a far smaller proportion of this workforce (33%) was unemployed.

Dropouts are more likely than educated peers to be institutionalized

Based on the 2006–2007 American Community Survey, the Center for Labor Market Studies at Northeastern University estimated that 1.4% of the nation's 16- to 24-year-olds were institutionalized, with nearly 93% of these young adults residing in correctional facilities. The incidence of institutionalization among high school dropouts was more than 63 times higher than among four-year college graduates.

The Center for Labor Market Studies conducted a separate analysis of institutionalization rates of 16- to 24-year-old males by school enrollment and educational attainment. Almost 1 of every 10 male high school dropouts was institutionalized on a given day in 2006–2007 versus less than 1 of 33 high school graduates. Only 1 of every 500 males who held a bachelor's degree were institutionalized. Furthermore, across all demographic subgroups, institutionalization rates were highest among high school dropouts.

Over the years, demographic disparities in annual event dropout rates have accumulated to produce noticeable differences in status dropout rates—i.e., the proportion of young adults (persons ages 16–24) who are not enrolled in school and have not completed high school (or received an equivalency certificate). The status dropout rate measure typically includes civilian, noninstitutionalized 16- to 24-year-olds. Youth, such as those who are incarcerated or in the military, are not included. However, the American Community Survey allows for comparisons of status dropout rates for 16- to 24-year-olds residing in households with those living in noninstitutionalized and institutionalized group quarters. Regardless of race/ethnicity, status dropout rates were substantially higher for institutionalized youth than for other youth. In 2009, the status dropout rate was 40% for institutionalized youth and 8% for those living in households and noninstitutional group quarters (e.g., college housing and military quarters). A higher proportion of males (10%) than females (7%) were status dropouts.

Dropouts generate lifelong economic burdens on society

The Center for Labor Market Studies estimates the social and economic costs of dropouts as a consequence of lower earning power and job opportunities, unemployment, incarceration, and government assistance. High school dropouts are estimated to earn $400,000 less than high school graduates across their working lives. The lifetime earning loss for males can exceed $500,000. In addition, because of lower lifetime earnings, dropouts contribute far less in federal, state, and local taxes than they receive in cash benefits, in-kind transfer costs, and incarceration costs as compared to typical high school graduates.

In 2009, status dropout rates were higher for males, minorities, and institutionalized youth than for other youth

	Status dropout rate, 2009								
	Total			Noninstitutionalized			Institutionalized		
Race/ethnicity	Total	Male	Female	Total	Male	Female	Total	Male	Female
Total	9%	10%	7%	8%	9%	7%	40%	41%	31%
White	6	6	5	6	6	5	31	32	29
Black	11	13	8	10	11	8	44	46	30
Hispanic	18	21	14	18	21	14	47	48	37
Asian	3	4	3	3	4	3	45	47	–
AI/AN	16	18	14	15	17	14	41	43	–
2 or more races, not Hispanic	7	7	6	6	7	6	30	31	–

- Hispanic males had higher status dropout rates than all other racial/ethnic groups.
- Overall, Hispanic and American Indian/Alaska Native females had higher dropout rates than females of other student groups.

– Too few cases to produce a reliable rate.

Note: Data are from the American Community Survey 2009 and include all dropouts, regardless of when they last attended school, as well as individuals who may have never attended school in the U.S., such as immigrants who did not complete a high school diploma in their home country. The data represent status dropout rates for all 16- to 24-year-olds, including those who live in institutional and noninstitutional group quarters and households.

Source: Authors' adaptation of Aud et al.'s *The Conditions of Education 2011*.

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Chapter 2

Juvenile victims

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

Research has shown that child victimization and abuse are linked to problem behaviors that become evident later in life. So an understanding of childhood victimization and its trends may lead to a better understanding of juvenile offending.

Data sources include child maltreatment data reported by the National Incidence Study of Child Abuse and Neglect and by the National Child Abuse and Neglect Data System, and foster care and adoption information from the Adoption and Foster Care Analysis and Reporting System. Self-reported victimization data are presented from the National Survey of Children's Exposure to Violence, the Bureau of Justice Statistics' National Crime Victimization Survey and it's School Crime Supplement, the National Center for Education Statistics, and the Youth Risk Behavior Survey. Official victimization data is reported by the Federal Bureau of Investigation's National Incident-Based Reporting System and its Supplementary Homicide Reporting Program. Suicide information is presented from the National Center for Health Statistics.

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One child in every 25 in the United States is abused or neglected

The fourth cycle of the National Incidence Study of Child Abuse and Neglect collected data in 2005–2006

The National Incidence Study of Child Abuse and Neglect (NIS) reports information on children harmed or believed to be harmed by maltreatment. Child maltreatment includes physical, sexual, and emotional abuse, and physical, emotional, and educational neglect by a caretaker.

While the NIS does include children who were investigated by child protective services (CPS), it also represents children who were recognized as maltreated by a wide array of community professionals (called "sentinels") who are generally mandated reporters.

Combining these data sources, the NIS describes both abused and neglected children who are in the official CPS statistics as well as those who were not reported to CPS or who were screened out of CPS investigations.

Most maltreated children were neglected

Although the overall rates of children either harmed or endangered by abuse or neglect have not changed, there has been a shift in the types of maltreatment experienced by children. All categories of abuse declined, but the rate of neglect, specifically emotional neglect, increased. This increase largely represents a dramatic increase in the rate of children exposed to domestic violence, which more than tripled from 2 children per 1,000 in 1993 to 7 children per 1,000 in 2005–2006.

Child maltreatment victims per 1,000 children:

Maltreatment type	NIS-3 (1993)	NIS-4 (2005–2006)
All maltreatment	41.9	39.5
All abuse	18.2	11.3
Physical	9.1	6.5
Sexual	4.5	2.4
Emotional	7.9	4.1
All neglect	29.2	30.6
Physical	19.9	16.2
Emotional	8.7	15.9
Educational	5.9	4.9

Note: Children who experienced multiple types of maltreatment are included in each applicable category.

There are several different types of child maltreatment

Child maltreatment occurs when a caretaker (a parent or parental substitute, such as a babysitter) is responsible for, or permits, the abuse or neglect of a child. The maltreatment can result in actual physical or emotional harm, or it can place the child in danger of physical or emotional harm. The following types of maltreatment were included in NIS-4:

Physical abuse includes physical acts that caused or could have caused physical injury to the child, including excessive corporal punishment.

Sexual abuse is involvement of the child in sexual activity either forcefully or without force, including contacts for sexual purposes, prostitution, pornography, or other sexually exploitative activities.

Emotional abuse refers to verbal threats and emotional assaults. It includes terrorizing a child, administering unprescribed and potentially harmful substances, and willful cruelty or exploitation not covered by other types of maltreatment.

Physical neglect is the disregard of a child's physical needs and physical safety, including abandonment, illegal transfers of custody, expulsion from the home, failure to seek remedial health care or delay in seeking care, or inadequate supervision, food, hygiene, clothing, or shelter.

Emotional neglect includes inadequate nurturance or affection, permitting maladaptive behavior, exposing the child to domestic violence or other maladaptive behaviors or environments, and other inattention to emotional or developmental needs.

Educational neglect includes permitting chronic truancy, failure to enroll, or other inattention to educational needs.

Girls and children not enrolled in school have higher rates of sexual abuse

Girls were sexually abused at a rate of 3.8 per 1,000, compared with boys' rate of 1.0 per 1,000. School-age children who were not enrolled in school were harmed or endangered by sexual abuse at a significantly higher rate than enrolled children: 2.9 per 1,000 non-enrolled school-age children compared with 1.8 per 1,000 enrolled children. The non-enrolled children were also physically neglected at a significantly higher rate: 19.3 per 1,000 non-enrolled children compared with 11.4 per 1,000 enrolled children.

Younger children have lower rates of physical and emotional abuse but higher rates of physical neglect

Age differences in maltreatment rates occur across both abuse and neglect categories. The youngest children (age 2 and younger) are physically and emotionally abused at significantly lower rates than children who are school-age (age 6 or older). Among the youngest, 3.7 per 1,000 are physically abused

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Two studies provide national data on child abuse and neglect

Congress mandates the National Child Abuse and Neglect Data System (NCANDS) and the National Incidence Study of Child Abuse and Neglect (NIS) in the Child Abuse Prevention and Treatment Act. Both are sponsored by the Children's Bureau in the U.S. Department of Health and Human Services. They use different methods and data sources, apply different definitions, and are conducted on different timetables. The NCANDS uses a census methodology and provides annual data on all cases referred to CPS, showing whether CPS screened the referral in for an agency response and, if so, whether the case was investigated or received an alternative response other than investigation. In NCANDS, states use their own definitions of abuse and neglect and map their state codes into six categories by agreed-upon rules. The NIS uses a sampling methodology to represent the incidence of child abuse and neglect in the U.S. as recognized by mandated reporters, showing how many of these maltreated children receive a CPS investigation. It is conducted periodically, with only four cycles to date. The latest cycle, the NIS-4, collected data in 2005–2006. The NIS applies standardized definitions across all data sources, classifying maltreatment into 60 specific types that group into 8 general categories.

compared with 6.2 or more per 1,000 school-age children; 1.6 in 1,000 in the youngest age group are emotionally abused compared with 4.1 or more per 1,000 school-age children. In contrast, rates of physical neglect are highest at younger ages, 16.3 or more per 1,000 of those ages 0–8, and decrease after age 8 to their lowest level of 8.7 per 1,000 among ages 15–17. Educational neglect rates are lowest among 3- to 5-year-olds, when children typically begin school (2.3 per 1,000) and increase to 7.5 per 1,000 by the time children are ages 9–11.

Black children have higher rates of maltreatment

Unlike previous NIS cycles, the NIS-4 found strong and pervasive race differences in the incidence of maltreatment. In most maltreatment categories, the rates of maltreatment for black children were significantly higher than those for white and Hispanic children.

Child maltreatment victims per 1,000 children, 2005–2006:

Maltreatment type	White	Black	Hispanic
All maltreatment	28.6	49.6	30.2
All abuse	8.7	14.9	9.4
Physical	4.6	9.7	5.9
Emotional	3.5	4.5	2.4
All neglect	22.4	36.8	23.0
Physical	12.2	17.9	9.9
Emotional	12.1	17.9	13.2

Note: Children who experienced multiple types of maltreatment are included in each applicable category.

Children with disabilities are maltreated at lower rates but suffer more serious harm from their maltreatment

Children with disabilities had significantly lower rates of experiencing any maltreatment, any abuse, or any neglect that harmed or endangered them. They had significantly lower rates of physical abuse, sexual abuse, neglect, physical neglect, and emotional neglect. However, when children with disabilities were maltreated, they were significantly more likely to be seriously injured or harmed. They experienced serious injury or harm from maltreatment at a rate of 9.1 per 1,000 compared to a rate of 6.0 per 1,000 for children without a confirmed disability.

Less than half of maltreated children receive a CPS investigation

In the NIS-4, a minority of maltreated children (43%) received a CPS investigation; however, this was a significant increase from the investigation rate in the NIS-3 (33%). Even among children with the highest rate of CPS investigation, those sexually abused, CPS investigated only slightly more than one-half (56%). The remaining cases either were not reported to CPS or were reported but not investigated. Cases reported but not investigated may have received an alternative response from their local CPS agency where the family was assessed and provided services, but there was no formal investigation or finding of fault.

CPS would investigate or could provide an alternative response to over 90% of maltreated children if all were reported

A combined total of 92% of maltreated children either were investigated, would have been investigated if they had been reported, or might have received an alternative agency response if they were reported. The remaining 8% of maltreated children include both those who would not have received any CPS response and those whose cases could not be classified by the CPS screening criteria. These findings imply that CPS screening activities exclude only a small percentage of maltreated children from receiving CPS attention. The primary reason maltreated children are not investigated is that professionals who recognize their maltreatment do not report them to CPS.

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Family characteristics relate to rates of maltreatment

Maltreatment rates vary in relation to the parents' employment and economic status

Children with an unemployed parent and those with no parent in the labor force have higher risk of experiencing maltreatment. Children with no parent in the labor force had the highest rate of abuse (15.2 per 1,000), 2 or more times higher than the rates for children of working parents (5.8 per 1,000) or with an unemployed parent (7.5 per 1,000). Neglect was significantly higher for children whose parents did not have steady work, either because they were unemployed or because they were not in the labor force: 46.4 per 1,000 children with no parent in the labor force were neglected, as were 35.0 children with an unemployed parent, compared with 12.8 children whose parents were steadily employed during the study year.

Indicators of economic status have consistently been the strongest predictors of maltreatment rates. The NIS-4 defined children to be in low socioeconomic status (SES) families if their household incomes were below $15,000 per year, their parents did not graduate high school, or any household member participated in a poverty-related program, such as food stamps, subsidized school breakfasts or lunches, Temporary Assistance to Needy Families, public housing, energy assistance, or public assistance. Children in low-SES families were at higher risk of all types of abuse and neglect. They were more than 5 times as likely to be maltreated in some way, 3 times as likely to be abused, and 7 times as likely to be neglected.

Children living with their two married biological parents have the lowest rates of maltreatment

Based on their family structure and living arrangement, the NIS-4 classified children into six categories: (1) living with two married biological parents; (2) living with other married parents (not both biological but both having a legal parental relationship to the child, such as adoptive or step-parent); (3) living with two unmarried parents (biological); (4) living with one parent who had an unmarried partner (not the child's parent) in the household; (5) living with one parent who had no partner in the household; and (6) living with no parent. Children living with two married biological parents had the lowest rates of maltreatment, whereas children living with a single parent who had a cohabitating partner had the highest maltreatment rates.

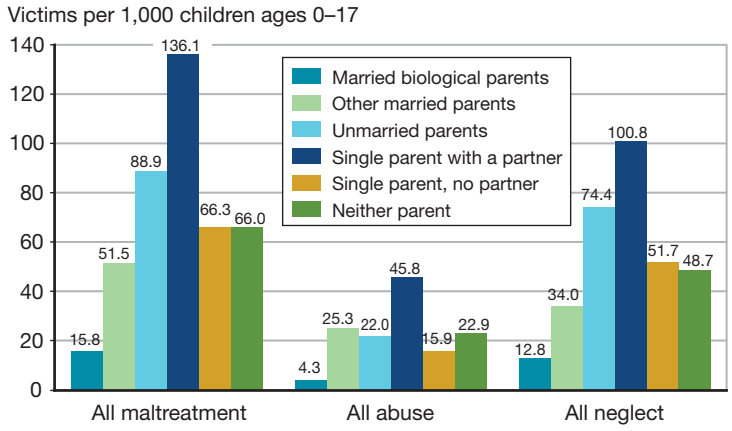
Children in larger families have greater risk of physical and emotional abuse and neglect

Maltreatment varied with family size. Children in larger households (four or more children) experienced physical neglect at rates more than 2 times that for households with only one or two children (31.1 per 1,000 vs. 13.3 and 10.0, respectively). A similar pattern existed for emotional neglect; children in larger households experienced emotional neglect at a rate of 27.4, while households with one or two children experienced emotional neglect at lower rates (13.9 and 10.0, respectively). Rates of emotional abuse also increased as the number of children in the household increased; children in larger households had twice ther rate of emotional abuse observed for "only" children (5.8 vs. 2.8). Similarly, the rate of physical abuse for children in larger households (7.8) was greater than the rates for children with households of one, two, or three children (6.6, 5.0, and 6.7, respectively).

Children in rural counties are at greater risk of neglect

The rate of physical neglect for rural children (33.1 per 1,000) is significantly higher than the rate for children in urban or major urban counties (15.0 or less). Rural children are also significantly more likely to experience emotional neglect (27.9) than urban or major urban children (16.9 or less).

Children's risk of maltreatment varied across family structure and living arrangements



Source: Authors' adaptation of Sedlak and Ellis' Trends in Child Abuse Reporting, in Korbin and Krugman's (Eds.), *Handbook of Child Maltreatment*.

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

What are child protective services agencies?

Child protective services (CPS) agencies are governmental agencies authorized to act on behalf of a child when parents are unable or unwilling to do so. In all states, laws require these agencies to receive referrals about cases of suspected child abuse or neglect, screen in those cases appropriate for a CPS agency response, conduct assessments or investigations of screened-in reports, offer rehabilitative services to families where maltreatment has occurred or is likely to occur, and remove children from the home when necessary for their safety.

Although the primary responsibility for responding to reports of child maltreatment rests with state and local CPS agencies, prevention and treatment of abuse and neglect can involve professionals from many disciplines and organizations in assisting with assessments and case management and providing services. Juvenile and family courts are always involved in the overall protective services system because of their critical role in the processing of cases when services must be mandated or children must be removed.

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

State laws require many professions to notify CPS of suspected maltreatment

Individuals likely to identify maltreatment are often those in a position to observe families and children on an ongoing basis. This may include educators, law enforcement personnel, social services personnel, medical professionals, probation officers, daycare workers, mental health professionals, and the clergy, in addition to family members, friends, and neighbors. Professionals who come into contact with children as part of their jobs are generally required by law to notify CPS agencies of suspicions of child maltreatment. Some states require reporting by any person having knowledge of child maltreatment, including the general public.

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

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

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

Some referrals are out-of-scope for CPS and may be referred to other agencies. Other referrals lack sufficient information to enable followup. For these and other reasons, CPS agencies "screen out" nearly two-fifths of all referrals. Once a referral is accepted or "screened in," CPS may initiate an investigation or assessment of the alleged incident, or it may pursue an alternative response.

Many CPS agencies offer alternative responses for cases that do not meet standards for investigation. Alternative response is a non-investigative approach that allows CPS to respond to a referral that is determined to be "low risk" by offering services to the child and family to address their needs. The intent of alternative response is to prevent the family from becoming a "high-risk" case. This approach is also referred to as family assessment, and agencies who offer this approach as an alternative to traditional investigation are said to use a "dual track," or to provide a differential response. When implementing an alternative response, CPS focuses on assessing the needs of the child and family and offering services as opposed to a formal investigation or finding of fault. The policies, practices, and availability of alternative response vary greatly across agencies.

Whether the agency investigates or uses another response, it must decide if action is required to protect the child. The CPS agency also determines if the family is in need of services and which services are appropriate. The initial investigation involves gathering and analyzing objective information from and about the child and family to determine if the allegations are substantiated, meaning that maltreatment occurred or the child is at significant risk of harm. Agencies generally decide this by the preponderance of evidence, or credible, reasonable evidence. CPS agencies may work with law enforcement and other agencies during this period. Caseworkers generally respond to reports of abuse and neglect within

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2 to 3 days. All states require that investigations start in a timely manner, typically within 72 hours. Most require investigations to start immediately (2–24 hours), when there is reason to believe that a child is in imminent danger.

Following the initial investigation, the CPS agency decides whether the evidence substantiates the allegations. Should sufficient evidence not exist to support an allegation of maltreatment, additional services may still be provided if it is believed there is risk of abuse or neglect in the future. In a few states, the agency may determine that maltreatment or the risk of maltreatment is indicated even if sufficient evidence to conclude or substantiate the allegation does not exist. Agencies that use an alternative response system can make determinations other than substantiated, indicated, and unsubstantiated and may or may not classify the children receiving an alternative response as maltreatment victims.

CPS agencies assess child and family needs before developing case plans

Protective services staff attempt to identify the factors that contributed to the maltreatment and determine what services would address the most critical treatment needs. CPS staff then develop case plans in conjunction with other treatment providers and the family in an attempt to alter the conditions and/or behaviors resulting in child abuse or neglect. All states require a written case plan when a child is placed in out-of-home care, and many states also require a plan when a child and family are receiving any kind of in-home services. Together with other treatment providers, CPS staff implement the case plan for the family. If the family is uncooperative, the case may be referred for court action to mandate services.

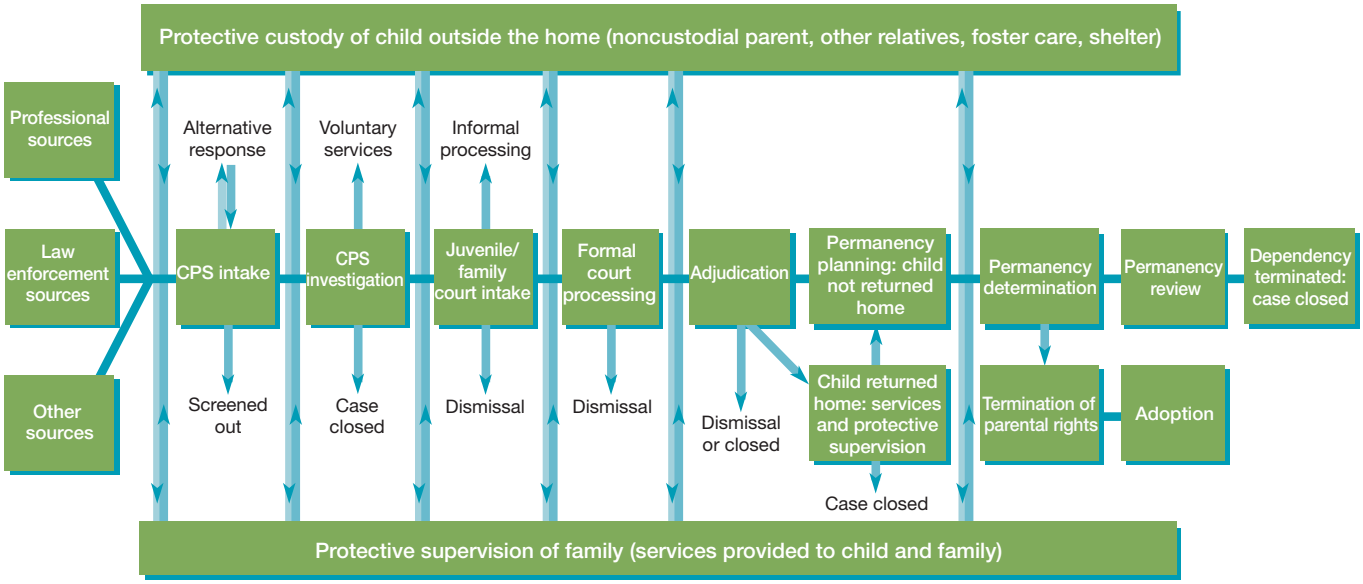
Protective services agencies are also responsible for evaluating and monitoring family progress

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

CPS agencies provide preventive and postresponse services

Preventive services are targeted toward families with children at risk of maltreatment and are designed to improve caregivers' child-rearing competencies. Types of preventive services include respite care, parenting education, substance abuse treatment, home visits,

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



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

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counseling, daycare, and homemaker help. CPS agencies offer postresponse (postinvestigation) services on a voluntary basis. Courts may also order services to ensure children's safety. Postinvestigation services are designed to address the child's safety and are typically based on an assessment of the family's strengths, weaknesses, and needs. These services might include counseling, in-home family preservation services, foster care services, or other family-based or court services.

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

If it is determined that the family will not be able to protect the child, the child may be removed from the home and placed in foster care. The foster care unit in the larger child welfare agency will then assume case management and develop and monitor the family case plan. If the child cannot be returned home within a reasonable timeframe, parental rights may be terminated so that a permanent alternative can be found. The adoption unit in the child welfare agency will pursue a permanent placement for the child.

One option available to CPS is referral to juvenile court

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

In the case of an emergency removal, a preliminary protective hearing (shelter care hearing) is required. Ideally, the shelter care hearing would occur prior to removal from the home; however, states vary in their practices and regulations for shelter care hearings, and often the removal precedes the hearing.

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

Court hearings determine the validity of allegations and review case plans

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

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

If the court finds that the child is abused or neglected, typical dispositional options address the basic issue of whether the child should be returned home and if not, where the child should be placed. Reunification services are designed to enable the child to return home safely—subject to specific conditions including ongoing case involvement and/or supervision by the agency. If the court decides that returning the child home could be dangerous, custody may be granted to the state child protective agency, the noncustodial parent or other relative, or foster care.

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

Juvenile courts often maintain case oversight responsibility beyond the disposition hearing

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

The Federal Adoption Assistance and Child Welfare Act of 1980 (Public Law

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

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

Federal law establishes permanency preferences

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

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

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

More recent federal legislation promotes permanency with additional strategies. The Fostering Connections to Success and Increasing Adoptions Act of 2008 aims to improve outcomes for children in the child welfare system through supporting kinship and family connections, supporting older youth who are in out-of-home placements through transitional planning and education and training vouchers, and by requiring states to ensure the educational stability and coordinated health care of children in foster care.

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

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

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

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

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

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

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In 2010, child protective services agencies received about 63,500 maltreatment referrals weekly

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

In response to the 1988 amendments to the Child Abuse Prevention and Treatment Act, the Children's Bureau in the U.S. Department of Health and Human Services developed the National Child Abuse and Neglect Data System (NCANDS) to collect child maltreatment data from state child protective services (CPS) agencies. The Children's Bureau annually collects and analyzes both summary and case-level data reported to NCANDS. For 2010, 49 states, the District of Columbia, and Puerto Rico reported case-level data on all children who received an investigation or assessment by a CPS agency. The case-level data provide descriptive information on cases referred to CPS agencies during the year, including:

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

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

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

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

Investigation: The gathering and assessment of objective information to determine if a child has been or is at risk of being maltreated and to determine the CPS agency's appropriate response. It generally results in a disposition as to whether or not the alleged report is substantiated.

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

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

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

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

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

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

Unsubstantiated: Investigation disposition that determines that there is not sufficient evidence under state law to conclude or suspect that the child has been maltreated or is at risk of maltreatment.

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

Alternative response: CPS response to a report that focuses on assessing the needs of the family and providing services. This approach may or may not include a determination regarding the alleged maltreatment.

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

In 2010, referrals were made to CPS agencies at a rate of 44 per 1,000 children

In 2010, CPS agencies in the U.S. received an estimated 3.3 million referrals alleging that children were abused or neglected. An estimated 5.9 million children were included in these referrals. This translates into a rate of 44 referrals for every 1,000 children younger than 18 in the U.S. population. This referral rate is similar to the referral rates each year since 2004.

Professionals were the most common source of maltreatment reports

Professionals who come into contact with children as a part of their occupation (e.g., teachers, police officers, doctors, childcare providers) are required by law in most states to notify CPS agencies of suspected maltreatment. Thus, professionals are the most common source of maltreatment reports (59%).

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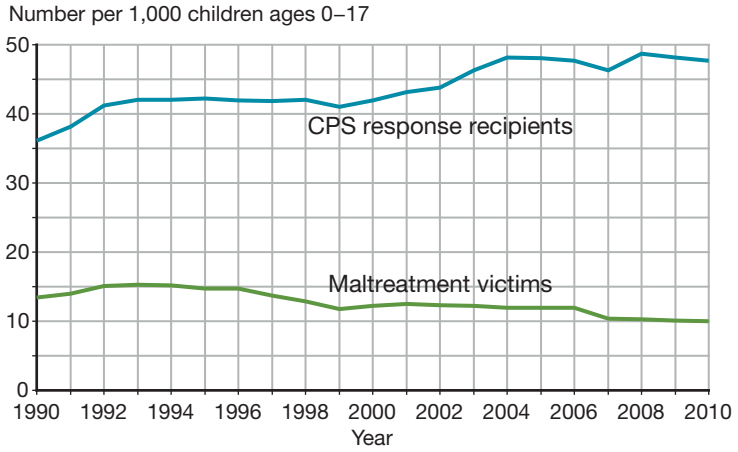
Percent of total maltreatment reports, 2010:

Source	Percent
Professional	59%
Law enforcement	17
Educator	16
Social services	12
Medical	8
Mental health	5
Child daycare provider	1
Foster care provider	1
Family and community	27
Relative, not parent	7
Parent	7
Friend or neighbor	4
Anonymous	9
Other*	14

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

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

Although the child maltreatment victimization rate decreased over the past decade, the child maltreatment response rate increased 14%



- In 2010, CPS responded to reports involving 3.6 million children, or 47.7 per 1,000 children ages 0–17 in the United States. These responses included formal investigations, family assessments, and other alternative responses.
- An estimated 754,000 children were found to be victims—about 21% of all children who received an investigation or assessment in 2010.
- In 2010, the national rate of maltreatment victimization was 10.0 victims per 1,000 children ages 0–17.

Note: A child was counted as a recipient of a CPS response (investigation or alternative response) each time he or she was involved in a response. A child was counted as a victim each time he or she was found to be a victim of maltreatment.

Source: Authors' adaptation of the Children's Bureau's *Child Maltreatment 2010*.

CPS response times vary but average 3 days

CPS agencies receive referrals of varying degrees of urgency; therefore, the time from referral to investigation varies widely. State response time standards also vary. Some states set a single standard and others set different standards depending on the priority or urgency of the case. Many specify a high-priority response as within 24 hours; some specify 1 hour. Lower priority responses range from 24 hours to several days. In 2010, the average response time for states that reported this information was 3.3 days.

CPS investigated or provided an alternative response to nearly two-thirds of referrals

In 2010, CPS agencies screened in 61% of all referrals received. Thus, CPS agencies conducted investigations or alternative responses for nearly 2 million reports in 2010.

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

Most subjects of reports are found to be nonvictims

Of children who were the subject of at least one report of maltreatment, most were found to be nonvictims: 58.2% had dispositions of unsubstantiated, 9.1% had dispositions of no alleged maltreatment, and 8.5% had dispositions of alternative response nonvictims. One-fifth of children who were the subject of at least one report were found to be victims of maltreatment. The most common disposition for victims of maltreatment was substantiated (19.5%), followed by indicated (1%) and alternative response victim (less than 1%).

The average CPS investigator handled about 67 reports in 2010

In most sizable jurisdictions, different CPS personnel perform screening and investigation functions. In smaller agencies, one staff person may perform

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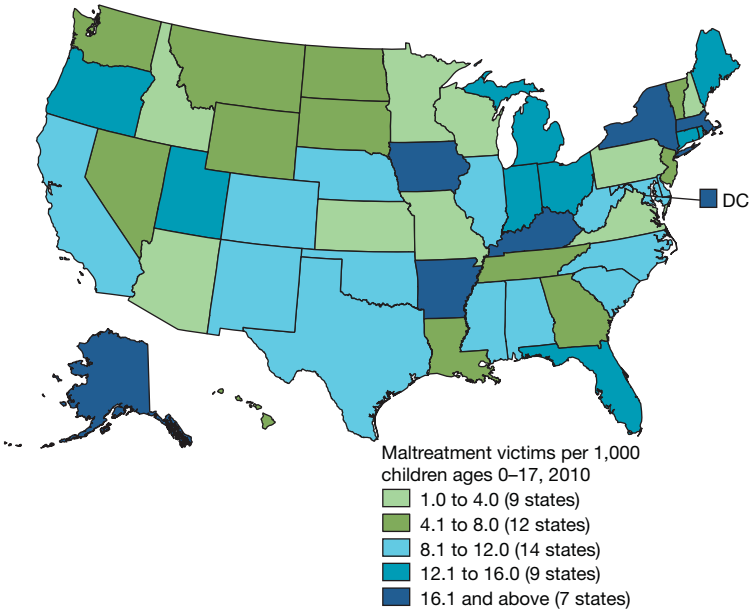
both functions. In 2010, the average yearly number of investigations or assessments per investigation worker was 67. Among states with specialized screening and investigation workers, the investigation workers outnumbered the screening workers nearly 5 to 1. Even in locations with specialized personnel, CPS staff typically perform numerous other activities, and some CPS workers may be responsible for more than one function.

Neglect was the most common type of maltreatment for victims in 2010

Many children were the victims of more than one type of maltreatment, but if categories of maltreatment are considered independently, 78% of victims experienced neglect (including medical neglect), 18% were physically abused, 9% were sexually abused, 8% were emotionally or psychologically maltreated, and 10% experienced other forms of maltreatment such as threats of harm, abandonment, and congenital drug addiction. Forty-two states and the District of Columbia reported that more than 50% of victims experienced neglect.

State child maltreatment victimization rates varied considerably in 2010



- State-level child maltreatment victimization rates ranged from a low of 1.3 per 1,000 children ages 0–17 to a high of 20.1.
- Over half of states had child maltreatment victimization rates lower than 10 per 1,000 children ages 0–17.

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

Source: Authors' adaptation of the Children's Bureau's *Child Maltreatment 2010*.

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Rates of child maltreatment victimization varied across demographic groups

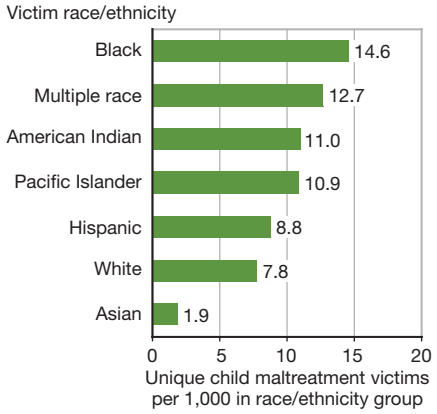
Girls' victimization rate was slightly higher than the rate for boys

Just over 51% of victims of child maltreatment in 2010 were female. The victimization rate for girls was 9.7 per 1,000 girls younger than age 18, and the rate for boys was 8.7 per 1,000 boys younger than age 18.

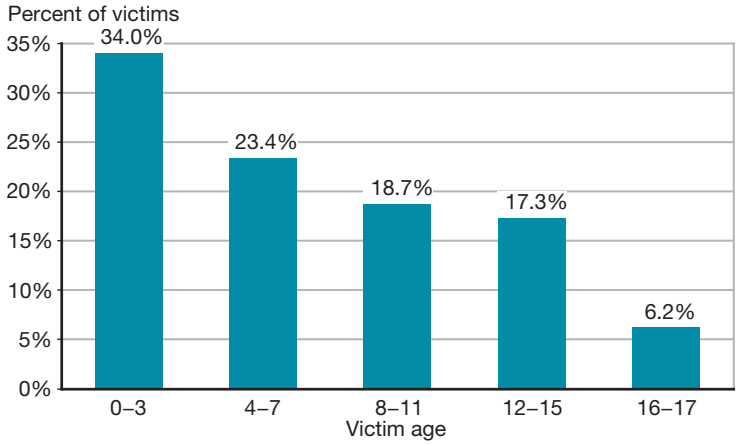
Most victims of child maltreatment are white

In 2010, most victims of child maltreatment were white (44.8%), followed by black (21.9%) and Hispanic (21.4%). Children of multiple races (3.5%), American Indian/Alaska Natives (1.1%), and Asian/Pacific Islanders (1.1%) accounted for a substantially smaller proportion of victims.

Black children had the highest child maltreatment victimization rate (14.6 per 1,000). The rate for black children was 1.9 times the rate for white children (7.8). Although in total they accounted for less than 5% of child maltreatment victims, children of multiple races, American Indian/Alaska Natives, and Pacific Islanders all had victimization rates greater than 10.



One third of victims of child maltreatment in 2010 were younger than age 4



- Children younger than age 1 accounted for 13% of victims, and 1-year-olds, 2-year-olds, and 3-year-olds each accounted for 7% of victims.
- The rate of maltreatment victimization is inversely related to age—the youngest children had the highest rate of maltreatment.
- Infants younger than age 1 were victimized at a rate of 20.6 per 1,000 children. The victimization rate steadily decreased by age: 11.9 for age 1, 11.4 for age 2, 11.0 for age 3, 9.7 for ages 4–7, 8.0 for ages 8–11, 7.3 for ages 12–15, and 5.0 for ages 16–17.

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

Source: Authors' adaptation of the Children's Bureau's *Child Maltreatment 2010*.

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

There were more than 510,000 known perpetrators in 2010

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

In 2010, the National Child Abuse and Neglect Data System (NCANDS) identified 510,824 unique perpetrators of child maltreatment. A perpetrator was counted once, regardless of the number of children the perpetrator was associated with maltreating or the number of records associated with a perpetrator.

Women are overrepresented among maltreatment perpetrators

Compared with their share of the population (51%), women are overrepresented among child caregivers. Within families, mothers usually are the primary caregivers, and women far outnumber men in caregiver occupations. Women account for more than 95% of childcare providers and 98% of preschool and kindergarten teachers. They also make up more than 89% of healthcare support occupations. In 2010, females made up more than half of maltreatment perpetrators (54%).

The vast majority of perpetrators were young adults. More than two-thirds (68%) of perpetrators were between the ages of 20 and 39.

Profile of maltreatment perpetrators, 2010:

Perpetrator age	Percentage of perpetrators
Total	100%
Younger than 20	6
20–29	36
30–39	32
40–49	16
50 and older	7
Unknown	2

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

Nearly half of perpetrators were white (49%), one-fifth were black, and one-fifth were Hispanic. This distribution is similar to the race profile of victims of child maltreatment.

Profile of maltreatment perpetrators, 2010:

Perpetrator race/ethnicity	Percentage of perpetrators
Total	100%
White	49
Black	20
Hispanic	19
Amer. Indian/Alaska Native	1
Asian/Pacific Islander	1
Multiple race	1
Unknown/missing	9

Biological parents are the most common perpetrators of abuse and neglect

The majority of perpetrators (81%) were parents. Of the parental perpetrators, most were biological parents (84%), 4% were stepparents, and less than 1% were adoptive parents.

Profile of maltreatment perpetrators, 2010:

Relationship to victim	Percentage of perpetrators
Total	100%
Parents	81
Other relative	6
Unmarried partner of parent	4
Professional*	1
Other**	4
Unknown	3

* Professional includes adults who care for children as part of their employment duties, such as child daycare providers, foster parents, and group home staff, as well as other professionals.

** Other includes scout leaders, sports coaches, clergy members, friends, neighbors, and legal guardians.

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

Most perpetrators were associated with only one type of maltreatment

More than half of perpetrators (62%) were associated with neglect only, including medical neglect. The second greatest proportion of perpetrators was reported to have caused only physical abuse (10%). Only 15% of perpetrators committed more than one type of maltreatment to a child in a specific record.

Profile of maltreatment perpetrators, 2010:

Type of maltreatment	Percentage of perpetrators
Total	100%
Neglect	61
Physical abuse	10
Sexual abuse	6
Psychological abuse	3
Medical neglect	1
Other	4
Two or more types	15

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

The youngest children are the most vulnerable child maltreatment victims

Although children younger than 1 year old were just 13% of all maltreatment victims in 2010, they accounted for 48% of maltreatment fatalities. Similarly, children younger than 4 were 34% of all victims but 79% of maltreatment fatalities.

Profile of maltreatment victims, 2010:

Victim age	Fatalities	All victims
Total	100%	100%
Younger than 1	48	13
1	14	7
2	12	7
3	6	7
4–7	11	23
8–11	4	19
12–17	6	24

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

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

Boys had the highest maltreatment fatality rate in 2010

Boys had a maltreatment fatality rate of 2.51 deaths per 100,000 boys of the same age in the population. For girls, the rate was 1.73 per 100,000. Although most victims of maltreatment fatalities were white (44%), black children and multiracial children had the highest fatality rates, 3.91 and 3.65 per 100,000, respectively. These rates are more than double the fatality rate for white children (1.68 per 100,000).

Mothers were the most common perpetrators in child maltreatment fatalities

Nearly 1 in 3 maltreatment fatalities resulted from neglect alone. Physical abuse accounted for 23% of fatalities, and 40% of fatalities resulted from multiple forms of maltreatment in combination.

Mothers were involved in 61% of maltreatment fatalities. Fathers were involved in 41% of maltreatment fatalities.

Profile of fatality perpetrators, 2010:

Relationship to victim	Percent
Total	100%
Mother alone	29
Mother and other than father	9
Mother and father	22
Father alone	17
Father and other than mother	2
Nonparent	13
Unknown	8

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

Most maltreatment fatality victims were previously unknown to the CPS agency

Most child maltreatment fatalities involved families without a recent history with CPS. Of all child maltreatment fatalities, 12% involved children whose families had received family preservation services from a CPS agency in the previous 5 years and 1% involved children who had been in foster care and reunited with their families in the previous 5 years.

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The number of children in foster care has decreased 29% since 1999

AFCARS data track trends in foster care and adoption

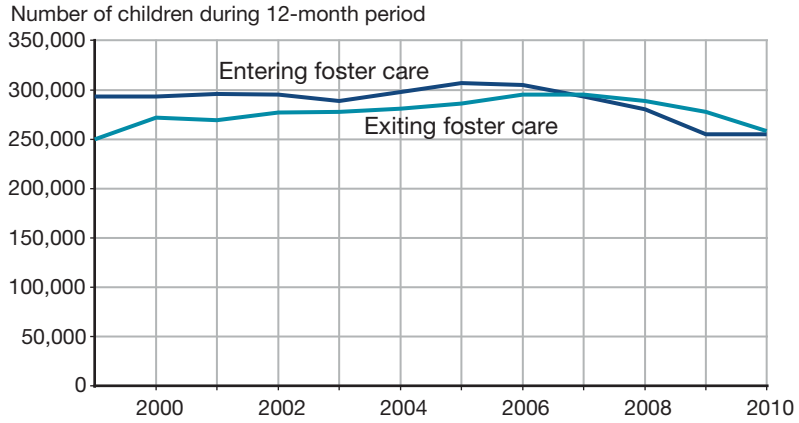
Foster care is defined in federal regulations as 24-hour substitute care for children outside their own homes. Foster care settings include, but are not limited to, family foster homes, relative foster homes (whether payments are being made or not), group homes, emergency shelters, residential facilities,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

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

Nearly half of all children entering foster care were younger than 6

Children younger than 1 were the single age that accounted for the greatest share of children entering foster care—16% in 2010. Children between the ages of 1 and 5 were 31% of foster care entries in 2010, making them the largest age group of children entering foster care (of 5-year age groupings for children ages 1–20). Prior to 2005, the 11–15 age group made up the greatest share of youth entering foster care. The median age of children who entered foster care in 2010 was 6.7 years and the average age was 7.7 years. Logically, the average age of the standing foster care population is greater than the average age of children entering foster care. The median age of children in foster care in 2010 was 9.2 years and the average age was 9.4 years.

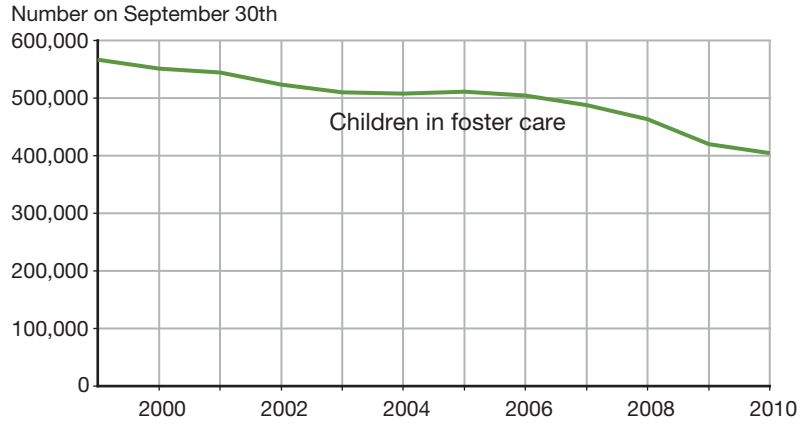
Both foster care entries and exits have decreased in recent years



- In 2010, the number of children who exited foster care was almost exactly same as the number of children entering care.
- The number of children entering foster care has decreased 17% since its peak in 2005 of 307,000. The number of youth exiting foster care has also decreased and is down 13% since its peak in 2007 of 295,000.

Source: Authors' adaptation of the Children's Bureau's (U.S. Dept. of Health and Human Services) *The AFCARS Report: Final Estimates for FY 1998 through FY 2002* and *Trends in Foster Care and Adoption (FFY 2002–FFY 2012)*.

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



- An estimated 405,000 children were in foster care on September 30, 2010, a 29% decrease from the 1999 peak of 567,000 and a 20% decrease in the past 5 years.
- Along with the drop in the number of children in foster care, child welfare agencies reported the number of children served during the year has also decreased.

Source: Authors' adaptation of the Children's Bureau's (U.S. Dept. of Health and Human Services) *The AFCARS Report: Final Estimates for FY 1998 through FY 2002* and *Trends in Foster Care and Adoption (FFY 2002–FFY 2012)*.

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Age profile of children entering foster care:

Age	2000	2005	2010
Total	100%	100%	100%
Younger than 1	13	15	16
1–5	24	28	31
6–10	20	18	18
11–15	30	27	23
16–20	11	11	12

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

Minority youth are over-represented in foster care

In 2010, racial and ethnic minorities accounted for 44% of the U.S. population ages 0–20. In comparison, 58% of children in foster care in 2010 were minority youth. While the proportion of racial and ethnic minorities in the general U.S. population has grown over the past decade, the proportion of minority youth in foster care has remained relatively stable.

Race/ethnicity profile of children, 2010:

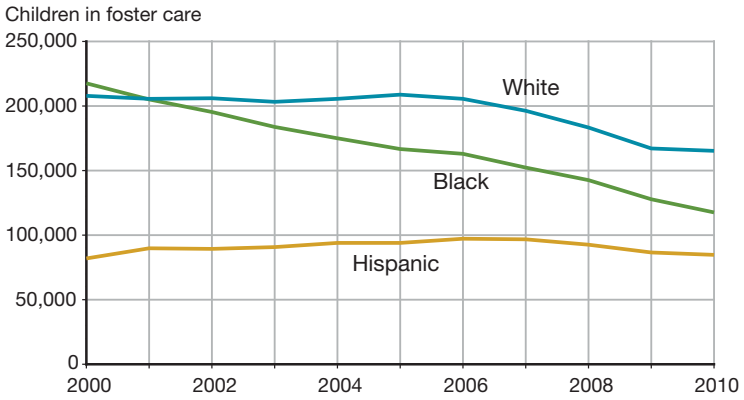
Race/ethnicity	Foster care	U.S. population
Total	100%	100%
White	41	56
Minority	58	44
Black	29	15
Hispanic	21	23
American Indian	2	1
Asian/Pacific Islander	1	5

Notes: Youth of Hispanic ethnicity can be of any race. Minority figures include children of two or more races that are not detailed. Detail may not total 100% because of rounding.

Half of children in foster care on September 30, 2010, entered before July 2009

On September 30, 2010, half of children in foster care had been in care for at least 14 months. This is down from the median time in both 2005 (15.5 months) and 2000 (19.8 months).

The number of black non-Hispanic youth in foster care decreased 46% from 2000 to 2010



- On September 30, 2000, 217,615 black youth were in foster care. This number decreased to 117,610 in 2010. While the total number of youth overall in foster care dropped 27% from 2000 to 2010, black youth made up two-thirds of this decrease.

Source: Authors' adaptation of the Children's Bureau's (U.S. Dept. of Health and Human Services) *The AFCARS Report: Final Estimates for FY 1998 through FY 2002* and *The AFCARS Report: Preliminary Estimates* for the years 2003–2010.

Profile of children in foster care:

Length of stay in foster care	2000	2005	2010
Total	100%	100%	100%
Less than 1 mo.	4	5	5
1–5 months	16	20	21
6–11 months	15	17	19
12–17 months	12	12	13
18–23 months	9	9	9
24–35 months	13	12	12
3–4 years	15	11	11
5 years or more	17	14	11

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

Reunification was the permanency goal for most foster care children

In 2010, over half of children in foster care (51%) had a permanency goal of reunification with their parents and one quarter had a goal of adoption. The proportion of children without a permanency goal changed substantially from 2000 to 2010. In 2000, 17% of children in foster care did not yet have permanency goals; by 2010, the figure had dropped to 5%.

Profile of children in foster care:

Permanency goal	2000	2005	2010
Total	100%	100%	100%
Reunification with parent(s)	41	51	51
Adoption	21	20	25
Guardianship	3	3	4
Live with other relative(s)	4	4	4
Long-term foster care	8	7	6
Emancipation	6	6	6
Goal not yet established	17	8	5

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

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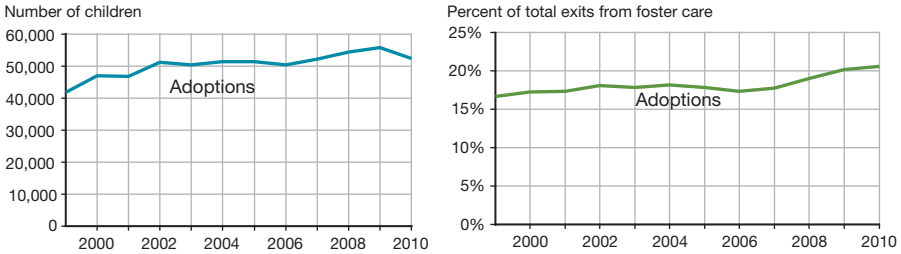
The most common outcome for children exiting foster care was reunification with their parents

Although the most common outcome, the proportion of foster care exits resulting in reunification has decreased since 1999

More than half of children who exit foster care are reunified with their parents or primary caretakers; however, the frequency of this outcome has decreased in the past decade. In 1999, an estimated 58% of children exiting foster care were reunified with their parents or primary caretakers; by 2010, this figure dropped to 51%. The second most common outcome for youth exiting foster care in 2010 was adoption (21%). Other outcomes for children include living with other relatives, emancipation, guardianship, transfer to another agency, and running away, all of which accounted for less than a third of exits.

In 2010, a total of 52,340 children were adopted from foster care—a 26% increase from the number in 1999



- The proportion of children exiting foster care to adoption has steadily increased, from 17% in 1999 to 21% in 2010, despite a decrease in the number of total exits from foster care.
- Adoption requires the termination of parental rights. On September 30, 2010, an estimated 64,084 children in foster care had their parental rights terminated.

Source: Authors' adaptation of the Children's Bureau's (U.S. Dept. of Health and Human Services) *The AFCARS Report: Final Estimates for FY 1998 through FY 2002*; *Trends in Foster Care and Adoption (FFY 2002–FFY 2012)*; and *The AFCARS Report: Preliminary Estimates* for the years 2003–2010.

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

Most children adopted from foster care (53%) in 2010 were adopted by foster parents. About one-third (32%) were adopted by relatives, and the remaining 15% were adopted by nonrelatives. The proportion of children adopted by relatives in 2010 (32%) was greater than in 2005 (25%) and 2000 (21%).

The family structure of adoptive families has remained almost unchanged since AFCARS data collection began in 1998. Married couples adopt the majority of children adopted from foster care (67%), followed by single females (28%). The remaining 5% of children were adopted by unmarried couples and single males.

For the past decade, over half of children adopted from foster care were minority youth

The proportion of minority youth in foster care on September 30, 2010 (58%), was similar to the proportion of minority youth adopted in 2010 (55%). The median age of children adopted out of foster care has decreased over the past decade from 6.3 in 2000, to 5.6 in 2005, and 5.2 in 2010.

Profile of adopted children:

Characteristic	2000	2005	2010
Gender	100%	100%	100%
Male	50	51	51
Female	50	49	49
Race	100%	100%	100%
White	38	43	43
Black	38	30	24
Hispanic	15	18	21
Age	100%	100%	100%
Less than 1	2	2	2
1–5	45	51	54
6–10	36	28	27
11–15	16	16	14
16–20	2	3	3

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

Reunification was the most common outcome for children exiting foster care

Of the children exiting foster care in 2010, 128,913 were reunited with their parents and 52,340 were adopted. Compared with prior years, a smaller proportion of children were reunited with their parents upon exit from foster care and a greater share were adopted.

Profile of children exiting foster care:

Outcome	2000	2005	2010
Total	100%	100%	100%
Reunification with parent(s)	57	54	51
Adoption	17	18	21
Live with other relative(s)	10	11	8
Emancipation	7	9	11
Guardianship	3	4	6
Transfer to other agency	3	2	2
Runaway	2	2	1

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

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Youth in both the child welfare and juvenile justice systems were found to have worse outcomes than other youth

Youth involved in both child protection and juvenile justice systems present challenges

Practitioners and policymakers are recognizing the overlap of child welfare and juvenile justice systems. For example, maltreated children, first in the child welfare system, break the law and enter the juvenile justice system. On the other hand, offenders in the juvenile justice system are found to be maltreated at home. Some families have histories with both systems over several generations. Agencies face duplication of services when program dollars are increasingly scarce. Recognizing and better responding to these youth can improve public safety.

A growing body of research shows that youth involved in both the child welfare and juvenile justice systems present an extraordinary range of challenges compared with youth who are only involved in one system. These challenges generally include earlier onset of delinquent behavior, poor permanency outcomes, substantially higher out-of-home placement rates, more detention stays and frequent placement changes, and overall higher offending rates.

Youth who move between the child welfare and juvenile justice systems, often are involved in both concurrently and are disproportionately girls and minorities.

For example, findings from a study in Seattle, Washington, included the following.

- Two-thirds of youth referred for an offense during the year had experienced some form of child welfare involvement.
- The likelihood of at least some history of child welfare involvement is greater for youth with prior offender referrals.
- 6 in 10 youth referred as first-time offenders had at least some history of child welfare involvement.
- 9 in 10 youth previously referred for an offense had at least some history of child welfare involvement.
- First-time offenders with records of multisystem involvement have much higher recidivism rates than youth without child welfare involvement.
- Youth with an extensive history of child welfare involvement were referred for an offense three times as often as youth with no child welfare involvement.
- Youth with no child welfare history were less likely to be referred for a new offense within 2 years (34%) than youth with extensive child welfare involvement (70%).
- Greater proportions of females and minority youth were found among youth with more extensive histories of child welfare involvement.

System integration can improve outcomes for youth

The Center for Juvenile Justice Reform recently reported data from its Crossover Youth Practice Model (CYPM) showing improved outcomes for dually involved youth subject to CYPM practices. The CYPM involves jurisdictions implementing specific multisystem practices to reduce the "crossover" of youth from one system to the other. The study compared similar non-CYPM youth to youth subject to CYPM practices and found:

- CYPM youth were more likely to show improvements in mental health.
- The percentage of CYPM youth experiencing academic or behavioral problems decreased over time.
- Contact with family and parents and involvement in extracurricular activities increased for CYPM youth.
- CYPM youth were more likely to be dismissed or receive diversion and less likely to receive probation supervision or placement in corrections.

Youth may have various involvement in the two systems

Various terms are used to describe youth who come into contact with both the child welfare and juvenile justice systems, including multisystem youth, crossover youth, dual-jurisdiction youth, and dual-status youth. The Robert F. Kennedy Children's Action Corps recommends the following definitions.

Dual-status youth: The overarching term to describe youth who come into contact with both the child welfare and juvenile justice systems and occupy various statuses in terms of their relationship to the two systems defined below.

Dually identified youth: Youth who are currently involved with the juvenile justice system and have a history in the child welfare system but no current involvement.

Dually involved youth: Youth who have concurrent involvement (diversionary, formal, or both) with both the child welfare and juvenile justice systems.

Dually adjudicated youth: Youth who are concurrently adjudicated in both the child welfare and juvenile justice systems (i.e., both dependent and delinquent).

Source: Author's adaptation of Wiig and Tuell's *Guidebook for Juvenile Justice & Child Welfare System Coordination and Integration: A Framework for Improved Outcomes, 3rd Edition*.

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More than half of youth in the United States have been exposed to violence in the past year

The NatSCEV documents the incidence and prevalence of children's exposure to violence

The National Survey of Children's Exposure to Violence (NatSCEV) is a nationally representative sample of more than 4,500 youth ages 17 and younger designed to capture the incidence and prevalence of children's exposure (direct and indirect) to violence. Youth ages 10–17 and caregivers of youth younger than 9 were interviewed in 2008 to document exposure to violence during the past year and over their lifetime. The NatSCEV delineates several categories of violence: conventional crime (e.g., kidnapping, robbery, and theft), child maltreatment, peer and sibling victimization, sexual victimization, witnessing and indirect victimization, school violence and threats, and Internet violence and victimization.

Reported exposure to violence varied by type of violence

Overall, 61% of youth surveyed had been either victims of or witnesses to violence in the past year. The percentage of youth reporting exposure varied by type of violence. Nearly half (46%) of youth surveyed reported being victims of an assault in the past year. One in four youth were victims of robbery, vandalism, or theft. Approximately 10%

Boys were more likely to be the victim of assaults; girls were more likely to experience sexual victimization

	Percentage exposed to violence in the past year							
	Youth ages 0–17			Age of youth				
Type of violence	All	Male	Female	0–1	2–5	6–9	10–13	14–17
Assaults and bullying								
Any physical assault	46.3%	50.2%	42.1%	17.9%	46.0%	55.6%	49.8%	46.9%
Assault with injury	10.2	12.7	7.7	0.8	5.6	7.5	13.4	18.8
Assault, no weapon or injury	36.7	38.9	34.4	17.4	38.6	47.5	37.3	32.4
Bullying	13.2	16.7	12.8	NA	19.1	21.5	10.7	8.0
Teasing or emotional bullying	19.7	20.6	23.5	NA	13.5	30.4	27.8	15.8
Property victimization								
Any property victimization	24.6	28.1	27.0	NA	27.8	30.1	24.8	27.6
Robbery (nonsibling)	4.8	6.4	4.2	NA	7.6	5.1	5.1	3.7
Vandalism (nonsibling)	6.0	7.2	6.2	NA	5.2	6.3	6.7	8.6
Theft (nonsibling)	6.9	7.8	7.8	NA	2.3	5.2	10.4	13.0
Sexual victimization								
Any sexual victimization	6.1	4.8	7.4	NA	0.9	2.0	7.7	16.3
Sexual assault	1.8	1.3	2.3	0.0	0.4	0.8	1.4	5.3
Sexual harassment	2.6	1.4	4.4	NA	0.0	0.2	5.6	5.6
Maltreatment								
Any maltreatment	10.2	9.7	10.6	2.2	8.1	7.8	12.0	16.6
Physical abuse	4.4	4.3	4.4	0.6	3.5	2.7	5.2	7.9
Psychological/emotional	6.4	5.5	8.8	NA	4.5	4.5	7.3	12.1
Witness to violence								
Witness any violence (excludes indirect)	25.3	26.1	24.6	10.5	13.8	13.7	33.0	47.6
Witness family assault	9.8	9.0	10.7	7.6	9.6	6.4	11.0	10.1
Witness assault in community	19.2	20.4	17.9	NA	5.8	8.5	27.0	42.2
Exposure to shooting	5.3	5.4	5.1	1.9	2.2	3.1	7.2	10.2

- Maltreatment victimization increased with age: youth ages 14–17 were twice as likely to report maltreatment as were youth ages 2–5.

NA: Violence type not applicable to age group.

Source: Authors' adaptation of Finkelhor et al.'s Violence, Abuse, and Crime Exposure in a National Sample of Children and Youth, *Pediatrics*.

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of youth witnessed an assault within their family and nearly one-fifth (19%) witnessed assault in their community.

More than one-fifth of youth report being bullied at some point in their lifetime

The NatSCEV separates bullying into three subcategories: physical bullying, emotional bullying, and Internet harassment. For all ages, 13% of youth reported being physically bullied in the past year, and 22% reported physical bullying in their lifetime. Both physical and emotional bullying were most likely among youth ages 6–9, while Internet harassment was more common in older youth ages 14–17. Boys reported higher rates of physical bullying, and girls were more likely to report Internet harassment.

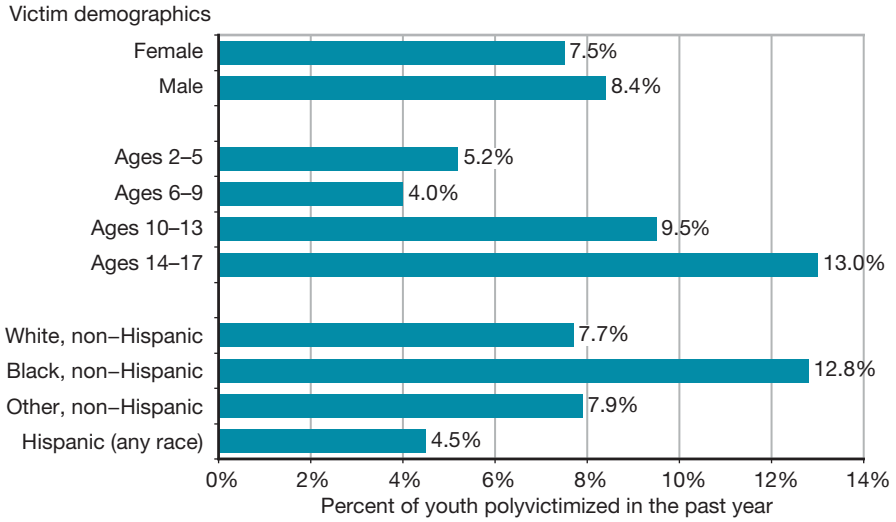
One in 10 youth reported being sexually victimized in their lifetime

Overall, 6% of youth surveyed had been sexually victimized in the past year. Reports of this type of victimization increased with age and were more common among youth ages 14–17 (16%) than any other age group in the past year. Girls were more likely than boys to report sexual victimization—nearly 1 in 8 girls (12%) reported sexual victimization in their lifetime.

The NatSCEV also collected information on maltreatment by an adult caregiver, such as physical, psychological, or emotional abuse, neglect, custodial interference, or family abduction. Eighteen percent (18%) of youth reported experiencing some kind of maltreatment in their lifetime. Maltreatment was highest among youth ages 14–17, as nearly one-third (32%) of these youth reported some form of maltreatment in their lifetime. Girls were more likely to report psychological or emotional abuse than were boys.

The NatSCEV also surveyed youth about indirect victimization or exposure to violent acts upon others. Indirect victimization includes events such as an assault on a friend or family member, theft or burglary, exposure to shootings, or exposure to war or ethnic conflict. One quarter (25%) of youth surveyed said they had witnessed violence during the past year, and as much as 38% had witnessed violence against another person in their lifetime. Boys were more likely to witness violence in the community; however, there was no gender difference for witnessing family violence.

Polyvictimization is the exposure to multiple victimizations from various types of violence or abuse



- Past-year polyvictimization rates were highest among youth ages 14–17 (13.0%) and non-Hispanic black youth (12.8%).
- Within the previous year, 38% of youth were directly polyvictimized—these youth experienced 7 or more types of victimization. The lifetime incidence of direct polyvictimization was 64%.
- Boys accounted for more than half (54%) of all child polyvictims, and two-fifths (41%) were youth ages 14–17.

Source: Authors' adaptation of Finkelhor et al.'s Polyvictimization: Children's Exposure to Multiple Types of Violence, Crime, and Abuse, *OJJDP Bulletin*.

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The serious violent victimization rate of youth ages 12–17 in 2010 was less than one-quarter the rate in 1994

NCVS tracks crime levels

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

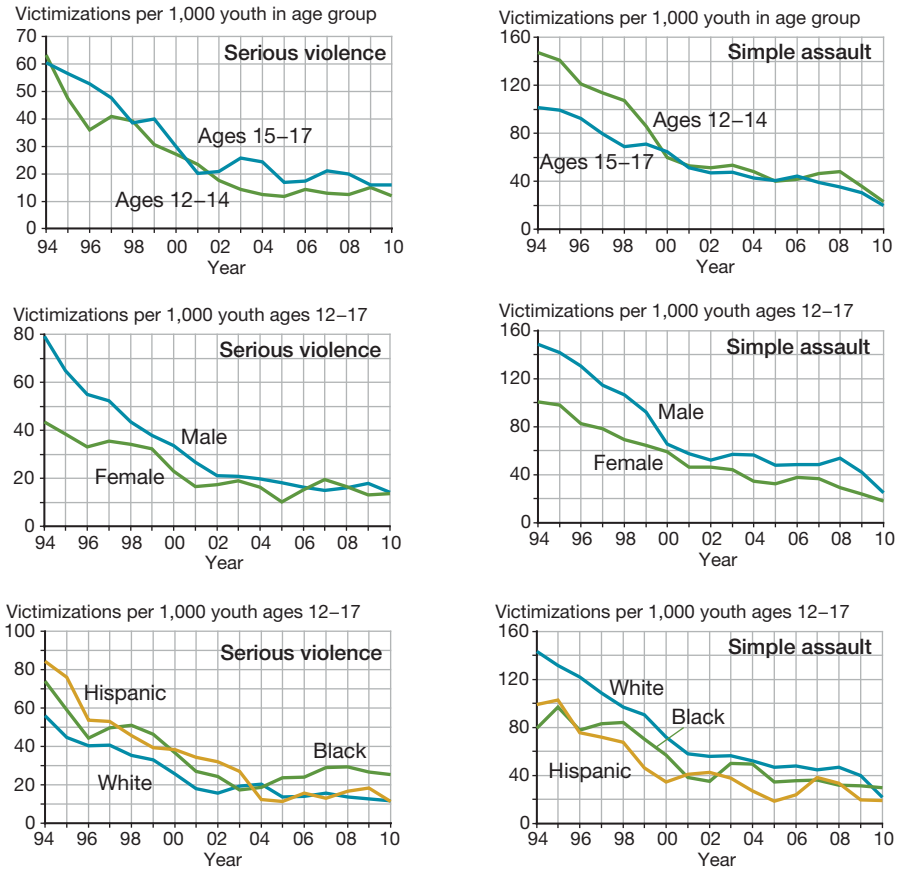
Juveniles are more likely than adults to be victims of violence

NCVS monitors nonfatal violent victimizations (i.e., the crimes of rape, sexual assault, robbery, aggravated assault, and simple assault). A 2012 BJS report summarized NCVS data for the years 1994–2010 to document trends in nonfatal violent victimizations of youth ages 12–17. The report found that youth experienced relatively high levels of violent crimes during the mid-1990s but their rate of victimization had declined substantially through 2010.

On average from 1994 through 2010, youth ages 12–17 were about 2.2 times more likely than adults (i.e., ages 18 and older) to be victims of a serious* violent crime. That means, in 2010, in a typical group of 1,000 youth ages 12–17, 14 experienced serious violent victimizations, compared with about 7 persons ages 18 and older. Similarly, on average, youth were 2.6 times more likely than adults to be victims of a simple assault.

In 1994, youth ages 12–17 experienced comparable rates of serious violence committed by strangers and

Between 1994 and 2010, victimization rates for serious violence and simple assault declined for all youth



- Most of the decline in both serious violence and simple assault victimization rates took place between 1994 and 2002. During this period, the rate of serious violence against youth ages 12–17 fell 69% and simple assault fell 61%, compared with 27% and 56%, respectively, between 2002 and 2010.
- The relative decline in simple assault victimization rates between 1994 and 2010 was the about the same for male (83%) and female (82%) youth, while the decline in the serious violence rate for males (82%) outpaced that of females (69%).
- Among race/ethnicity groups, black non-Hispanic youth had the highest rates of serious violence and simple assault in 2010. Black non-Hispanic youth were more than twice as likely to be victims of serious violence in 2010 as were white non-Hispanic or Hispanic youth and at least 30% more likely to be victims of simple assault.

Source: Authors' adaptation of White and Lauritsen's *Violent Crime Against Youth, 1994–2010*.

* Serious violence refers to rape, sexual assault, robbery, and aggravated assault.

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nonstrangers (28.2 vs. 32.4 per 1,000). Between 1994 and 2010, the rate of serious violent crimes committed by strangers declined 84% while the rate for nonstrangers declined 73% so that, by 2010, the rate of serious violence committed by nonstrangers was twice the rate committed by strangers (8.9 vs. 4.5). In 2010, the rate of simple assault committed by nonstrangers was 1.5 times the rate committed by strangers, compared with 2.4 in 1994.

Male and female youth were equally likely to be victims of serious violence in 2010

In 1994, male juveniles were nearly twice as likely to be victims of serious violence as were females (79.4 per 1,000 vs. 43.6 per 1,000, respectively). However, following the relatively larger decline in the serious violence victimization rate among male juveniles (down 82%, compared with 69% for females), the difference in victimization rates for male and female youth was nearly erased by 2010 (14.3 vs. 13.7, respectively). In contrast, 2010 victimization rates for simple assault showed greater gender disparity, as male youth were 36% more likely to be victimized than females (24.8 vs. 18.2).

The rates of serious violence against male and female youth committed by a nonintimate partner were higher than the rates committed by an intimate partner, and female youth were more likely to be victimized by an intimate partner than were males. The same pattern held true for victims of simple assault.

Between 1994 and 2010, rates of serious violence against youth that involved a weapon (e.g., firearm, knife, or club) decreased by 80% (from 40.7 per 1,000 to 8.1). During the same time period, violent crime resulting in serious injuries (broken bones, concussions, or gunshot or stab wounds) declined 63% (from 3.6 to 1.3).

Serious violence committed against youth declined for all locations

In 2010, youth living in urban areas were at greater risk (19.1 per 1,000 youth) of serious violence than youth in suburban (11.7) or rural (12.6) areas. Between 1994 and 2010, the rate of serious violence against juveniles declined 81% in suburban areas, 76% in urban areas, and 72% in rural areas. Youth living in urban areas were also at greater risk (25.2) of simple assault than youth in suburban (22.0) or rural (14.0) areas. The rate of simple assaults decreased at least 80% for each area between 1994 and 2010.

The rate of serious violence at school declined by nearly two-thirds (63%) between 1994 and 2010 and the rate committed in nonschool locations (e.g., parks, playgrounds, or a residence) declined 83%. By 2010, the rate of serious violence at school (6.6) was comparable to the rate at nonschool locations (7.4). Simple assault rates decreased at a similar pace for both school and nonschool locations during the period (81% for school and 85% for nonschool).

In 2010, youth ages 12–17 were at greatest risk of both serious violence and simple assault during the after-school hours of 3 p.m. to 6 p.m. During this time period, youth were 11 times more likely to be victims of either a serious violent act or a simple assault than the period from 9 p.m. to 6 a.m.

Declines in serious violence were similar for white, black, and Hispanic youth

Over the 1994–2010 period, the rate of serious violence declined for all race/ethnicity groups, but the decline was greater for Hispanic youth (87%) than for white non-Hispanic (79%) and black non-Hispanic (66%) youth.

However, in 2010, the rate of serious violence against black youth (25.4) was twice the rate of white (11.7) and Hispanic (11.3) youth. In comparison, black youth in 1994 were 30% more likely to experience serious violence than their white counterparts but 12% less likely than Hispanic youth. The increasing disparity in rates of serious violence against black youth and youth of other racial or ethnic groups is primarily associated with patterns of change that occurred from 2002 to 2010. Specifically, rates of serious violence against white youth and Hispanic youth generally declined throughout the 1994–2010 period, but the rate for black youth declined through 2002 and then increased through 2010. The 2010 simple assault rates for black non-Hispanic youth (29.9) also were higher than those for white non-Hispanic (21.5) and Hispanic (19.0) youth.

Declines in serious violence were similar for juveniles and adults

From 1994 to 2010, rates of serious violence against youth declined across all crime types, a pattern that was replicated among adult victims. During this period, rates of serious violence against youth and adults experienced similar declines (77% and 73%, respectively). Similarly, rates of simple assault victimization decreased (83% for juveniles and 71% for adults).

Serious violent victimization rate (per 1,000 in age group):

	Juveniles		Adults	
Offense	1994	2010	1994	2010
Serious violence	62.0	14.0	24.1	6.5
Rape/sexual assault	7.0	2.2	3.3	1.0
Robbery	20.1	4.7	6.7	2.1
Aggravated assault	34.8	7.1	14.1	3.3
Simple assault	125.2	21.6	43.3	12.8

Between 1994 and 2010, youth victimization rates for rape/sexual assault declined 68%, robbery declined 77%, and aggravated assault declined 80%.

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In 2010, students were safer in school and on their way to and from school than they were in 1992

Crimes against juveniles fell substantially between 1992 and 2010 both in and out of school

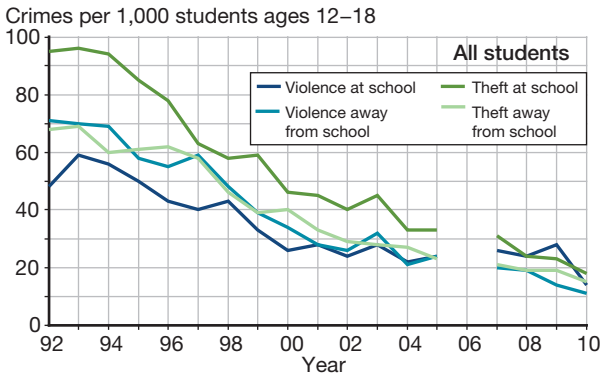
For more than 2 decades, a joint effort by the National Center for Education Statistics and the Bureau of Justice Statistics has monitored the amount of nonfatal crime that students, ages 12–18, experience when they are in (or on their way to and from) school and when they are away from school. Findings indicate that, between 1992 and 2010, the rates of violent crime and theft each declined substantially both in and away from school.

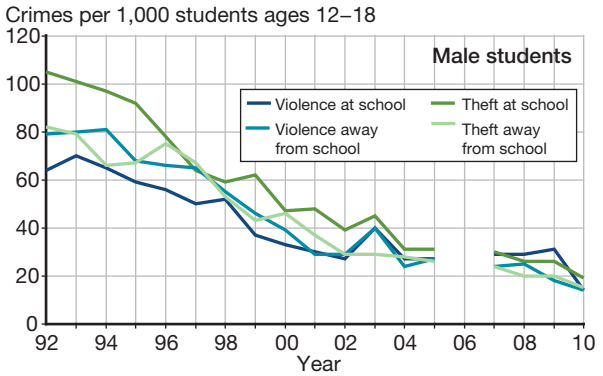
In 2010, more nonfatal victimizations (theft and violent crime) were committed against students ages 12–18 at school than away from school. Students at school experienced about 828,400 nonfatal victimizations, compared with about 652,500 away from school. These figures represent total crime victimization rates of 32 crimes per 1,000 students at school and 26 victimizations per 1,000 students away from school.

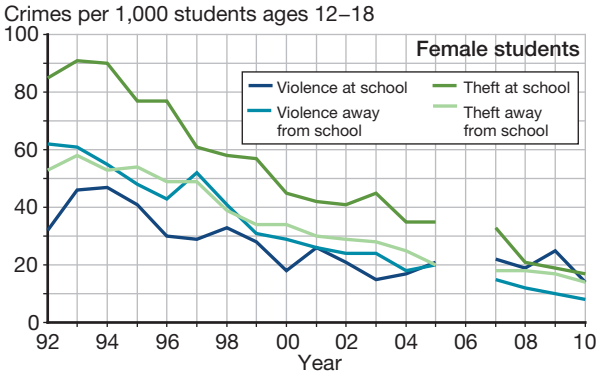
From 1992 to 2010, the rate of violent crimes against students ages 12–18 occurring away from school fell about 85% (from 71 victimizations per 1,000 to 11), while the violent crime rate in school fell about 70% (from 48 to 14). In 2010, these youth experienced roughly equal numbers of theft crimes in and out of school. From 1992 to 2010, the rate of theft against students ages 12–18 fell about 80% both in and out of school. For most of these years, the rate of theft at school was higher than the rate of theft away from school, but there were no measurable differences between these rates in either 2009 or 2010.

In 2010, students residing in urban and suburban areas had higher rates of violent victimization at school (18 and 14 per 1,000, respectively) than those residing in rural areas (7).

Both male and female students ages 12–18 experienced far fewer crimes of violence and theft in their schools in 2010 than in 1992







- Male and female students also experienced large declines in victimization outside of school between 1992 and 2010.
- In 2010, the violent crime and theft rates did not differ significantly for males and females either at or away from school.

Note: Due to changes in methodology, 2006 national crime victimization rates are not comparable to other years and cannot be used for trend comparisons. **Serious violent crimes** include sexual assault, robbery, and aggravated assault. **Violent crimes** include serious violent crimes plus simple assault.

Source: Authors' adaptation of National Center for Education Statistics' *Indicators of School Crime and Safety: 2011*.

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In 2011, about 1 in 5 students reported having been bullied at school and 1 in 6 reported having been cyberbullied

Nationwide, 20% of high school students said they were bullied at school in 2011

The 2011 Youth Risk Behavior Survey (YRBS) found that 20% of high school students said they were bullied at school one or more times during the 12 months before the survey. The YRBS defines bullying as "when one or more students tease, threaten, spread rumors about, hit, shove, or hurt another student over and over again." Regardless of grade level or race/ethnicity, females were more likely than males to be victims of bullying. Overall, a higher proportion of white students than black or Hispanic students were bullied at school. Bullying at school decreased as grade level increased.

Percent of students who report being bullied on school property in the past year:

Demographic	Total	Male	Female
Total	20.1%	18.2%	22.0%
9th grade	24.2	21.5	27.1
10th grade	22.4	20.4	24.6
11th grade	17.1	16.7	17.5
12th grade	15.2	13.4	17.2
White	22.9	20.7	25.2
Black	11.7	11.1	12.2
Hispanic	17.6	16.0	19.3

The prevalence of having been bullied at school ranged from 14% to 27% across state surveys (median: 20%) and from 10% to 20% across large urban school district surveys (median: 14%). The proportion of students who were bullied at school did not change from 2009 to 2011 .

Hallways and stairwells are the most common locations of bullying at school

The School Crime Supplement (SCS) to the National Crime Victimization Survey (NCVS) collects data from students 12–18 years old and their reports of being bullied at school. "At school" includes the school building, on school property, the school bus, or going to and from school. "Bullying" includes being made fun of; being the subject of rumors; being threatened with harm; being pressured into doing things they did not want to do; excluded from activities on purpose; having property destroyed on purpose; and being pushed, shoved, tripped, or spit on along with injury as a result of the incident.

According to the National Center for Education Statistics' analysis of the SCS data, about 28% of students ages 12–18 reported being bullied at school during the 2009 school year. A higher percentage of females (20%) than males (13%) reported being the subject of rumors. However, a lower percentage of females (8%) than males (10%) reported being pushed, shoved, tripped, or spit on. Nearly 22% of all students who had been pushed, shoved, tripped, or spit on at school during the school year reported being injured.

Percent of students ages 12–18 bullied at school in 2009:

Bullying problem	Total	Male	Female
Total	28.0%	26.6%	29.5%
Made fun of	18.8	18.4	19.2
Rumors	16.5	12.8	20.3
Threatened	5.7	5.6	5.8
Pressured	3.6	4.0	3.2
Excluded	4.7	3.8	5.7
Property destroyed	3.3	3.4	3.2
Pushed	9.0	10.1	7.9

Bullying at school decreased for each bullying problem as grade level increased. A higher percentage of public school students (29%) than private school students (19%) reported being bullied at school.

Students who were bullied in 2009 also reported the location in which they had been victimized. A higher percentage of females (52%) than males (44%) reported being bullied in the hallway or stairwell, while a lower percentage of females (21%) than males (27%) reported being bullied outside on school grounds.

Percent of students ages 12–18 bullied at school in 2009:

Bullying location	Total	Male	Female
Total	28.0%	26.6%	29.5%
In classroom	34.4	33.6	35.1
Hallway/ stairwell	48.2	44.3	51.9
Bathroom/ locker room	9.2	10.3	8.2
Cafeteria	6.5	5.3	7.7
Other school area	3.3	2.8	3.8
School grounds	24.2	27.1	21.4
School bus	6.5	7.1	5.9

Students from rural schools reported higher rates of being bullied in the hallway or stairwell (56%) than did students from urban schools (47%) and suburban schools (46%). In contrast, a higher percentage of students from urban schools (30%) than students from suburban schools (23%) and rural schools (18%) reported being bullied outside on school grounds.

Youth who are cyberbullied are often bullied in person as well

The U.S. Department of Health and Human Services (HHS) defines cyberbullying as bullying that takes place using electronic devices and equipment such as cell phones, computers, and tablets along with communication tools which include social media sites, text messaging, chatrooms, and websites. Often, victims do not know the identity of the bully or why they are being targeted.

Examples of cyberbullying include mean or threatening text messages or emails, rumors sent by email or posted on social networking sites, and

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embarrassing pictures, videos, and fake profiles uploaded for the online audience to view, rate, tag, and discuss. Technology enables bullies to expand their reach and the extent of their harm. A large number of people can be involved in a cyber-attack on a victim, and the audience includes all who have access to cyberspace environments.

In 2011, 1 in 5 females were cyberbully victims—1 in 9 males were victims

In 2011, the YRBS found that, nationwide, 16% of students reported being cyberbullied during the past year through email, chat rooms, instant messaging, websites, or texting. Regardless of grade level or race/ethnicity, females were more likely than males to be victims of cyberbullying. Overall, the prevalence of cyberbullying was higher among sophomores than among students at all other grade levels.

Percent of students who were cyberbullied in the past year:

Demographic	Total	Male	Female
Total	16.2%	10.8%	22.1%
9th grade	15.5	8.9	22.6
10th grade	18.1	12.6	24.2
11th grade	16.0	12.4	19.8
12th grade	15.0	8.8	21.5
White	18.6	11.8	25.9
Black	8.9	6.9	11.0
Hispanic	13.6	9.5	18.0

The prevalence of having been cyberbullied ranged from 12% to 22% across state surveys (median: 16%) and from 8% to 16% across large urban school district surveys (median: 11%).

In 2009, 6% of students responding to the SCS reported being cyberbullied anywhere during the school year. Females reported being cyberbullied at a higher percentage than males overall and by type of cyberbullying problem.

Percent of students cyberbullied anywhere in 2009:

Cyberbullying problem	Total	Male	Female
Total	6.0%	4.9%	7.2%
Hurtful information on Internet	2.0	1.1	2.9
Subject of harassing instant messages	1.8	1.1	2.5
Subject of harassing text messages	3.0	2.0	4.0

In 2009, about 9% of students were targets of hate-related words—29% saw hate-related graffiti at school

The 2009 SCS collected data on students' reports of being targets of hate-related words and seeing hate-related graffiti at school. Higher percentages of black and Hispanic students (11% each) reported being targets of hate-related words than white students (7%). Higher percentages of Hispanic students (32%) than white students (28%) reported seeing hate-related graffiti. A lower percentage of white students (2%) reported being called a hate-related word regarding their race, compared with 8% each of black and Hispanic students. Also, 1% of white students reported being called a hate-related word regarding their ethnicity, compared with 4% of black and 7% of Hispanic students.

In 2009, 23% of public schools reported daily or weekly bullying among their students

The School Survey on Crime and Safety collects data from public school principals about the occurrence of certain disciplinary problems at their schools. In the 2009–2010 school year, 23% of public schools reported that student bullying occurred on a daily or weekly basis.

Percent of schools reporting discipline problems occurring by students:

Discipline problem	Percent
Problems occurred daily or at least once a week:	
Ethnic tension	2.8%
Bullying	23.1
Cyberbullying	8.0
Sexual harassment	3.2
Verbal abuse of teachers	4.8
Classroom disorder	2.5
Other disrespect of teachers	8.6
Sexual harassment based on sexual orientation	2.5
Problems ever occurred:	
Gang activity	16.4
Cult activity	1.7

A greater percentage of city schools (27%) than either rural (21%) or suburban (20%) schools reported that bullying occurred at least once a week. For public schools, 8% reported that cyberbullying had occurred daily or at least once a week at school or away from school.

Victims of cyberbullying are likely to report:

- Being bullied in person
- Being afraid or embarrassed to go to school
- Skipping school
- Academic failure
- Low self-esteem
- Health problems
- Alcohol and drug use
- Family problems
- Delinquent behavior
- Suicidal thoughts or actions

Source: Authors' adaptation of U.S. Department of Health and Human Services online information, available at www.Stopbullying.gov.

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Nearly 1 in 4 serious violent crime victims known to law enforcement is a juvenile

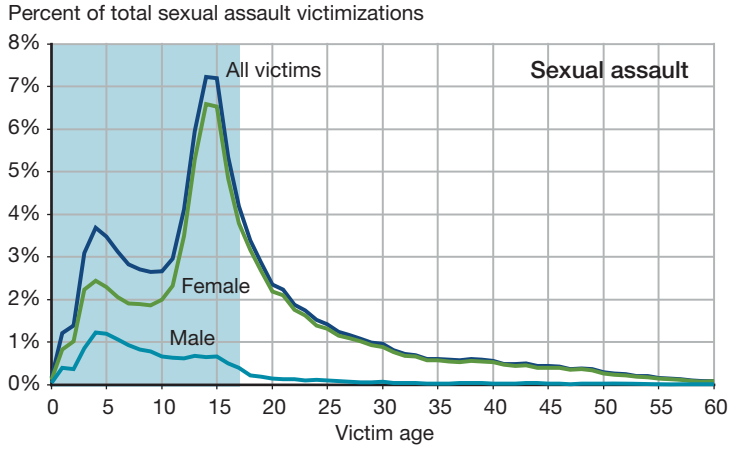
Juvenile victims are common in violent crimes handled by law enforcement

Not all crimes committed are reported to law enforcement. Those that are reported can be used to produce the portrait of crime as seen by the nation's justice system. As noted earlier, based on the FBI's Supplementary Homicide Reports, 10% of all persons murdered in 2010 were under age 18 and 30% of these murdered juveniles were female. No other data source with comparable population coverage characterizes the victims of other violent crimes reported to law enforcement. However, data from the National Incident-Based Reporting System (NIBRS) covering incidents in 2009 and 2010 capture information on more than 710,000 serious violent crime (murder, sexual assault, robbery, and aggravated assault) victims known to law enforcement agencies in 35 states and the District of Columbia. The number of reporting agencies and proportion of the state reporting varied by state; however, from these data an arguably representative description of violent crime victims can be developed.

Sexual assault victims accounted for nearly two-thirds of the juvenile victims of serious violent crime known to law enforcement

NIBRS data indicate that 23% of the victims of serious violent crime reported to law enforcement agencies in 2009 and 2010 were juveniles—persons under age 18. More specifically, juveniles were the victims in 10% of murders, 64% of sexual assaults, 10% of robberies, and 15% of aggravated assaults. Of all juvenile victims of serious violent crime, less than one-half of 1% were murder victims, 11% were robbery victims, 36% were victims of aggravated assault, and 53% were victims of sexual assault.

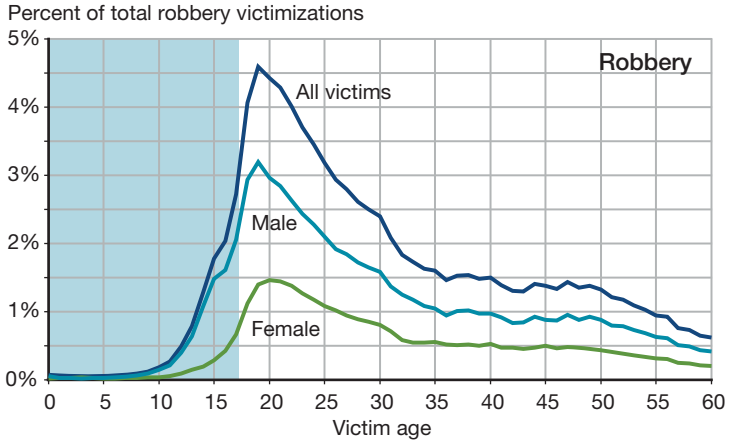
The modal age for sexual assault victims was age 14 for female victims and age 4 for male victims



- Female juvenile victims of sexual assault outnumbered male juvenile victims by 4 to 1.
- In sexual assaults reported to law enforcement, 61% of female victims and 84% of male victims were younger than age 18.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data files].

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



- Persons younger than age 18 accounted for 12% of all male robbery victims and 7% of female robbery victims.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data files].

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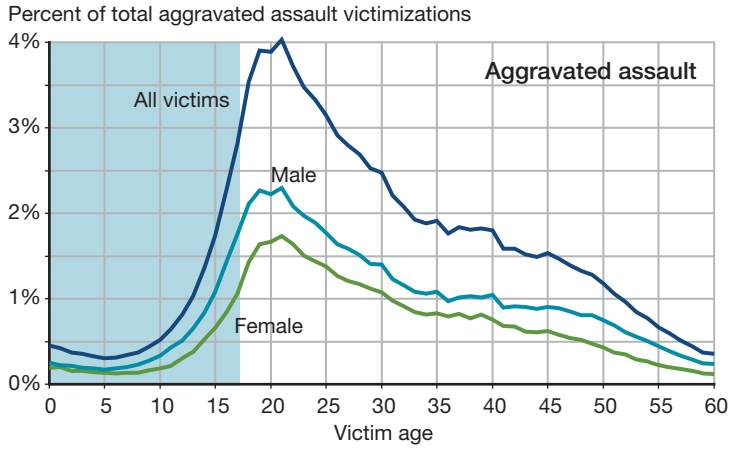
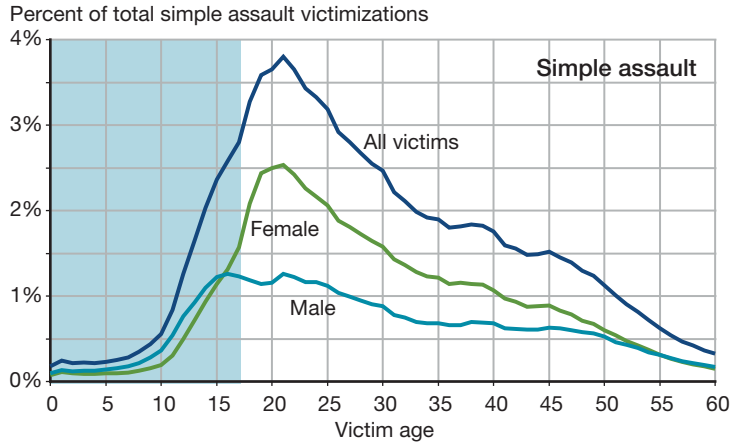
Unlike the pattern for simple assault, more males than females were victims of aggravated assault at each victim age



- In aggravated assaults reported to law enforcement, 16% of male and 14% of female victims were under age 18.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data files].

Until age 15, more simple assault victims were male; however, at age 19, twice as many females as males were simple assault victims



- Female victims outnumber male victims until age 50.
- In simple assaults reported to law enforcement, a greater proportion of male victims than female victims were under age 18 (22% vs. 13%).

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data files].

Sexual assault accounted for nearly 3 in 4 female juvenile victims and 1 in 4 male juvenile victims of serious violence

The majority (59%) of the juvenile victims of serious violent crimes known to law enforcement in 2009 and 2010 were female. Victims under age 18 accounted for 29% of all female victims of serious violent crime but only 18% of all male victims. The types of serious violence committed against male and female juvenile victims differed. For juvenile female victims, 73% of the serious violent crimes were sexual assaults, 23% were aggravated assaults, and just 4% were robberies. In contrast, for juvenile male victims, 54% of crimes were aggravated assaults, 20% were robberies, and 25% were sexual assaults.

Among both male and female juvenile victims of sexual assault, forcible fondling was the most common offense.

Offense profile of juvenile sexual assault victims, 2009–2010:

Offense	Male	Female
Sex offense	100%	100%
Forcible rape	5	35
Forcible sodomy	30	5
Sex assault with an object	4	5
Forcible fondling	62	55

Note: Detail may not total 100% because of rounding

More than one-third of the juvenile victims of serious violence were younger than 12

NIBRS data for 2009 and 2010 show that 17% of the juvenile victims of serious violent crime were younger than 6, 21% were ages 6–11, 25% were ages 12–14, and 37% were ages 15–17. Victims younger than 12 represented 54% of all juvenile murder victims, 47% of juvenile sexual assault victims, and 33% of juvenile aggravated assault victims.

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

Offenders in juvenile victimizations are likely to be adults

Analyses of the 2009 and 2010 NIBRS data files provide an understanding of the offenders who victimize juveniles in violent crime incidents known to law enforcement. Although these data may not be nationally representative, the NIBRS sample, which includes incidents involving 430,000 juvenile victims of violent crime (murder, sexual assault, robbery, aggravated assault, and simple assault), is large enough to give credence to patterns derived from NIBRS data.

Based on NIBRS data, an adult (i.e., a person over age 17) was the primary offender against 53% of all juvenile victims of violent crime known to law enforcement in 2009 and 2010. Adult offenders were more common in juvenile murders (84%), sexual assaults (65%), and aggravated assaults (62%) and less common in juvenile robberies (52%) and simple assaults (47%).

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

Assaults of juvenile females are more likely to involve family members than are assaults of juvenile males

Victim-offender relationship by offense	Offender relationship profile						
	Age of victim					Victim ages 0–17	
	0–17	0–5	6–11	12–14	15–17	Male	Female
Violent crime	100%	100%	100%	100%	100%	100%	100%
Family	32	64	44	24	22	28	35
Acquaintance	60	31	50	68	67	61	60
Stranger	8	5	6	8	10	11	6
Sexual assault	100%	100%	100%	100%	100%	100%	100%
Family	39	60	53	28	21	45	38
Acquaintance	57	39	45	68	73	52	58
Stranger	4	1	2	5	6	2	4
Robbery	100%	100%	100%	100%	100%	100%	100%
Family	1	*	2	1	0	1	2
Acquaintance	34	*	32	37	35	35	33
Stranger	65	*	66	62	65	64	66
Aggravated assault	100%	100%	100%	100%	100%	100%	100%
Family	32	63	42	26	20	28	37
Acquaintance	54	27	47	63	63	56	52
Stranger	14	10	11	12	17	16	10
Simple assault	100%	100%	100%	100%	100%	100%	100%
Family	30	69	40	24	25	28	33
Acquaintance	64	26	55	70	69	64	63
Stranger	6	4	5	6	7	7	4

- In crimes known to law enforcement, the youngest juveniles (under age 6) are far more likely than the oldest juveniles (ages 15–17) to be assaulted by a family member: sexual assault (60% vs. 21%), aggravated assault (63% vs. 20%), and simple assault (69% vs. 25%).

* Too few victims in sample to obtain reliable percentage.

Notes: Violent crime includes murder, sexual assault, robbery, aggravated assault, and simple assault. Detail may not total 100% because of rounding.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data files].

Across violent crimes, juvenile males are more likely to be victimized by a juvenile offender than are juvenile females

Offense	Percentage of victimizations involving juvenile offenders						
	Age of victim					Victim ages 0–17	
	0–17	0–5	6–11	12–14	15–17	Male	Female
Violent crime	47%	18%	46%	61%	45%	53%	41%
Sexual assault	35	38	43	36	23	47	32
Robbery	48	10	57	66	42	52	34
Aggravated assault	38	6	38	56	39	42	32
Simple assault	53	8	49	69	51	57	48

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data files].

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Violent crimes with juvenile victims are most common after school

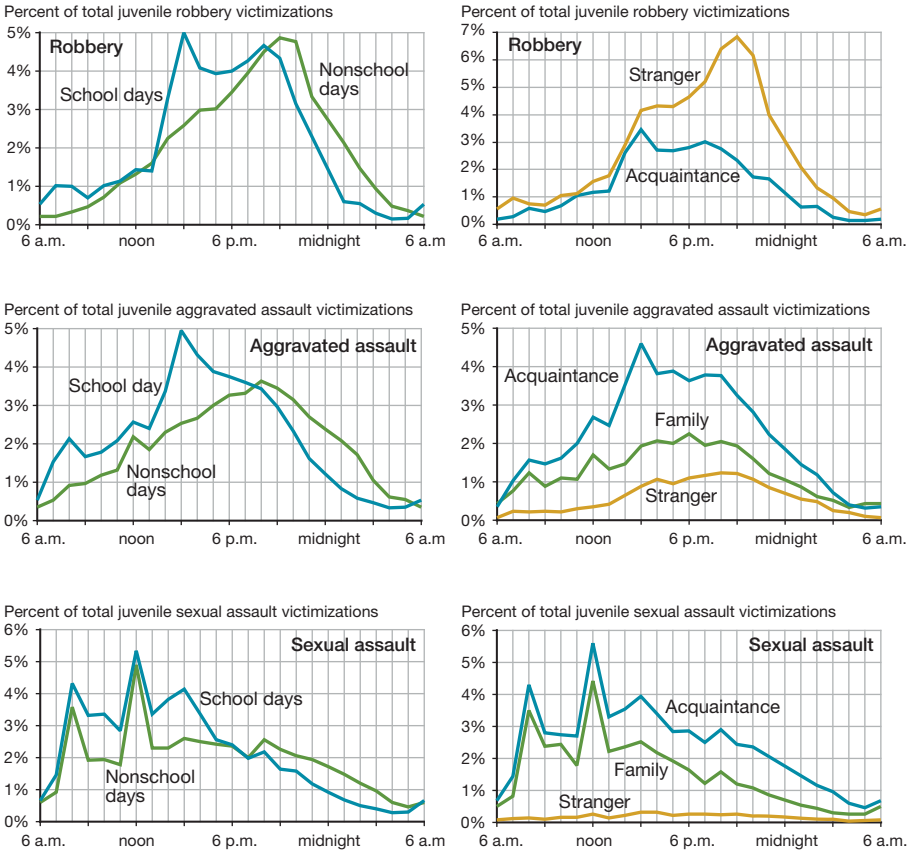
The risk of violence varies over a 24-hour period

To understand the nature of juvenile victimization, it helps to study when different types of crimes occur. To this end, the authors analyzed the FBI's NIBRS data for the years 2009 and 2010 to study the date and time of day that crimes known to law enforcement occurred. Confirming prior analyses, the daily timing of violent crimes (i.e., murder, sexual assault, robbery, aggravated assault, and simple assault) differed for juvenile and adult victims. In general, the number of violent crimes with adult victims increased hourly from morning through the evening hours, peaking around 10 p.m. In contrast, violent crimes with juvenile victims peaked at 3 p.m., fell to a lower level in the early evening hours, and declined substantially after 8 p.m.

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

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

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



- Sexual assaults with juvenile victims followed a similar pattern on school and nonschool days, marked by mealtime peaks on both days. Unlike the timing of other violent crimes, sexual assaults exhibit a noon peak.
- Time-of-day patterns of robberies with juvenile victims increase steadily on nonschool days, reaching a peak between 9 and 10 p.m. On school days, however, robberies involving juvenile victims show an afterschool peak.
- Unlike robbery offenders, sexual assault and aggravated assault offenders who are strangers to their juvenile victims are far less common than offenders who are acquaintances or family members.
- Sexual assaults by acquaintances or family members are most common at 8 a.m. and noon (i.e., mealtimes) and in the hour after school (3 p.m.).
- For all violent crimes against juveniles, crimes by acquaintances peak in the hour after school, while crimes by strangers peak around 8 p.m.

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data files].

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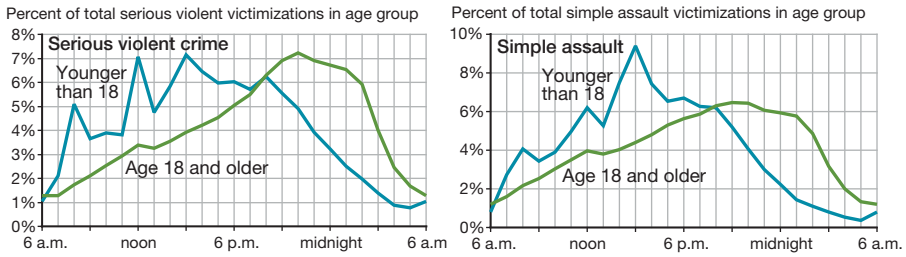
The timing of crime with juvenile victims differs from that of crimes with adult victims

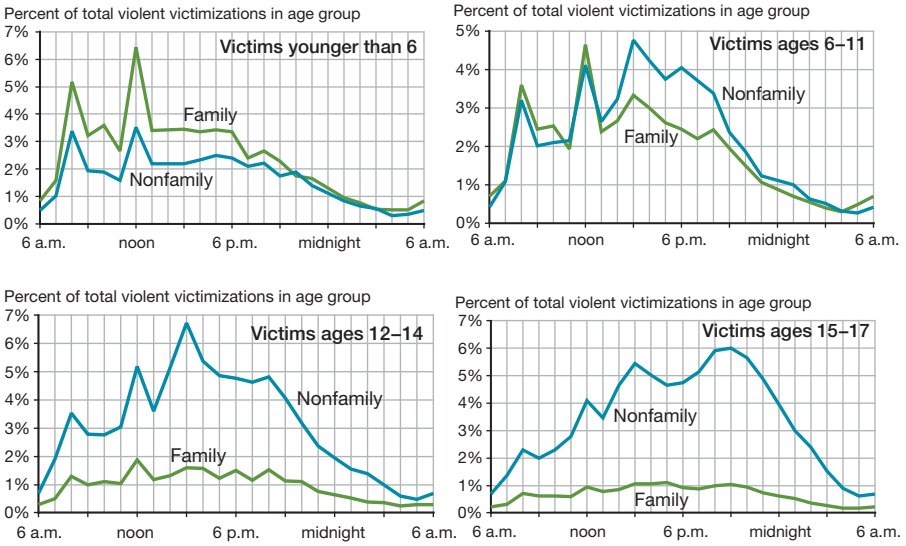


- The afterschool peak in juvenile victimizations is found in serious violent crimes as well as simple assaults, while the adult patterns increase steadily through 9 and 10 p.m.

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

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data files].

The mealtimes of 8 a.m. and noon, children younger than age 6 are at high risk of violent victimization by both family and nonfamily offenders



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

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

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data files].

victims of violence in the 4 hours between 3 and 7 p.m. as they were in the 4 hours between 8 p.m. and midnight.

Peak hours for juvenile victimization varied with victim age. Violence against older juveniles (ages 15–17) was most common between the hours of 2 and 5 p.m., with a slight peak between 8 and 10 p.m. Violent crimes against juvenile victims ages 6–14 showed a clear peak in the afterschool hour (3 p.m.). For younger victims (under age 6), the peaks were at 8 a.m. and noon.

The timing of juvenile violence is linked to offender characteristics

It is informative to consider when various types of offenders victimize juveniles. When the offenders of juvenile victims are divided into three classes (i.e., family members, acquaintances, and strangers), different timing patterns emerge. Most violent offenders were acquaintances of their juvenile victims. The timing of violent crimes by acquaintances reflected the afterschool peak, indicating the importance this time period (and probably unsupervised interactions with other juveniles) has for these types of crimes. Violent crimes by family members were most frequent at noon and in the hours between 4 and 7 p.m., although, unlike crimes committed by an acquaintance, there was no obvious 3 p.m. peak. Violent crimes committed by strangers showed no obvious peak but were relatively frequent during the 3–9 p.m. period.

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More than half of violent crimes with juvenile victims occur in a residence

The location of juvenile violence varies with crime and victim age

A portrait of violence against juveniles requires an understanding of where these crimes occur. The NIBRS data capture locations of crimes reported to law enforcement agencies. Data from 2009 and 2010 show that the location of violent crime against juveniles varies with the nature of the crime and the age of the victim.

Overall, 55% of violent crimes with a juvenile victim occurred in a residence, 19% occurred outdoors, 8% in a commercial area, and 18% in a school. Most assaults occurred in a residence —83% of sexual assaults, 53% of aggravated assaults, and 48% of simple assaults—while more than half (56%) of robberies occurred outdoors.

Location profile of juvenile victimizations, 2009 and 2010:

Location	Sexual assault	Robbery	Aggravated assault
Total	100%	100%	100%
Residence	83	19	53
Outdoors	6	56	29
Commercial	4	19	9
School	7	6	10

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

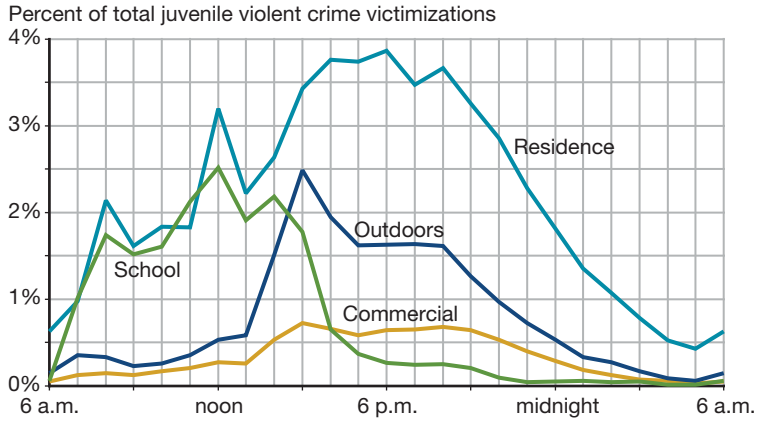
The location of juvenile violence varied with victim age. For example, 84% of violence against victims under age 6 occurred in residences, compared with 48% of crimes with victims ages 15–17. Compared with other juveniles, victims ages 12–14 had the largest proportion of crimes committed in schools.

Location profile of juvenile victimizations, 2009 and 2010:

Location	Under age 6	Ages 6–11	Ages 12–14	Ages 15–17
Total	100%	100%	100%	100%
Residence	84	67	45	48
Outdoors	8	15	20	23
Commercial	6	5	6	11
School	2	12	28	19

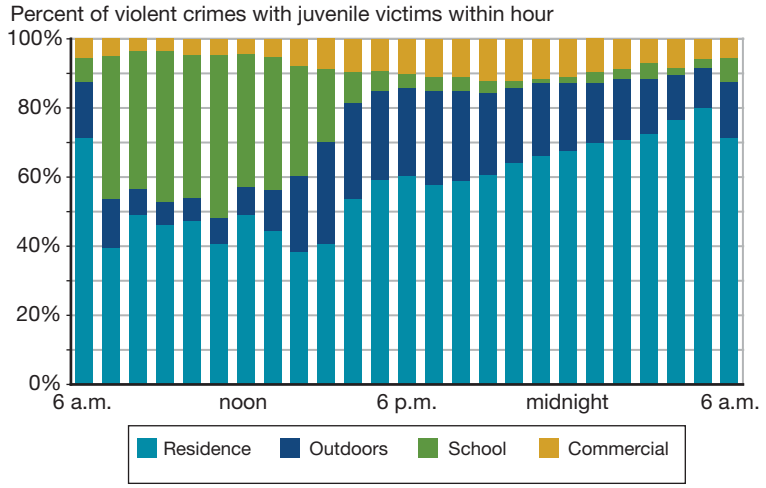
Note: Detail may not total 100% because of rounding.

Violent crime with juvenile victims peaked in residences between the hours of 3 p.m. and 7 p.m.



- Violent victimization of juveniles outdoors exhibited a distinct peak at 3 p.m., while victimizations in commercial areas were relatively high from 3 p.m. to 9 p.m.

The proportion of juvenile victimizations occurring outdoors remained relatively constant between 3 and 11 p.m.



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

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data files].

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On average, between 2001 and 2010, about 1,600 juveniles were murdered annually in the U.S.

Homicide is one of the leading causes of juvenile deaths

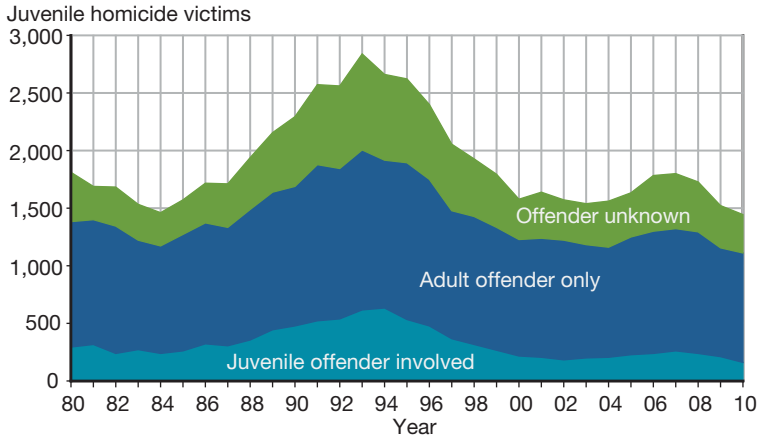
The National Center for Injury Prevention and Control (within the Centers for Disease Control and Prevention) reports that homicide was the fourth leading cause of death for children ages 1–11 in 2010. Only deaths caused by unintentional injury, cancer, and congenital anomalies were more common for these young juveniles. That same year, homicide was the third leading cause of death for juveniles ages 12–17, with the more common causes of death being unintentional injury and suicide.

The FBI and NCHS maintain detailed records of murders

The Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting Program asks local law enforcement agencies to provide detailed information on all homicides occurring within their jurisdictions. These Supplementary Homicide Reports (SHR) contain information on victim demographics and the method of death. Also, when known, SHR captures the circumstances surrounding the death, the offender's demographics, and the relationship between the victim and the offender. Although not all agencies report every murder every year, for the years 1980 through 2010, the FBI received SHR records on more than 90% of all homicides in the U.S.

For 2010, the FBI reported that law enforcement identified the offender in 69% of murders nationwide, which means that for many of these crimes, the offenders remain unknown. Based on SHR data from 1980 through 2010, an offender was not identified by law enforcement in 22% of the murders of persons under age 18, in 31% of the murders of adults, and in 30% of murders overall.

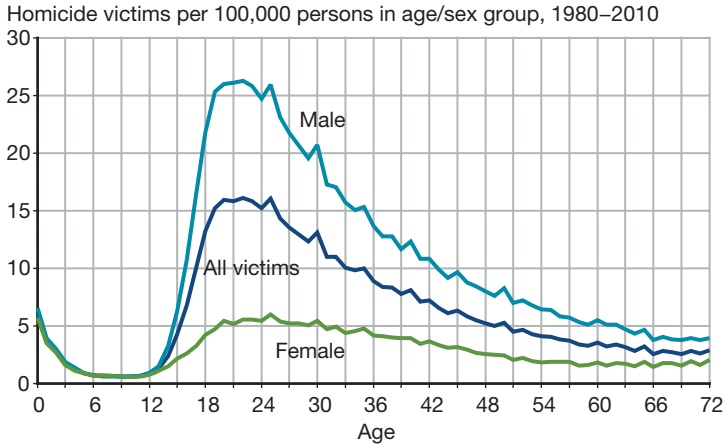
The number of juvenile homicide victims in 2010 was 49% below the peak year of 1993 and near the level of the mid-1980s



- Between 1980 and 2010, juvenile offenders participated in 1 of every 4 homicides of juveniles in which the offenders were known to law enforcement. In about one-fifth of the juvenile homicides in which juvenile offenders participated, adult offenders were also involved.
- Between 2001 and 2010, there were 16,240 homicide victims—an average of 1,600 per year, compared with an annual average of 2,300 in the previous 10-year period.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

Between 1980 and 2010, the likelihood of being a murder victim peaked for persons in their early twenties, although for females, the first year of life was almost as dangerous



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

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

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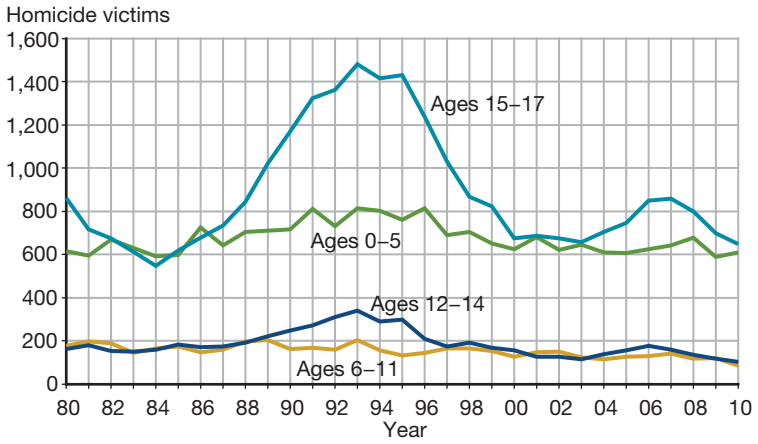
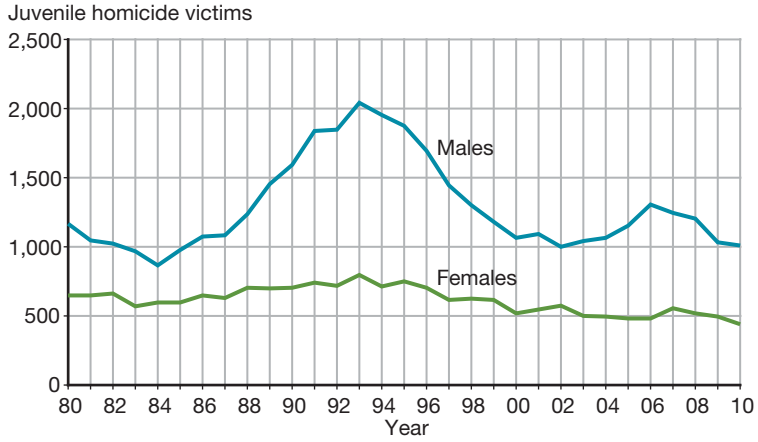
The large increase in juvenile homicides between 1984 and 1993 and the subsequent decline were nearly all attributable to changes in homicides of older juveniles



- Murder is most common among the oldest and the youngest juveniles. Of the estimated 1,450 juveniles murdered in 2010, 42% were under age 6, 6% were ages 6–11, 7% were ages 12–14, and 45% were ages 15–17.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

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



- Unlike the number of male victims, the annual number of juvenile females murdered was relatively stable between 1980 and 2010. Males accounted for 85% of the growth in juvenile homicide victims between 1984 and 1993 and 82% of the decline between 1993 and 2002.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

Within the Centers for Disease Control and Prevention (CDC), the National Center for Health Statistics (NCHS) maintains the National Vital Statistics System. This system receives reports on homicides from coroners and medical examiners. Between 2000 and 2010, annual estimates of juvenile homicides by NCHS tend to be about 14% higher than those from the FBI. The reasons for this difference are unclear but are probably related to inconsistent reporting and/or to differences in definitions, updating procedures, and/or imputation techniques.

A critical aspect of this report is the delineation of patterns among victim and offender characteristics. Because the NCHS data do not capture offender information, the discussion that follows is based on the FBI's SHR data.

The likelihood of being murdered in 2010 was at its lowest level since the mid-1960s

According to FBI estimates, a historically low 14,750 murders occurred in the U.S. in 2010. When compared with trends since 1980, the number of murders in the U.S. was relatively stable between 1999 and 2010, with the 2010 FBI estimate about 5% below the estimate for 1999—when the FBI estimated that 15,500 persons were murdered.* Before 1999, 1969 is the most recent year with as few murders as reported in 2010.

However, the U.S. population grew 53% between 1969 and 2010. So, although the number of murders in 1969 and 2010 was about the same, the murder rate in 2010 was actually about 30% lower than in 1969. Before

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

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1999, the most recent year with a murder rate comparable to 2010 (4.7 murders/100,000 persons in the U.S. population) is 1963. This means the probability that a U.S. resident would be murdered was less in 2010 than in nearly all of the previous 47 years.

In 2010, on average, 4 juveniles were murdered daily in the U.S.

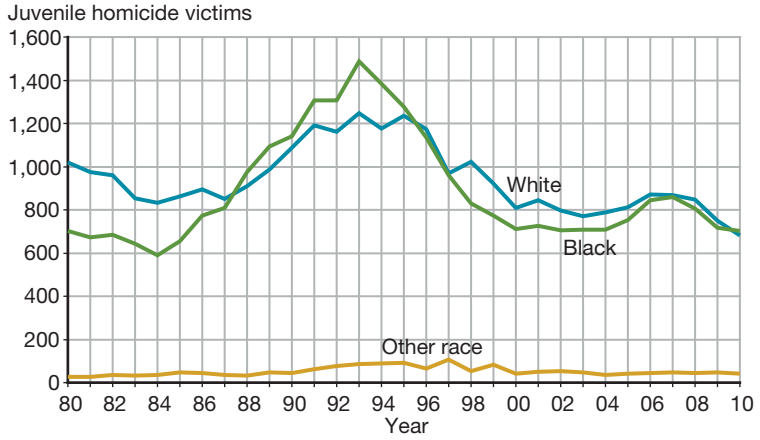
An estimated 1,450 persons under age 18 were murdered in the U.S. in 2010—10% of all persons murdered that year. Three of every 10 (30%) of these juvenile murder victims were female. More than 4 in 10 (42%) of these victims were under age 6, less than 1 in 10 (6%) were ages 6–11, less than 1 in 10 (7%) were ages 12–14, and more than 4 in 10 (45%) were ages 15–17.

Nearly half (49%) of juvenile murder victims in 2010 were black, 47% were white, and 3% were either American Indian or Asian. Given that white youth constituted 76% of the U.S. resident juvenile population in 2010 and black youth 17%, the murder rate for black youth in 2010 was nearly 5 times the white rate. This disparity was seen across victim age groups and increased with victim age.

Homicides per 100,000 juveniles in age group, 2010:

Victim age	White	Black	Black to white rate ratios
0–17	1.2	5.7	4.7
0–5	2.0	5.2	2.6
6–11	0.4	0.7	2.7
12–14	0.5	2.2	4.0
15–17	2.2	18.9	8.6

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



- Black youth accounted for about 16% of the juvenile population between 1980 and 2010 but were the victims in 47% of juvenile homicides during the 31-year period.
- The disparity between black and white juvenile murder rates reached a peak in 1993, when the black rate was 6 times the white rate. The relatively greater decline in black juvenile homicides between 1993 and 1999 (down 48%, compared with a 26% decline for whites) dropped the disparity in black-to-white homicide rate to 4-to-1. The disparity increased since 1999, approaching 5-to-1 in 2010.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

Of the 58,900 juveniles murdered between 1980 and 2010, most victims under age 6 were killed by a parent, while parents were rarely involved in the killing of juveniles ages 15–17

Offender relationship to victim	Age of victim					Victim ages 0–17	
	0–17	0–5	6–11	12–14	15–17	Male	Female
Offender known	67%	82%	60%	62%	58%	65%	71%
Total	100	100	100	100	100	100	100
Parent/stepparent	21	51	24	6	2	17	31
Other family member	4	5	8	6	3	4	6
Acquaintance	31	23	18	37	38	33	28
Stranger	10	2	10	13	16	12	7
Offender unknown	33	18	40	38	33	35	29

- Over the 31-year period, strangers were involved in at least 10% of the murders of juveniles. This figure is probably greater than 10% because strangers are likely to account for a disproportionate share of crimes in which the offender is unknown.
- Female victims were far more likely than male victims to have been killed by a parent/stepparent or other family member.

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

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

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Between 1980 and 2010, 4 of every 5 murder victims ages 15–17 were killed with a firearm

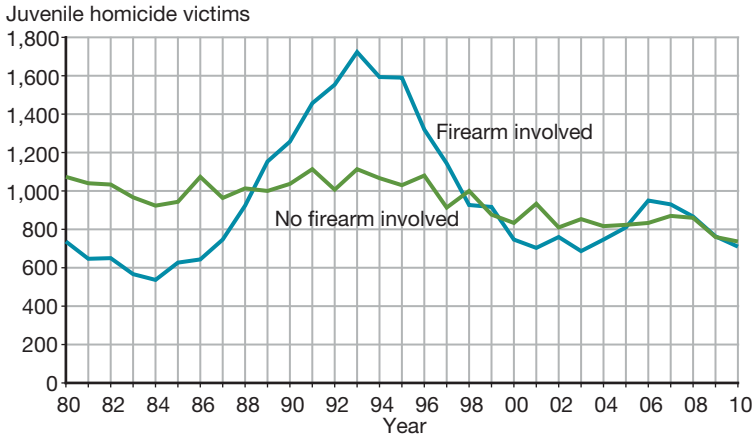
Trends in the number of juvenile homicides are tied to homicides involving firearms

Nearly half (49%) of all juveniles murdered in 2010 were killed with a firearm, 20% were killed by the offender's hands or feet (e.g., beaten/kicked to death or strangled), and 13% were killed with a knife or blunt object. The remaining 18% of juvenile murder victims were killed with another type of weapon, or the type of weapon used was unknown.

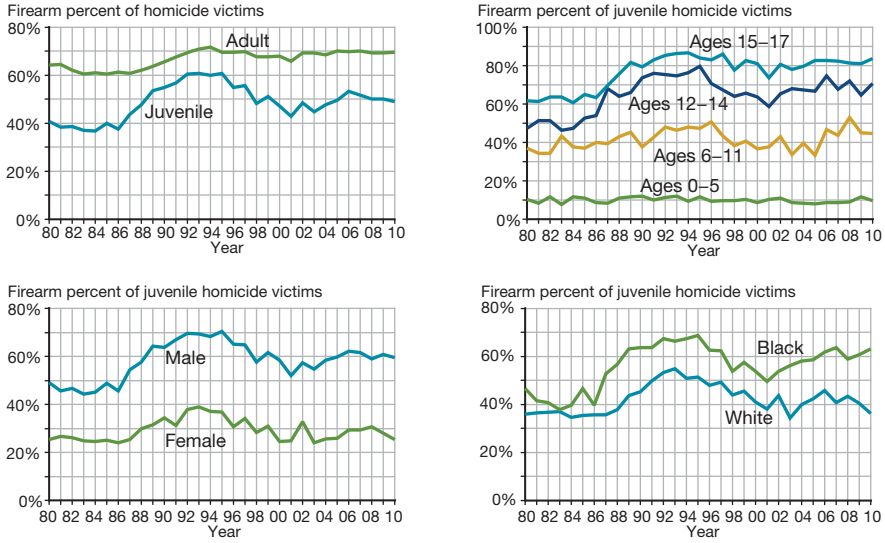
Firearms were used less often in the killings of young children. In 2010, firearms were used in 14% of murders of juveniles under age 12 but in 82% of the murders of juveniles ages 12–17. In 2010, a greater percentage of black than white juvenile murder victims were killed with a firearm (63% vs. 36%). In 2010, firearms were used more often in the murders of juvenile males (59%) than in the murders of juvenile females (25%).

Between 1980 and 2010, the deadliest year for juveniles was 1993, when an estimated 2,840 were murdered. During this 31-year period, the early 1990s included a relatively large proportion of juveniles killed with a firearm; about 60% of juvenile homicide victims were killed with a firearm each year from 1992 to 1995. In fact, across the period, the annual number of juveniles murdered by means other than a firearm generally declined—a remarkable pattern when compared with the large increase and subsequent decline in the number of firearm-related murders of juveniles. Except for killings of young children and killings of juveniles by family members, murder trends in all demographic segments of the juvenile population between 1980 and 2010 were linked primarily to killings with firearms.

The growth in the number of juveniles murdered using a firearm that began in 2003 was reversed between 2006 and 2010 as the number fell 25% over the past 4 years



The proportion of homicides committed with firearms differed with victim demographics



- Between 1980 and 2010, large changes in the use of firearms was more apparent in the murders of older juveniles than of adults.
- The proportions of firearm-related murders of male and female juveniles showed similar growth and decline patterns over the period.
- Although firearms were involved in a greater proportion of black juvenile homicides than white, trends in the proportion of firearm-related homicides were similar for the racial groups.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

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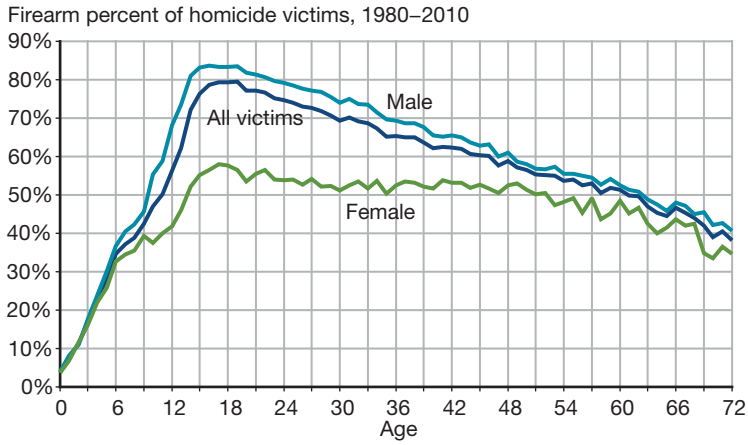
Young children are killed by family members—older juveniles by acquaintances

In the 2010 SHR data, the offender information is missing for 21% of juvenile murder victims either because the offender is unknown or because the information was not recorded on the data form. The proportion of unknown offenders in 2010 generally increased with victim age: ages 0–5 (7%), ages 6–11 (5%), ages 12–14 (26%), and ages 15–17 (36%).

Considering only murders in 2010 for which the offender is known, a stranger killed 2% of murdered children under age 6, while family members killed 70% and acquaintances 28%. Older juveniles were far more likely to be murdered by nonfamily members. Four percent (4%) of victims ages 15–17 were killed by family members, 32% by strangers, and 64% by acquaintances.

Differences in the characteristics of the murders of juvenile males and juvenile females are linked to the age profiles of the victims. Between 1980 and 2010, the annual numbers of male and female victims were very similar for victims at each age under 13. However, older victims were disproportionately male. For example, between 1980 and 2010, 84% of murdered 17-year-olds were male. In general, therefore, a greater proportion of female murder victims were very young. So, while it is true that female victims were more likely to be killed by family members than were male victims (51% vs. 33%), this difference goes away within specific age groups. For example, between 1980 and 2010, for victims under age 6, 68% of males and 69% of females were killed by a family member.

Between 1980 and 2010, 16- and 17-year-old murder victims were among the most likely to be killed with firearms, regardless of gender



- Boys and girls under age 5 were equally likely to be killed with a firearm. In the teen years, however, boys were considerably more likely to be killed with a firearm: 83% of boys ages 14–17 were killed with a firearm, compared with 56% of females in the same age group.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

Of the 58,900 juveniles murdered between 1980 and 2010, half were murdered with a firearm

	Age of victim					Victim ages 0–17	
Weapon	0–17	0–5	6–11	12–14	15–17	Male	Female
Total	100%	100%	100%	100%	100%	100%	100%
Firearm	50	10	42	66	78	60	30
Knife/blunt object	14	11	19	17	14	12	16
Personal*	19	48	11	5	2	16	28
Other/unknown	17	31	28	12	6	13	26

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

* Personal includes hands, fists, or feet.

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

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

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

Since the early 1990s, for every 1 juvenile female suicide there were more than 3 juvenile male suicides

Through its National Vital Statistics System (NVSS), NCHS collects information from death certificates filed in state vital statistics offices, including causes of death of juveniles. NVSS indicates that 22,900 juveniles ages 7–17 died by suicide in the U.S. between 1990 and 2010. For all juveniles ages 7–17, suicide was the fourth leading cause of death over this period, trailing only unintentional injury (113,200), homicide (29,800), and cancer (25,000)—with the numbers of homicide, cancer, and suicide deaths being very similar. Suicide was the third leading cause of death for males and the fourth for females ages 7–17.

Between 1990 and 2010, 78% of all juvenile suicide victims were male, with the annual proportion remaining remarkably stable over the period. Consequently, suicide trends were similar for juvenile males and females.

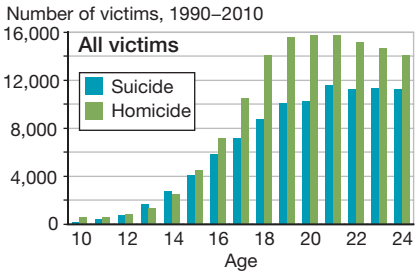
More than half (52%) of all juvenile suicides between 1990 and 2010 were committed with a firearm, 37% by some form of suffocation (e.g., hanging), and 6% by poisoning. The method of suicide differed for males and females, with males more likely than females to use a firearm and less likely to use poison.

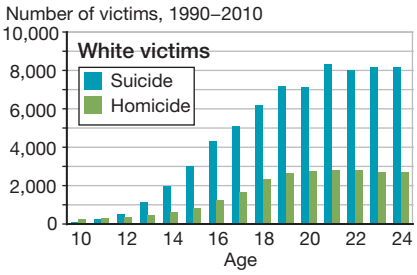
Method of suicide by persons ages 7–17, 1990–2010:

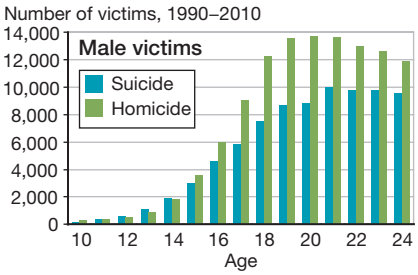
Method	Male	Female
Total	100.0%	100.0%
Firearm	56.5	37.6
Suffocation	35.5	42.0
Poisoning	3.5	14.8
Other	4.2	5.6

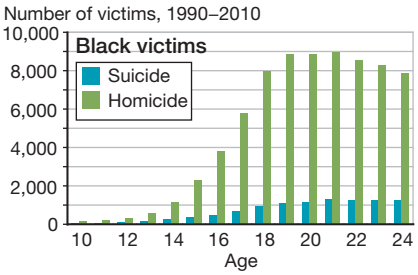
Note: Detail may not total 100% because of rounding

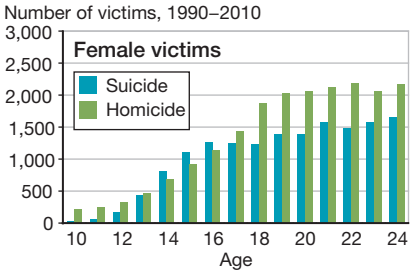
Between 1990 and 2010, suicide was more prevalent than homicide for non-Hispanic white juveniles; the reverse was true for Hispanic juveniles and non-Hispanic black juveniles

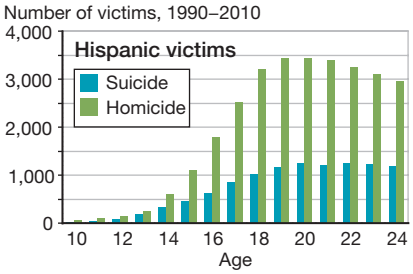












- Far more males than females ages 12–16 were victims of suicide or murder between 1990 and 2010. However, for each gender, the number of suicides was about the same as the number of murders. Both males and females ages 18–24 were far more likely to be victims of homicide than victims of suicide.
- At each age between 12 and 24, suicide was more common than murder for non-Hispanic whites between 1990 and 2010, in sharp contrast to patterns for Hispanics and non-Hispanic blacks. More specifically, for every 10 white homicide victims ages 10–17, there were 26 suicide victims (a ratio of 10 to 26); the corresponding ratio was 10 to 2 for black juveniles and 10 to 4 for Hispanic juveniles.

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

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

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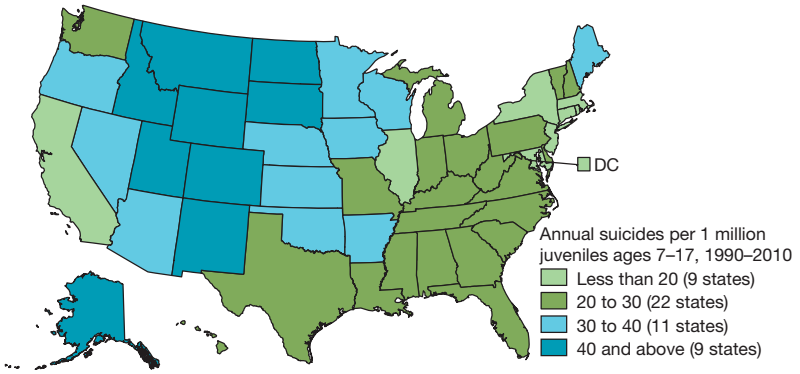
Between 1990 and 2010, juvenile suicide victims outnumbered juvenile murder victims in 27 states

State	Suicide rate 1990–2010	Suicide/ homicide ratio	State	Suicide rate 1990–2010	Suicide/ homicide ratio
U.S. total	24.9	0.77	Missouri	28.2	0.65
Alabama	26.0	0.69	Montana	61.9	3.58
Alaska	84.3	2.60	Nebraska	37.3	1.92
Arizona	37.1	0.98	Nevada	33.9	1.02
Arkansas	34.0	0.98	New Hampshire	28.9	*
California	17.4	0.37	New Jersey	11.9	0.60
Colorado	43.0	2.13	New Mexico	57.1	1.49
Connecticut	17.6	0.81	New York	14.4	0.45
Delaware	21.1	1.06	North Carolina	25.7	0.89
Dist. of Columbia	15.4	0.05	North Dakota	57.3	*
Florida	20.2	0.68	Ohio	24.7	1.18
Georgia	22.2	0.69	Oklahoma	34.6	1.12
Hawaii	21.5	*	Oregon	31.1	2.09
Idaho	54.0	5.46	Pennsylvania	23.4	0.93
Illinois	19.4	0.34	Rhode Island	15.2	0.76
Indiana	26.9	1.04	South Carolina	23.8	0.78
Iowa	32.0	3.34	South Dakota	67.6	7.20
Kansas	33.6	1.44	Tennessee	26.7	0.91
Kentucky	26.3	1.65	Texas	27.3	0.80
Louisiana	28.8	0.47	Utah	45.6	3.78
Maine	30.7	4.96	Vermont	26.8	*
Maryland	19.2	0.39	Virginia	25.3	0.96
Massachusetts	14.6	0.81	Washington	25.9	1.23
Michigan	25.6	0.71	West Virginia	29.1	1.71
Minnesota	31.5	2.31	Wisconsin	32.0	1.49
Mississippi	27.4	0.67	Wyoming	64.7	3.80



* Too few homicides to calculate a reliable ratio.

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

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

American Indians have the highest juvenile suicide rate

Beginning with the 1990 data, NVSS distinguished fatalities by the victim's Hispanic ethnicity, enabling racial and ethnic comparisons of juvenile suicides. Between 1990 and 2010, the juvenile suicide rate for white non-Hispanic youth (i.e., suicides per million persons ages 7–17 in this race/ethnicity group) was 28.3. The suicide rates were substantially lower for Hispanic (17.3), black non-Hispanic (16.4), and Asian non-Hispanic (15.4) juveniles ages 7–17. In contrast, the suicide rate for American Indian juveniles (66.6) was more than double the white non-Hispanic rate and more than triple the rates for the other racial/ethnic groups.

The juvenile suicide rate declined since the mid-1990s

Following a period of relative stability through the mid-1990s, the juvenile suicide rate generally declined throughout the 2000s. By 2010, the overall rate fell 31% from its 1994 peak. This general pattern of decline was reflected in the trends of white, black, and Hispanic juveniles as well as males and females.

The proportion of juvenile suicides committed with a firearm peaked in 1994 at 69% and then fell so that, by 2010, less than half (37%) of juvenile suicides involved a firearm. Firearm-related suicides in 2010 were more common among male (43%) than female juveniles (21%), and suicides among white non-Hispanic juveniles were more likely to involve a firearm (44%) than were those of black non-Hispanic (26%) or Hispanic (26%) juveniles.

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Chapter 3

Juvenile offenders

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

As documented in the following pages, many juveniles who commit crimes (even serious crimes) never enter the juvenile justice system. Consequently, developing a portrait of juvenile law-violating behavior from official records gives only a partial picture. This chapter presents what is known about the prevalence and incidence of juvenile offending prior to the youth entering the juvenile justice system. It relies on self-report and victim data developed by the Bureau of Justice Statistics' National Crime Victimization Survey, the Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance Survey, the National Institute on Drug Abuse's Monitoring the Future Study, the National Youth Gang Center's National Youth Gang Survey, and the Univerity of Pittsburgh's Pathways to Desistance Study. Official data on juvenile offending are presented from the Federal Bureau of Investigation's Supplementary Homicide Reports and its National Incident-Based Reporting System.

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

Official statistics on juvenile offending as it relates to law enforcement, juvenile and criminal courts, and correctional facilities are presented in subsequent chapters in this report.

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

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

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

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

Official statistics describe cases handled by the justice system

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

Official statistics are open to multiple interpretations

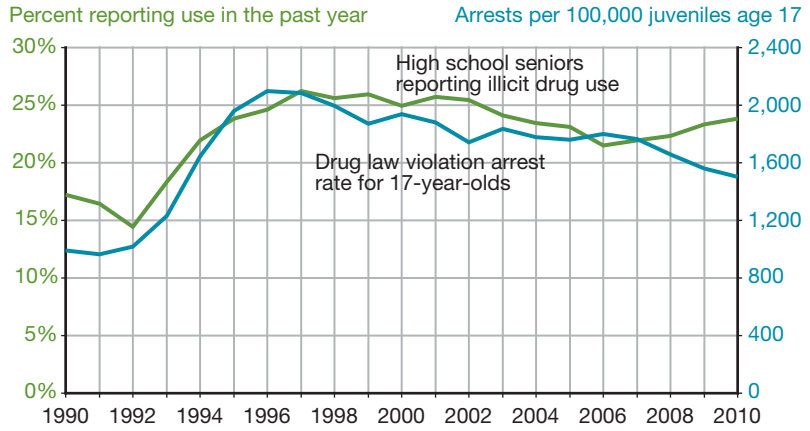
Juvenile arrest rates for drug abuse violations have declined since their late 1990s peak. One interpretation of these official statistics could be that juveniles today are simply less likely to violate drug laws than were youth in the 1990s. National self-report studies (e.g., Monitoring the Future), however, find that illicit drug use has increased in recent years, approaching the relatively high levels reported in the late 1990s. If drug use is actually on the rise, the declining juvenile arrest rate for drug crimes may represent societal tolerance of such behavior and/or an unwillingness to bring these youth into the justice system for treatment or punishment.

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

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

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

Trends in self-report drug use and official records of drug arrest rates are marked by periods of convergence and disagreement



- Existing data sources send a mixed message regarding youth drug use. According to self-reports (e.g., Monitoring the Future), the proportion of high school seniors reporting drug use of any illicit drug in the past year has increased since 2006, rising from about 21% to 25% in 2010. Conversely, the arrest rate for drug law violations involving 17-year-olds has declined since 2006 (from 1,799 per 100,000 juveniles age 17 to 1,499 in 2010).

Source: Authors' adaptation of Johnston et al.'s *Monitoring the Future National Survey on Drug Use, 1975–2010. Volume I: Secondary School Students*; and authors' analysis of Snyder and Mulako-Wantota's *Arrest Data Analysis Tool* [online analysis].

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In 2011, school crime was common—1 in 8 students were in fights, 1 in 4 had property stolen or damaged

National survey monitors youth health risk behaviors

The Centers for Disease Control and Prevention's Youth Risk Behavior Survey (YRBS) monitors health risk behaviors that contribute to the leading causes of death, injury, and social problems among youth in the U.S. Every 2 years, YRBS provides data representative of 9th–12th graders in public and private schools nationwide. The 2011 survey included responses from 15,425 students from 43 states and 21 large cities.

More than 3 in 10 high school students were in a physical fight—1 in 25 were injured

According to the 2011 survey, 33% of high school students said they had been in one or more physical fights during the past 12 months. This is consistent with data from the 2003 survey. Regardless of grade level or race/ethnicity, males were more likely than females to engage in fighting. Fighting was more common among black and Hispanic students than white students.

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

Demographic	Total	Male	Female
Total	32.8%	40.7%	24.4%
9th grade	37.7	46.0	28.8
10th grade	35.3	44.2	25.5
11th grade	29.7	36.3	22.7
12th grade	26.9	34.1	19.4
White	29.4	37.7	20.4
Black	39.1	45.8	32.3
Hispanic	36.8	44.4	28.7

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

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

Demographic	Total	Male	Female
Total	3.9%	5.1%	2.6%
9th grade	4.4	5.9	2.7
10th grade	4.1	5.1	3.0
11th grade	3.6	4.8	2.2
12th grade	3.3	4.3	2.1
White	2.8	3.5	1.9
Black	5.7	8.1	3.2
Hispanic	5.5	7.0	3.7

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

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

Demographic	Total	Male	Female
Total	12.0%	16.0%	7.8%
9th grade	16.2	21.7	10.4
10th grade	12.8	17.0	8.0
11th grade	9.2	12.3	6.0
12th grade	8.8	11.4	6.1
White	9.9	13.8	5.6
Black	16.4	19.6	13.1
Hispanic	14.4	19.4	9.0

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

High school students were less likely to experience property crime than fights at school. Nationally, 26% said they had property such as a car, clothing, or books stolen or deliberately damaged on school property one or more times during the past 12 months. A greater proportion of male than female students experienced such property crimes at school, regardless of grade level or race/ethnicity.

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

Demographic	Total	Male	Female
Total	26.1%	28.8%	23.4%
9th grade	26.6	27.7	25.5
10th grade	30.6	33.4	27.4
11th grade	23.5	26.7	20.1
12th grade	23.3	26.9	19.5
White	24.0	26.8	21.0
Black	27.3	28.7	25.9
Hispanic	30.7	33.3	27.8

Fear of school-related crime kept 6 in 100 high schoolers home at least once in the past month

Nationwide in 2011, 6% of high school students missed at least 1 day of school in the past 30 days because they felt unsafe at school or when traveling to or from school, up from 4% in 1993. Hispanic and black students were more likely than white students to have missed school because they felt unsafe. Sophomores were more likely than other high school students to miss school because of safety concerns.

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

Demographic	Total	Male	Female
Total	5.9%	5.8%	6.0%
9th grade	5.8	5.4	6.3
10th grade	6.8	6.4	7.1
11th grade	5.2	5.3	5.1
12th grade	5.5	5.9	5.1
White	4.4	4.0	4.7
Black	6.7	8.0	5.3
Hispanic	9.1	8.5	9.6

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

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The proportion of high school students who carried a weapon to school dropped to 5% in 2011

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

The 2011 Youth Risk Behavior Survey found that 5% of high school students said they had carried a weapon (e.g., gun, knife, or club) on school property in the past 30 days—down from 6% in 2003. Males were more likely than females to say they carried a weapon at school. The proportion of students who carried a weapon to school was nearly one-third of those who said they had carried a weapon anywhere in the past month (17%). In addition, the overall proportion of students reporting carrying a gun (anywhere) in the past month did not change significantly between 1999 (4.9%) and 2011 (5.1%).

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

Demographic	Total	Male	Female
Total	5.4%	8.2%	2.3%
9th grade	4.8	7.4	2.1
10th grade	6.1	9.4	2.5
11th grade	4.7	7.5	1.8
12th grade	5.6	8.2	2.8
White	5.1	7.8	2.3
Black	4.6	6.7	2.5
Hispanic	5.8	8.8	2.6

In 2011, 7% of high school students were threatened or injured with a weapon at school

The overall proportion of students reporting weapon-related threats or injuries at school during the year decreased from 2003 (9%) to 2011 (7%).

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

Demographic	Total	Male	Female
Total	7.4%	9.5%	5.2%
9th grade	8.3	10.3	6.2
10th grade	7.7	9.7	5.3
11th grade	7.3	9.2	5.3
12th grade	5.9	8.3	3.4
White	6.1	8.0	4.2
Black	8.9	11.2	6.6
Hispanic	9.2	12.1	6.0

Across reporting states, the proportion of high school students carrying weapons to school in 2011 ranged from 3% to 11%

	Percent reporting they carried a weapon on school property in past 30 days			Percent reporting they were threatened or injured with a weapon on school property in the past year		
Reporting states	Total	Male	Female	Total	Male	Female
U.S. Total	5.4%	8.2%	2.3%	7.4%	9.5%	5.2%
Alabama	8.2	11.6	4.5	7.6	9.6	5.2
Alaska	5.7	8.0	3.3	5.6	7.6	3.2
Arizona	5.7	8.3	3.0	10.4	13.1	7.2
Arkansas	6.5	10.6	2.3	6.3	7.3	4.5
Colorado	5.5	7.6	3.3	6.7	9.3	4.0
Connecticut	6.6	9.8	3.4	6.8	8.8	4.6
Delaware	5.2	7.1	3.3	6.4	8.5	4.4
Florida	–	–	–	7.2	8.4	5.8
Georgia	8.6	11.4	5.4	11.7	13.5	9.2
Hawaii	4.2	6.2	2.3	6.3	7.9	4.7
Idaho	6.3	10.2	2.2	7.3	9.6	4.9
Illinois	3.9	5.2	2.6	7.6	8.9	6.2
Indiana	3.7	5.8	1.6	6.8	7.8	5.7
Iowa	4.5	6.6	1.8	6.3	8.2	3.9
Kansas	5.2	7.4	2.6	5.5	7.4	3.5
Kentucky	7.4	11.6	3.1	7.4	8.7	5.1
Louisiana	4.2	6.1	1.9	8.7	10.0	6.9
Maine	8.0	11.9	3.7	6.8	8.4	4.7
Maryland	5.3	7.2	2.8	8.4	1.6	5.3
Massachusetts	3.7	5.3	1.9	6.8	9.0	4.2
Michigan	3.5	5.2	1.7	6.8	8.3	5.1
Mississippi	4.2	6.7	1.6	7.5	9.3	5.3
Montana	9.3	14.7	3.5	7.5	9.7	5.0
Nebraska	3.8	6.1	1.2	6.4	8.3	4.2
New Hampshire	–	–	–	–	–	–
New Jersey	–	–	–	5.7	7.0	4.2
New Mexico	6.5	9.0	3.9	–	–	–
New York	4.2	5.8	2.4	7.3	9.3	5.2
North Carolina	6.1	9.5	2.6	9.1	11.1	6.7
North Dakota	5.7	8.3	2.9	–	–	–
Ohio	–	–	–	–	–	–
Oklahoma	6.1	10.0	2.0	5.7	6.9	4.3
Rhode Island	4.0	5.7	2.1	–	–	–
South Carolina	6.3	9.7	2.3	9.2	11.0	6.4
South Dakota	5.7	8.9	2.2	6.0	8.2	3.7
Tennessee	5.2	8.4	1.8	5.8	6.6	4.9
Texas	4.9	7.0	2.6	6.8	8.0	5.1
Utah	5.9	9.3	2.0	7.0	9.0	4.5
Vermont	9.1	14.1	3.7	5.5	6.6	4.4
Virginia	5.7	8.3	2.8	7.0	8.0	5.5
West Virginia	5.5	9.5	1.4	6.5	8.3	4.7
Wisconsin	3.1	4.5	1.6	5.1	7.1	2.9
Wyoming	10.5	16.8	3.9	7.3	9.0	5.3
Median	5.7	8.3	2.6	6.8	8.4	4.9

– Data not available.

Source: Authors' adaptation of the Centers for Disease Control and Prevention 's Youth Risk Behavior Surveillance—United States, 2011.

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In 2010, nearly half of high school seniors reported they had used an illicit drug at least once—more had used alcohol

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

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

Half of seniors in 2010 said they had used illicit drugs

In 2010, nearly half (48%) of all seniors said they had at least tried illicit drugs. The figure was 37% for 10th graders and 21% for 8th graders. Marijuana is by far the most commonly used illicit drug. In 2010, 44% of high school seniors said they had tried marijuana. About half of those in each grade who said they had used marijuana said they had not used any other illicit drug.

Put another way, about half of the 8th, 10th, and 12th graders who have ever used an illicit drug have used something in addition to, or other than, marijuana. About 1 in 4 seniors (25%) (or half of seniors who used any illicit drugs) used an illicit drug other than marijuana. Almost half of high school seniors had used marijuana at least once, 35% used it in the past year, and 21% used it in the previous month. MTF also asked students if they had used marijuana on 20 or more occasions in the previous 30 days. In 2010, 6% of high school seniors said they had used marijuana that frequently.

In 2010, 13% of high school seniors reported using a narcotic such as Vicodin, Percocet, or OxyContin at least once, making narcotics other than heroin the second most prevalent illicit drug after marijuana. Almost 4% of seniors reported using narcotics in the past month. Amphetamines were the next most prevalent drugs after narcotics other than heroin: 11% of seniors reported using amphetamines at least once. Specifically, 2% had used methamphetamine at least once and 2% had used ice (crystal methamphetamine). About 3% of high school seniors reported using amphetamines in the past month.

In 2010, 6% of seniors said they had used cocaine at least once in their life. More than half of this group (3% of all seniors) said they used it in the previous year, and less than one-quarter of users (1% of seniors) had used it in the preceding 30 days. About 2% of seniors reported previous use of crack cocaine: 1% in the previous year, and less than 1% in the previous month. Heroin was the least commonly used illicit drug, with less than 2% of seniors reporting they had used it at least once. More than half of seniors who reported heroin use said they used it only without a needle.

Alcohol and tobacco use is widespread at all grade levels

In 2010, 7 in 10 high school seniors said they had tried alcohol at least once; 2 in 5 said they used it in the previous month. Even among 10th

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

Substance	Proportion of seniors in 2010 who used			
	in lifetime	in last year	in last month	daily*
Alcohol	71.0%	65.2%	41.2%	2.7%
Been drunk	54.1	44.0	26.8	1.6
Cigarettes	42.2	–	19.2	10.7
Marijuana/hashish	43.8	34.8	21.4	6.1
Amphetamines	11.1	7.4	3.3	0.3
Narcotics, not heroin	13.0	8.7	3.6	0.2
Inhalants	9.0	3.6	1.4	0.1
Tranquilizers	8.5	5.6	2.5	0.1
Sedatives	7.5	4.8	2.2	0.1
MDMA (ecstasy)	7.3	4.5	1.4	0.1
Cocaine, not crack	5.5	2.9	1.3	0.2
Methamphetamine	2.3	1.0	0.5	0.1
LSD	4.0	2.6	0.8	0.1
Crystal methamphetamine	1.8	0.9	0.6	0.1
Crack cocaine	2.4	1.4	0.7	0.2
Steroids	2.0	1.5	1.1	0.4
PCP	1.8	1.0	0.8	0.2
Heroin	1.6	0.9	0.4	0.1

■ More than 1 in 4 seniors said they were drunk at least once in the past month.

* Used on 20 or more occasions in the last 30 days or had 1 or more cigarettes per day in the last 30 days.

– Not included in survey.

Source: Authors' adaptation of Johnston et al.'s *Monitoring the Future National Survey on Drug Use, 1975–2010. Volume I: Secondary School Students.*

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graders, the use of alcohol was common: more than half had tried alcohol, and almost one-third used it in the month prior to the survey.

Perhaps of greater concern are the juveniles who indicated heavy drinking (defined as five or more drinks in a row) in the preceding 2 weeks. Twenty-three percent (23%) of seniors, 16% of 10th graders, and 7% of 8th graders reported recent heavy drinking.

Tobacco use was less prevalent than alcohol use, but it was the most likely substance to be used on a daily basis. In 2010, 42% of 12th graders, 30% of 10th graders, and 18% of 8th graders had tried cigarettes, and 19% of seniors, 12% of 10th graders, and 6% of 8th graders smoked in the preceding month. In addition, 11% of seniors, 7% of 10th graders, and 3% of 8th graders reported currently smoking cigarettes on a daily basis. Overall, based on various measures, tobacco use is down compared with use levels in the early to mid-1990s.

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

In 2010, males were more likely than females to drink alcohol at all and to drink heavily. Among seniors, 44% of males and 38% of females reported alcohol use in the past 30 days, and 28% of males and 18% of females said they had five or more drinks in a row in the previous 2 weeks. Males were twice as likely as females to report daily alcohol use (4% vs. 2%).

Males were also more likely than females to have used marijuana in the previous year (38% vs. 31%), in the previous month (25% vs. 17%), and daily during the previous month (9% vs. 3%). The proportions of male and female high school seniors reporting overall use of illicit drugs other than marijuana in the previous year were more similar (19% and 15%), but there are variations across drugs. Annual prevalence rates for 12th-grade males, compared with 12th-grade females, are 3 to 6 times greater for salvia, heroin with a needle, Provigil, methamphetamine, Rohypnol, GHB, and steroids, and more than twice as high for hallucinogens, LSD, hallucinogens other than LSD, cocaine, crack, cocaine powder, heroin, heroin without a needle, Ritalin, and ketamine. Male use rates for inhalants, OxyContin, and crystal methamphetamine (ice) are 1.5 to 2 times the rates among females. Furthermore, males account for an even

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

	Proportion of seniors who used in previous year				
Substance	Male	Female	White	Black	Hispanic
Alcohol*	44.2%	37.9%	45.4%	31.4%	40.1%
Been drunk*	31.2	21.8	31.6	14.7	20.5
Cigarettes*	21.9	15.7	22.9	10.1	15.0
Marijuana/hashish	38.3	30.7	34.8	30.8	31.6
Narcotics, not heroin	9.9	7.4	11.1	4.0	5.1
Amphetamines	8.3	6.4	8.6	2.8	4.4
Tranquilizers	5.9	5.2	7.3	2.2	3.9
Sedatives	4.8	4.6	5.8	2.7	3.8
Cocaine, not crack	4.0	1.9	3.4	0.9	3.5
Inhalants	4.7	2.5	3.8	2.0	3.6
MDMA (ecstasy)	5.3	3.6	4.5	2.6	4.6
Steroids	2.5	0.3	1.5	1.7	1.3
LSD	3.6	1.4	2.7	0.8	0.9
Crack cocaine	1.9	0.9	1.2	0.7	1.8
Heroin	1.1	0.5	0.8	0.6	0.6

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

Note: Male and female proportions are for 2010. Race/ethnicity proportions include data for 2009 and 2010 to increase subgroup sample size and provide more stable estimates.

Source: Authors' adaptation of Johnston et al.'s *Monitoring the Future National Survey on Drug Use, 1975–2010. Volume I: Secondary School Students*.

Drinking and driving is a high-risk teen behavior

The National Center for Health Statistics reports that motor vehicle crashes are the leading cause of death for high school students, accounting for 63% of all unintentional deaths in 2010 among teens ages 14–17.

According to the 2011 Youth Risk Behavior Surveillance Survey, nearly 1 in 4 students said that in the past month they rode in a vehicle with a driver who had been drinking. The proportion varied across states, ranging from 14% to 32%.

In addition, 1 in 13 high school students said that in the past month they drove a vehicle after drinking alcohol. The proportion was lower for freshmen (who typically are not yet of driving age) than for other high school students. Across states, the proportion ranged from 4% to 12%.

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greater proportion of frequent or heavy users of many of these drugs.

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

In 2010, 10% of black seniors said they had smoked cigarettes in the past 30 days, compared with 23% of whites and 15% of Hispanics. About one-third (31%) of black seniors reported alcohol use in the past 30 days, compared with 45% of white seniors and 40% of Hispanic seniors. Whites were more than twice as likely as blacks to have been drunk in the past month (32% vs. 15%). The figure for Hispanics was 21%.

For nearly all drugs, black seniors report lifetime, annual, 30-day, and daily prevalence rates that are lower than those for their white and Hispanic counterparts. The proportion of seniors who reported using amphetamines in the past year was lower among blacks (3%) than whites (9%) and Hispanics (4%). White and Hispanic seniors were 3 times more likely than blacks to have used cocaine in the previous year.

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

According to the Centers for Disease Control and Prevention's 2010 Youth Risk Behavior Survey, 5% of high school students said they had at least one drink of alcohol on school property in the past month. During the same time period, 6% said they had used marijuana on school property.

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

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

Demographic	Total	Male	Female
Alcohol			
Total	5.1%	5.4%	4.7%
9th grade	5.4	5.6	5.2
10th grade	4.4	4.2	4.5
11th grade	5.2	5.4	4.9
12th grade	5.1	6.4	3.8
White	4.0	4.2	3.8
Black	5.1	6.5	3.8
Hispanic	7.3	7.9	6.6
Marijuana			
Total	5.9%	7.5%	4.1%
9th grade	5.4	7.0	3.7
10th grade	6.2	8.0	4.2
11th grade	6.2	7.5	4.7
12th grade	5.4	7.2	3.5
White	4.5	5.6	3.4
Black	6.7	9.3	4.1
Hispanic	7.7	9.6	5.7

Nationally, 26% of high school students said they were offered, sold, or given an illegal drug on school property at least once during the past 12 months. The proportion was higher for males than for females, especially among black students and among 11th grade students. Hispanic students were more likely than white or black students to report being offered, sold, or given illegal drugs at school. Among females, seniors were less likely than 9th, 10th, and 11th graders to say they were offered, sold, or given an illegal drug on school property.

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

Demographic	Total	Male	Female
Total	25.6%	29.2%	21.7%
9th grade	23.7	25.9	21.3
10th grade	27.8	30.8	24.6
11th grade	27.0	32.5	21.3
12th grade	23.8	28.1	19.3
White	22.7	26.3	18.8
Black	22.8	28.7	17.0
Hispanic	33.2	35.8	30.5

High school seniors were more than twice as likely to use alcohol than use marijuana before age 13

	Percent who had used before age 13					
	Alcohol			Marijuana		
Demographic	Total	Male	Female	Total	Male	Female
Total	20.5%	23.3%	17.4%	8.1%	10.4%	5.7%
9th grade	26.6	28.9	24.1	9.7	12.7	6.6
10th grade	21.1	24.3	17.6	7.5	10.1	4.8
11th grade	17.6	20.9	14.2	7.6	9.6	5.6
12th grade	15.1	17.9	12.2	7.0	8.7	5.3
White	18.1	21.1	14.8	6.5	8.5	4.4
Black	21.8	24.1	19.4	10.5	14.2	6.9
Hispanic	25.2	27.2	23.0	9.4	11.6	7.1

- About 1 in 5 high school students said they had drunk alcohol (more than just a few sips) before they turned 13; fewer than 1 in 10 high school students reported trying marijuana before age 13.
- Females were less likely than males to have used alcohol or marijuana before age 13, and whites were less likely than blacks and Hispanics.

Source: Authors' adaptation of the Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance—United States, 2011.

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Across reporting states, the proportion of high school students who were offered, sold, or given an illegal drug on school property during the past year ranged from 12% to 35%

	Percent who used alcohol on school property in past 30 days			Percent who used marijuana on school property in past 30 days			Percent who were offered, sold, or given illegal drug on school property in the past year		
Reporting states	Total	Male	Female	Total	Male	Female	Total	Male	Female
U.S. Total	5.1%	5.4%	4.7%	5.9%	7.5%	4.1%	25.6%	29.2%	21.7%
Alabama	5.7	6.9	4.5	4.0	4.9	3.1	20.3	23.2	17.3
Alaska	3.4	3.7	3.1	4.3	4.5	4.0	23.1	26.0	20.2
Arizona	6.2	7.6	4.8	5.6	6.0	5.0	34.6	38.2	30.7
Arkansas	4.1	5.3	2.9	3.9	5.1	2.2	26.1	26.3	25.8
Colorado	5.3	5.4	4.6	6.0	6.8	4.7	17.2	19.0	15.0
Connecticut	4.6	5.8	3.4	5.2	7.0	3.3	27.8	32.3	23.3
Delaware	5.0	6.0	4.1	6.1	7.4	4.6	23.1	26.4	19.9
Florida	5.1	6.1	4.0	6.3	8.6	3.9	22.9	26.9	18.8
Georgia	5.4	6.4	3.9	5.6	6.9	4.1	32.1	33.1	30.8
Hawaii	5.0	4.7	5.2	7.6	7.2	7.8	31.7	35.6	28.1
Idaho	4.1	4.9	3.2	4.9	5.8	3.8	24.4	27.9	20.9
Illinois	3.3	4.1	2.6	4.7	6.0	3.3	27.3	31.2	23.4
Indiana	2.0	2.5	1.5	3.3	4.7	1.9	28.3	31.7	24.8
Iowa	2.3	2.9	1.6	3.4	5.1	1.7	11.9	14.5	8.9
Kansas	2.9	3.3	2.4	2.9	4.0	1.7	24.8	27.1	22.4
Kentucky	4.1	5.3	2.7	4.2	5.3	3.0	24.4	26.6	22.1
Louisiana	6.0	7.1	4.6	4.1	6.5	1.7	25.1	29.6	20.9
Maine	3.1	3.8	2.3	–	–	–	21.7	24.6	18.5
Maryland	5.3	5.6	4.8	5.7	6.3	4.5	30.4	33.1	27.4
Massachusetts	3.6	4.5	2.6	6.3	8.9	3.6	27.1	31.4	22.8
Michigan	2.7	3.0	2.2	3.3	4.3	2.2	25.4	29.9	20.6
Mississippi	4.5	6.0	3.0	3.2	4.0	2.3	15.9	20.6	11.3
Montana	3.5	4.4	2.5	5.5	7.0	4.0	25.2	28.7	21.3
Nebraska	3.0	3.4	2.5	2.7	4.5	0.9	20.3	20.7	19.8
New Hampshire	5.6	6.3	4.9	7.3	9.4	4.7	23.1	27.4	18.5
New Jersey	–	–	–	–	–	–	27.3	34.3	20.1
New Mexico	6.4	6.7	6.0	9.7	11.0	8.3	34.5	36.9	32.0
New York	–	–	–	–	–	–	–	–	–
North Carolina	5.5	7.1	3.7	5.2	8.1	2.4	29.8	35.5	24.0
North Dakota	3.1	3.4	2.8	3.4	5.3	1.4	20.8	21.5	20.2
Ohio	–	–	–	–	–	–	24.3	27.7	20.3
Oklahoma	2.6	3.0	2.3	2.4	4.0	0.9	17.2	19.4	14.8
Rhode Island	–	–	–	–	–	–	22.4	26.8	18.0
South Carolina	5.9	6.8	4.8	5.2	8.2	2.1	29.3	33.6	24.9
South Dakota	–	–	–	–	–	–	16.0	16.6	15.3
Tennessee	3.2	3.6	2.7	3.6	4.6	2.6	16.5	18.1	14.8
Texas	3.9	3.9	3.7	4.8	7.1	2.3	29.4	31.4	27.3
Utah	2.7	3.4	1.8	4.0	5.5	2.1	21.4	24.4	17.3
Vermont	3.3	4.2	2.2	6.0	7.9	3.9	17.6	22.2	12.6
Virginia	3.3	3.8	2.8	3.5	3.6	3.2	24.0	25.1	22.9
West Virginia	4.2	5.4	3.0	3.0	4.3	1.7	17.3	20.4	14.1
Wisconsin	–	–	–	–	–	–	20.9	25.5	15.9
Wyoming	5.1	6.0	4.1	4.7	6.3	3.0	25.2	26.3	23.8
Median	4.1	4.9	3.0	4.7	6.0	3.0	24.3	26.8	20.4

– Data not available.

Source: Authors' adaptation of the Centers for Disease Control and Prevention's Youth Risk Behavior Surveillance—United States, 2011.

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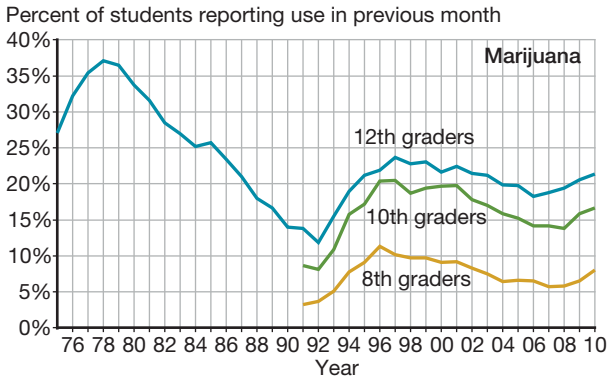
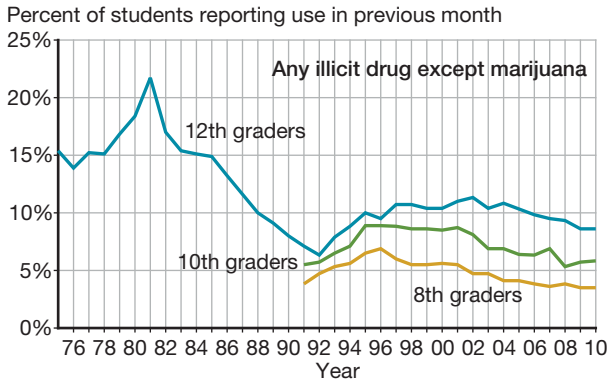
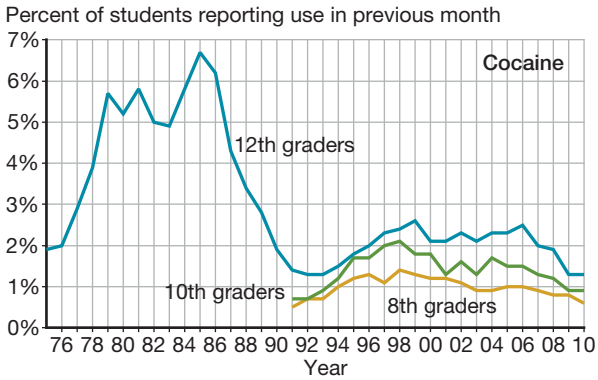
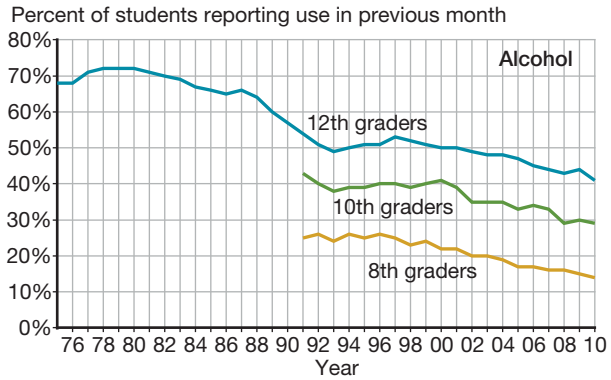
Juvenile illicit drug use declined during the 1980s and has remained relatively constant since then

In 2010, the proportions of high school seniors who reported using illicit drugs in the previous month was above levels of the early 1990s but well below the levels of the early 1980s









- After years of continuous decline, reported use of any illicit drugs by high school seniors rose sharply after 1992, as did reported use by 8th and 10th graders. This pattern continued into the mid-1990s and beyond that for some drugs. In 1998, illicit drug use by 8th graders began a gradual decline. By 2003, 8th and 10th grader use decreased significantly and use by seniors began to drop. Then, in 2010, all grades reported increased use, although only the increase among 8th graders was significant.
- In recent years, the proportion of students reporting use of illicit drugs during the 30 days prior to the survey appears to have stabilized or declined for many categories of drug use. However, for marijuana, the most widely used illicit drug, use declined from 1997 to 2007, then increased through 2010 for 12th graders (+14%), 10th graders (+18%), and 8th graders (+40%).
- In 2010, the proportion of seniors who said they used marijuana in the past month was more than double the proportion who reported past-month use of illicit drugs other than marijuana (21% vs. 9%) but slightly greater than half the proportion who reported past-month alcohol use (41%).
- Past-month cocaine use among seniors peaked in 1985 at nearly 7%. Use levels for cocaine increased between 1992 and 1999 (100% for seniors). Since 2006, proportions declined steadily to the current level of 1% for seniors.
- For all three grades, past-month alcohol use in 2010 was at its lowest level since the mid-1970s—41% for 12th graders, 29% for 10th graders, and 14% for 8th graders.

Source: Authors' adaptation of Johnston et al.'s *Monitoring the Future National Survey on Drug Use, 1975–2010. Volume I: Secondary School Students.*

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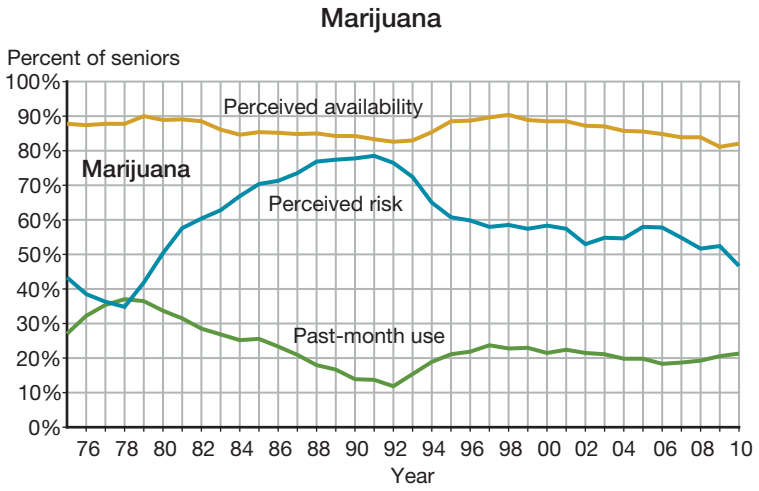
Change in students' use of marijuana and alcohol is tied to their perception of possible harm from use

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

Between 1975 and 2010, the proportion of high school seniors reporting use of marijuana in the 30 days prior to the survey fluctuated, peaking in 1978 and then declining consistently through 1992. After that, reported use increased and then leveled off, although the 2010 rate was still far below the peak level of 1978. When the perceived risk of harm (physical or other) from either regular or occasional use increased, marijuana use declined; when perceived risk declined, use increased. The perception that obtaining marijuana was "fairly easy" or "very easy" remained relatively constant between 1975 and 2010.

Students' reported use of alcohol also shifted from 1975 to 2010. After 1978, alcohol use declined through 1993 and then rose slightly until 1997. Since then, there has been a steady downward drift, with a significant decline in 30-day use to 41% in 2010, compared with 53% in 1997 and 72% in 1978. As with marijuana, when the perceived risk of harm from either weekend "binge" drinking or daily drinking increased, use declined; when perceived risk declined, use increased.

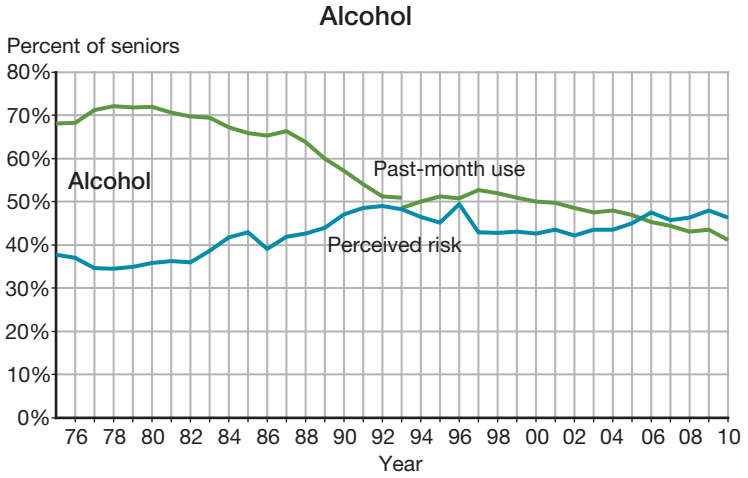
For more than three decades, while marijuana and alcohol availability remained constant, changes in use reflected changes in perceived harm



Perceived availability: Percent saying fairly easy or very easy to get.

Perceived risk: Percent saying great risk or harm in regular use.

Past-month use: Percent using once or more in the past 30 days.



Perceived risk: Percent saying great risk of harm in having five or more drinks in a row once or twice each weekend.

Past-month use: Percent using once or more in the past 30 days. (The survey question on alcohol use was revised in 1993 to indicate that a "drink" meant "more than a few sips." In 1993, half the sample responded to the original question and half to the revised question. Beginning in 1994, all respondents were asked the revised question.)

Source: Authors' adaptation of Johnston et al.'s *Monitoring the Future National Survey on Drug Use, 1975–2010. Volume I: Secondary School Students.*

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The prevalence of gang activity remained stable between 2006 and 2010

The National Youth Gang Survey is an in-depth authoritative source for gang information

Gangs are often associated with violence and serious crimes. Accurately estimating the scope and breadth of the youth gang problem is difficult because of the lack of consensus on what defines a gang and gang activity. The best source on gangs and gang activity has been the National Youth Gang Center's annual Gang Survey. The National Youth Gang Center has collected gang information since 1996, using a national survey to collect data. This national survey is based on a nationally representative sample of law enforcement agencies from cities, suburban areas, and rural areas. The survey has been conducted annually since 1996.

Based on the 2010 National Youth Gang Survey (NYGS), there were an estimated 29,400 gangs composed of 756,000 members in 3,500 jurisdictions in the United States. Large cities of over 50,000 residents and suburban areas were the primary locations for these gangs, with smaller cities and rural areas accounting for just over 36% of gangs.

Participants in the NYGS reported on the presence of gangs in their respective jurisdictions. Gang activity declined from 40% to 24% between 1996 and 2001 and then increased to 34% by 2005, and has stayed between 32% and 35% from 2006 to 2010.

Gangs are defined differently by the FBI, federal government, and state statutes

A gang is defined by federal statute 18 USC § 521 as an ongoing group, club, organization, or association of five or more persons that has as one of its primary purposes conspiracy to commit or the actual commission of a felony involving a controlled substance or crime of violence. The FBI National Crime Information Center defines a gang as three or more persons in an organization, association, or group for the purpose of criminal or illegal activity and behavior. State laws vary, but a majority of them define a gang as three or more people in an organization or association. Every state definition includes criminal or illegal activity for a gang. Gang members are specifically defined by 14 states, and 7 states list specific criteria that a person must meet to be a gang member. Gang crime and gang activity are defined by 24 states, and 19 states specifically list crimes that are considered criminal gang activity.

Youth gang members are overwhelmingly male and predominantly minorities

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

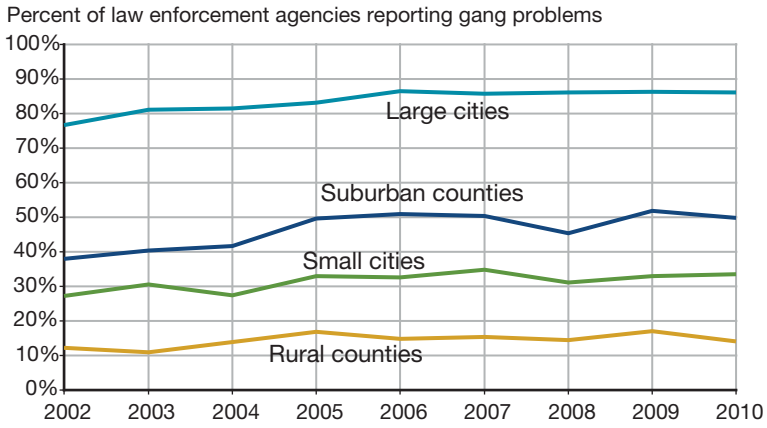
Race/ethnicity profile of U.S. youth gang members:

Race/ethnicity	2004	2008
Total	100%	100%
Hispanic	49	50
Black	37	32
White	8	10
All other	6	8

Gender profile of U.S. youth gang members:

Year	Male	Female
1998	92.3%	7.7%
2000	93.6	6.4
2002	92.8	7.3
2004	93.9	6.1
2007	93.4	6.6
2009	92.6	7.4

Across locality types, the percentage of law enforcement agencies reporting gang problems increased between 2002 and 2006 and then remained relatively constant through 2010



Note: Large cities have populations of 50,000 or more. Small cities have populations between 2,500 and 49,999.

Source: Authors' adaptation of National Gang Center's *National Youth Gang Survey Analysis*.

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Gang-related offenses primarily occur in large cities

Over 50% of all gang homicides between 2006 and 2010 occurred in cities with populations over 100,000. Gang-related homicides increased more than 10% from 2009 to 2010 in these same cities. Of the more than 700 homicides that occurred in Chicago and Los Angeles, more than half were gang related.

The composition of gangs also varies, depending on the size of the residential area. The membership of gangs in larger cities and suburban counties was made up of 40% and 43% juveniles, respectively. Smaller cities and rural county gangs were composed of a majority of juveniles, with 61% of the gangs' members being juveniles.

Gang member migration is the exception rather than the rule outside of urban areas

Gang member migration refers to the movement of actively involved youth gang members from one U.S. jurisdiction to another. Gang member migration was present in a majority (71%) of jurisdictions that responded to the NYGS. Gang members migrate for two distinct reasons. The first is legitimate, social decisions such as efforts to improve quality of life, employment opportunities, and educational opportunities. The second reason is illegitimate purposes such as drug trafficking and distribution or avoidance of law enforcement.

Gang member migration was not common outside of large urban areas. Based on NYGS data, 81% of nonmetro agencies responded that they had experienced no gang member migration. Even when agencies experienced gang member migration, it was generally a small segment of the gang as a whole, less than 25%.

A majority of agencies that had an ongoing gang problem reported gang member migrants. Agencies serving large cities and suburban areas were more likely to report gang migrants than agencies serving smaller areas.

Many large police departments recently established specialized gang units

In 2007, specialized gang units existed in 365 of the nation's largest police departments and sheriff's offices. More than 4,300 officers were employed by these agencies to address gangs and gang-related activities. Most of the gang units (337) reported their year of establishment, and 35% were formed between 2004 and 2007.

Almost all (90%) of these gang units had a formal definition in place to classify a group or individual as a gang or gang member, and 77% of units had a formal definition in place for both gangs and gang members.

Specialized gang units participated in youth gang prevention programs

In 2007, 74% of gang units distributed gang prevention literature to schools, parents, and other members of the community. This was the most common gang prevention activity undertaken by gang units. More than half (56%) of gang units facilitated mentoring and leadership programs. Almost half of all units took part in gang prevention activities with gang-involved youth or in partnership with faith-based organizations.

In 5 cities with a high prevalence of gang homicides, more than 90% of gang homicides involved firearms

The Center for Disease Control analyzed data for five cities from the National Violent Death Report System (NVDRS) for the years 2003–2008. NVDRS collects violent death data from sources such as death certificates, coroner's records, and law enforcement reports, including Supplementary Homicide Reports. These five cities met the criteria of having high levels of homicide: Oklahoma City (OK), Los Angeles (CA), Long Beach (CA), Oakland (CA), and Newark (NJ). The study examined gang and nongang homicides in all five cities. Three times as many gang homicide victims were between the ages of 15 and 19 than nongang homicide victims. Firearms were involved in 57%–86% of nongang homicides but were involved in over 90% of gang-related homicides. Gang homicides were committed predominantly by males in all five cities, with a mean age between 22 and 25.

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Most serious juvenile offenders do not make a career of crime, and original crimes do not predict future offending patterns

Pathways to Desistance followed serious juvenile offenders

For 7 years, the Pathways to Desistance study followed 1,354 serious juvenile offenders (184 females and 1,170 males) from Maricopa County (Phoenix), Arizona, and Philadelphia County, Pennsylvania. At the outset, youth enrolled in the study were 14–17 years old and were found guilty of at least one serious (predominantly felony-level) violent crime, property offense, or drug offense. Data collection included extensive interviews with offenders at enrollment (between 2000 and 2003), followup interviews every 6 months for the first 3 years and annually thereafter, interviews following release from residential facilities, collateral interviews with family members and friends, monthly documentation of significant life events, and reviews of official rearrest records.

Most serious juvenile offenders reduced their offending over time regardless of interventions

Despite their involvement in serious crime, the youth were not uniformly "bad" kids on the road to a lifetime of criminal activity. In fact, most reported engaging in few or no illegal activities after court involvement. Based on self-reports of antisocial activities, the majority (92%) of adolescent, serious offenders decreased or limited illegal activity during the first 3 years following their court involvement. The declining trend remained, even after accounting for time incarcerated.

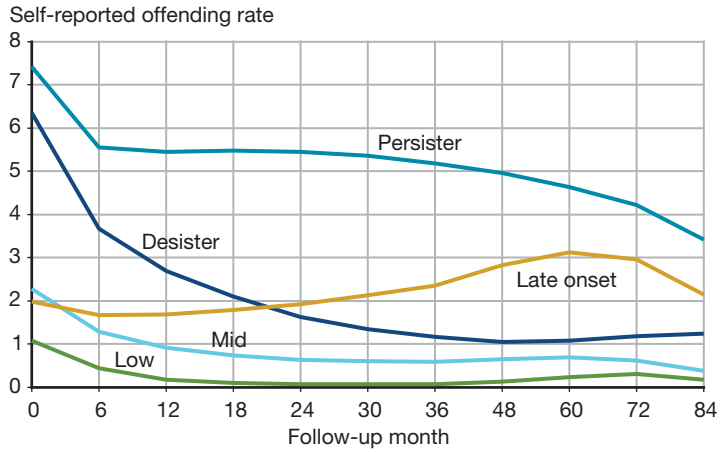
Institutional placement and type of setting appeared to have little effect on who will continue or escalate their antisocial acts and who will desist. The 3-year follow-up study found that, despite similar treatment by the juvenile justice system (detention, residential placement, supervision, and community-based services), two groups of serious male offenders had different outcomes. Approximately 9% of male youth reported continued high levels of offending, while about 15% shifted from high levels of offending at the outset to very low levels of offending over the intervening years.

Substance abuse is strongly related to nondrug-related offending

Although it is difficult to determine a youth's future on the basis of the original crime, the presence of a substance use disorder and the level of substance use were both strongly and independently related to the level of self-reported offending and number of arrests. Youth with a substance use disorder were more likely to continue to offend over the 7-year study period and less likely to spend time working or attending school than those with no substance use issues. In addition, heavier users were more likely to be arrested than less frequent users, a pattern that did not change over time.

Substance abuse treatment appeared to reduce both substance use and offending. Interventions that showed substantial reduction in alcohol use, marijuana use, and nondrug-related offending included significant family involvement and treatment lasting for

Five patterns emerged of youths' self-reported offenses over the 7 years of data collection



- More than one-half of the serious offenders were youth who start off with low levels of offending and whose offending behavior changes little over time. The "low" group accounted for 26% and the "mid" group for 31% of youth in the study.
- The offending pattern of the "desister" group shifted from high to low over the study. This group accounted for 21% of youth in the study.
- Youth who reported persistently high offending rates were the "persister" group. This group accounted for 10% of youth in the study.
- The final observed pattern represents youth who have relatively few offenses initially and who slightly increase antisocial activities over time. This "late onset" group accounted for 12% of the study population.

Note: Results are based on data from 1,051 males only, with at least 70% of interviews administered.

Source: Authors' adaptation of Piquero et al.'s Does Time Matter? Comparing Trajectory Concordance and Covariate Association Using Time-Based and Age-Based Assessments, *Crime & Delinquency*.

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more than 3 months. However, only one-fourth of substance abuse treatment programs included family participation in the treatment process.

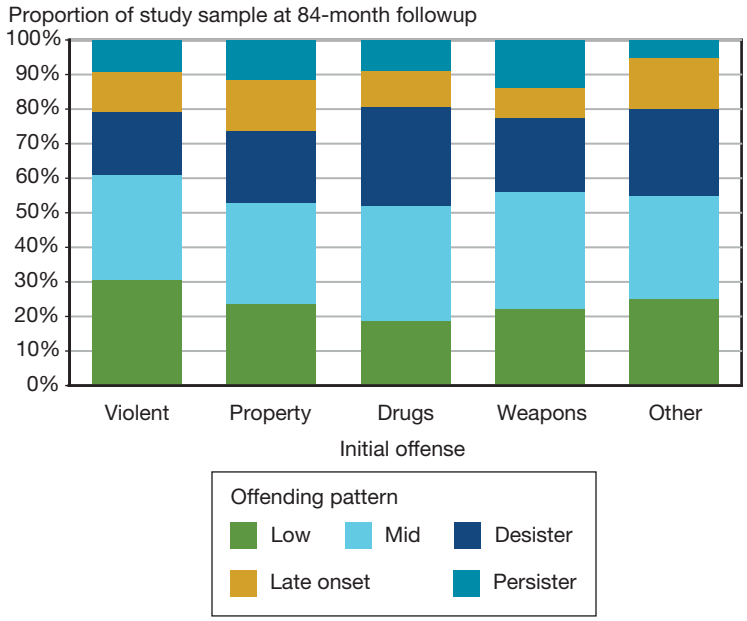
Quality services and positive experiences in institutions reduce subsequent arrests

Longer lengths of stay (exceeding 3 months) in a juvenile facility did not appear to reduce the rate of subsequent arrest. Further analyses suggest several additional factors that influence youth outcomes, including the quality of youth services, the degree to which services were matched to individual youth's needs, and a positive institutional experience and facility environment. These results suggest that improved institutional care could reduce the chance of rearrest or return to an institutional setting.

Increasing the duration of community-based supervision reduced reported reoffending

Investigators examined the effects of aftercare services during the 6 months after a court-ordered placement. Youth who received community-based supervision and aftercare services following residential placement were more likely to attend school, go to work, and avoid further involvement with the juvenile justice system. Youth contact with aftercare prior to release and extended availability of transitional community-based support services increased these benefits.

Youth's initial offenses do not predict whether they will be persisters or desisters



- A similar mix of offending patterns was found across all offense categories. This finding means that offense alone is not a good predictor of which youth are good candidates for diversion.

Source: Authors' adaptation of MacArthur Foundation's *Models for Change: Research on Pathways to Desistance*.

Several other policy take-aways were observed from the Pathways to Desistance study

The Pathways study also provides information on youth's attitudes toward the law and the justice system. Attitudes toward the law, or legal socialization, influence whether youth cooperate with authorities, whether they obey the law, and how they react to punishment. Legal socialization is influenced by youth's perceptions regarding procedural justice—fair and respectful treatment by police, judges, and probation and correctional officers. Other influences include the likelihood of punishment and the cost of punishment versus the rewards of offending (thrills and social and financial rewards). Researchers identified several take-aways regarding legal socialization.

Harsh punishment may have unintended effects: Offending rates increase when youth experience harsh punishment.

Police matter: Fair and respectful treatment by the police helps to reduce youth offending.

Adolescent offenders are rational: They do weigh costs, risks, and rewards but not always in a way that leads to desistance. Immature youth are less rational.

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In 2010, the number of murders by juveniles reached its lowest level since at least 1980

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

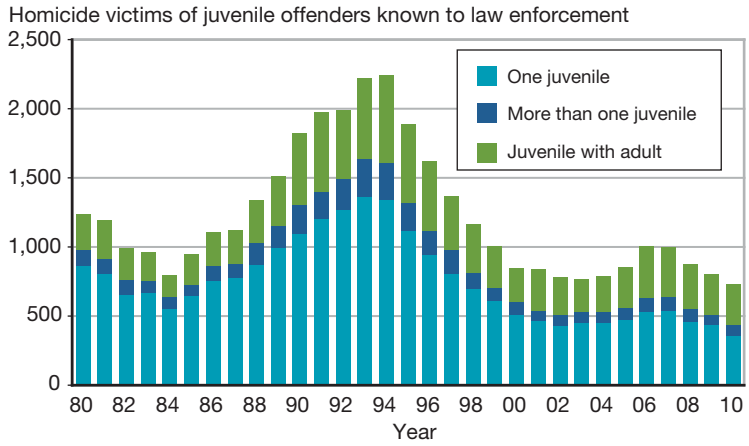
In 2010, the FBI reported that 14,700 persons were murdered in the U.S. In about 9,600 (65%) of these murders, the incident was cleared by arrest or by exceptional means—that is, either an offender was arrested and turned over to the court for prosecution or an offender was identified but law enforcement could not place formal charges (e.g., the offender died). In the other 5,100 murders (35%) in 2010, the offenders were not identified and their demographic characteristics are not known.

Estimating the demographic characteristics of these unknown offenders is difficult. The attributes of unknown offenders probably differ from those of known murder offenders. For example, it is likely that a greater proportion of known offenders have family ties to their victims and that a larger proportion of homicides committed by strangers go unsolved. An alternative to estimating characteristics of unknown offenders is to trend only murders with known offenders. Either approach—to trend only murders with known offenders or to estimate characteristics for unknown offenders—creates its own interpretation problems. For the purpose of this report, all analyses of the FBI's Supplementary Homicide Reports (SHRs) focus solely on known offenders and, therefore, known juvenile offenders.

In 2010, 1 in 12 murders involved a juvenile offender

Juvenile offenders were involved in an estimated 800 murders in the U.S. in 2010—8% of all murders. The juvenile offender acted alone in 48% of these murders, acted with one or more other juveniles in 9%, and acted with at least one adult offender in 43%.

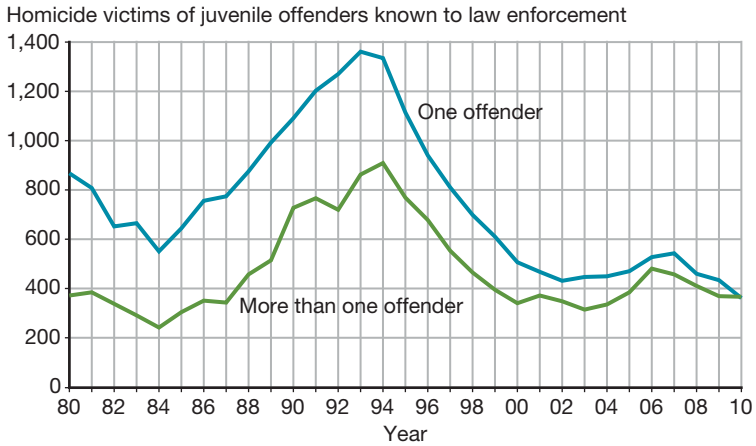
Between 1994 and 2010, the number of murders involving a juvenile offender fell 67% to its lowest level in more than 3 decades



- In the 1980s, one-fourth (25%) of the murders involving a juvenile offender also involved an adult offender. This proportion grew to 31% in the 1990s and then increased to 38% for the years 2000–2010.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

Murders by juveniles in 2010 were less likely to be committed by a lone juvenile offender than in any year since at least 1980



- Between 1980 and 2010, the annual proportion of murders involving a juvenile offender acting alone gradually declined, from 66% in the 1980s to 59% in the 1990s to 52% between 2000 and 2010.
- Between 1993 and 2010, murders by juveniles acting alone fell 73% and murders with multiple offenders declined 57%.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

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In 2010, 85% of the victims of juvenile murderers were male, 45% were white, and 53% were black. Most victims of juvenile offenders (76%) were killed with a firearm. Family members accounted for 12% of the victims of juvenile offenders, acquaintances 53%, and strangers (i.e., no personal relationship to the juvenile offenders) 36%.

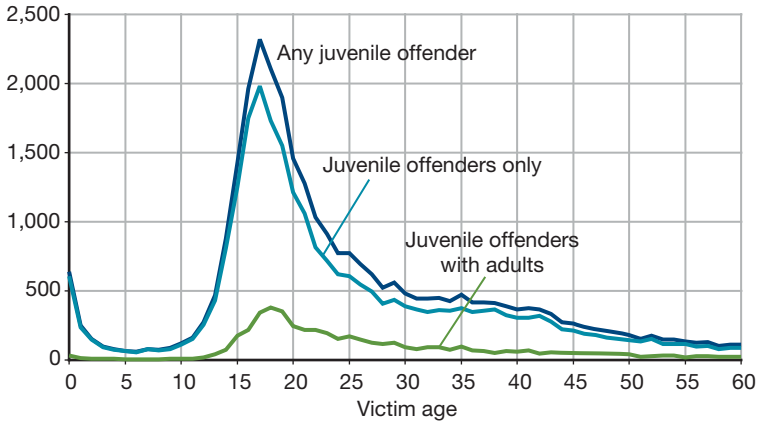
From 1980 through 2010, the proportion of murders with a juvenile offender that also involved multiple offenders gradually increased. In the 1980s, about one-third of all murders with juvenile offenders involved more than one offender; in 2010, this proportion was more than half (52%). Similarly, the proportion of murders with a juvenile offender that also involved an adult gradually increased, from 25% in the first half of the 1980s to 43% in 2010. Throughout this period, on average, 89% of these adult offenders were under age 25.

Fewer juveniles were involved in murder in 2010 than in the 1990s

During the 1990s, widespread concern about juvenile violence resulted in a number of changes in state laws with the intent to send more juveniles into the adult criminal justice system. The focal point of this concern was the unprecedented increase in murders by juveniles between 1984 and 1994. Then, just as quickly, the numbers reversed: juvenile arrests for murder fell steadily since 1994, reaching a level in 2010 that was at its lowest point since at least 1980. Today's youth are considerably less likely to be implicated in murder than youth in the 1990s. The number of known juvenile homicide offenders in 2010 was one-third the number in the 1994 peak.

Between 1980 and 2010, half of all murder victims killed by juveniles were ages 14–24

Homicide victims of juvenle offenders known to law enforcement, 1980–2010

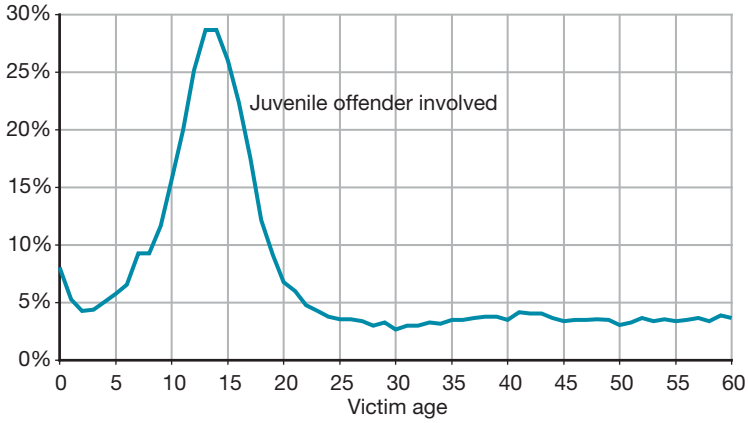


- Of all the murder victims of juvenile offenders, 29% were under age 18.
- Four percent (4%) of murder victims of juvenile offenders were over age 64.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

Between 1980 and 2010, youth ages 13 and 14 were most likely to be killed by a juvenile offender

Percent of all murder victims in age group, 1980–2010
(with offender known to law enforcement)



- Among all murder victims from 1980 through 2010, the proportion killed by juvenile offenders dropped from 29% for victims ages 13 and 14 to 4% for victims age 25 and then remained at or near 4% for all victims older than 25.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

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

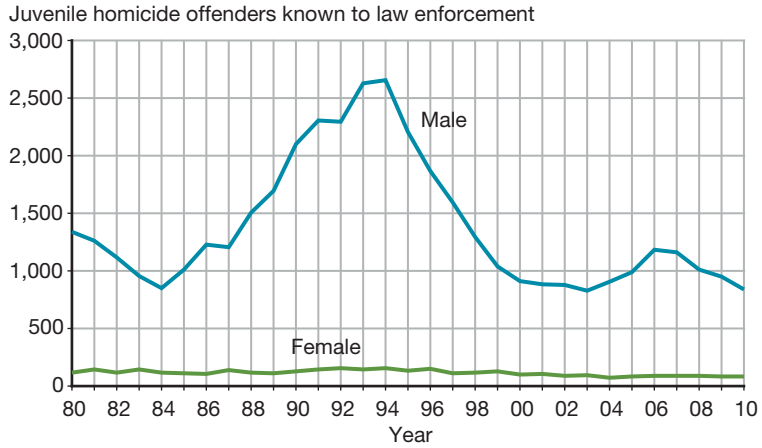
Specific types of murders drove the decade-long rise in youth murder offending between 1984 and 1994. During this period, the overall annual number of juvenile homicide offenders identified by law enforcement tripled. However, the number of juvenile females identified in murder investigations increased less than 40%, while the number of juvenile males increased more than 200%. Thus, the increase between 1984 and 1994 was driven by male offenders.

During the same period, the number of juveniles who committed murder with a firearm increased about 320%, while murders committed without a firearm increased about 30%. Thus, the overall increase was also linked to firearm murders.

Finally, from 1984 to 1994, the number of juveniles who killed a family member increased about 20%, while the numbers of juveniles who killed an acquaintance or a stranger both increased about 220%. Therefore, the historic rise in juvenile murder offending between 1984 and 1994 was the result of a growth in murders by male juveniles, who committed their crime with a firearm and whose victims were nonfamily members.

By the early 2000s, the decade-long increase in murder committed by juvenile offenders had been erased, as the number of known juvenile murder offenders declined 67% between 1994 and 2003. About 70% of the overall decline was attributable to the drop in murders of nonfamily members by juvenile males with a firearm.

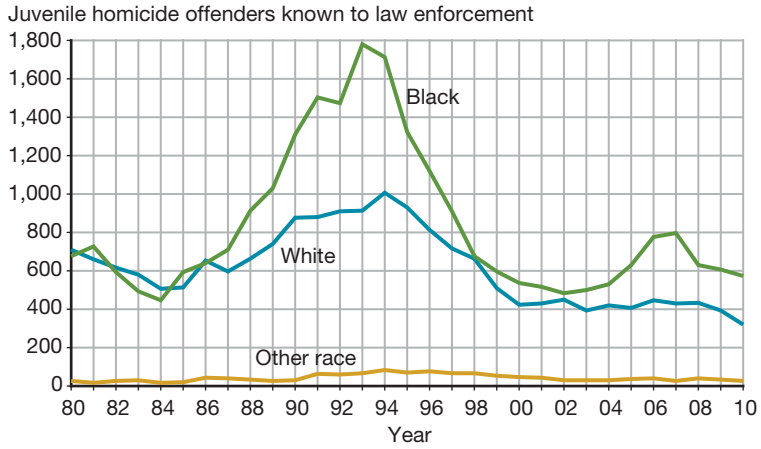
The number of male juvenile homicide offenders varied substantially between 1980 and 2010, unlike the number of female offenders



- After falling 29% between 2006 and 2010, the number of male juvenile murder offenders known to law enforcement in 2010 was at its lowest level since 2003.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

The number of juvenile homicide offenders in 2010 was about one-third the number in 1994 for both white youth and black youth



- Between 1984 and 1994, the number of known white juvenile murder offenders doubled and the number of black offenders quadrupled.
- Following a 68% decline since 1994, the number of known white juvenile murder offenders in 2010 was at its lowest point since at least 1980. Similarly, the number of known black juvenile murder offenders fell 67% during the same period; as a result, the number of known black juvenile homicide offenders in 2010 was at its lowest point since 2004.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

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Despite a slight increase in the mid-2000s, the number of juvenile homicide offenders has been relatively stable over the last decade. The number of known juvenile murder offenders in 2010 returned to the level of 2003, the lowest level since at least 1980.

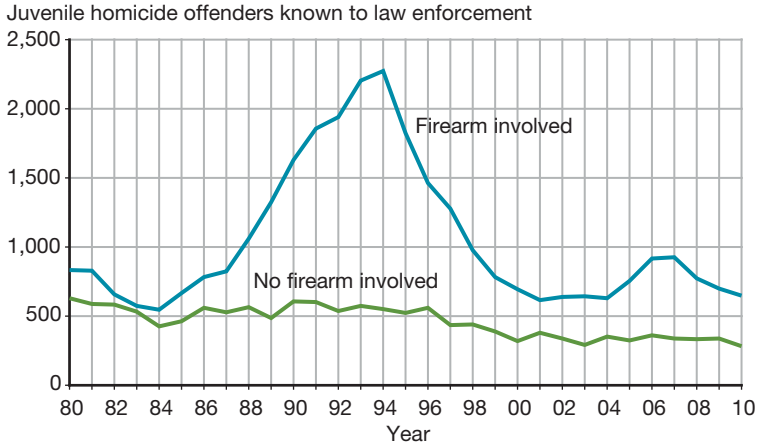
Compared with the 1994 peak, the 2010 profile of homicide offenders has a greater proportion of older juveniles and females, and a smaller proportion of firearm-related homicides.

Profile of juvenile homicide offenders known to law enforcement:

Characteristic	1994	2010
Age	100%	100%
Younger than 15	12	9
Age 15	18	15
Age 16	29	30
Age 17	41	46
Gender	100%	100%
Male	94	91
Female	6	9
Race	100%	100%
White	36	35
Black	61	63
Other race	3	3
Weapon presence	100%	100%
Firearm	81	70
No firearm	19	30
Relationship to victim	100%	100%
Family	7	11
Acquaintance	55	48
Stranger	37	42

Note: 1994 was the peak year for number of juvenile homicide offenders. Detail may not total 100% because of rounding.

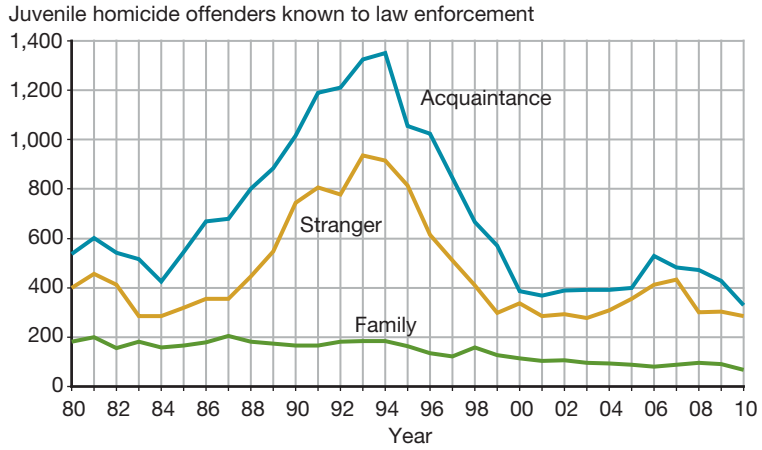
The number of juvenile offenders who committed their crime with a firearm fell 30% between 2007 and 2010



- Between 2001 and 2010, the number of nonfirearm-related homicides committed by known juvenile offenders was relatively stable. However, murders by juveniles with firearms increased between 2001 and 2007 and then declined through 2010.
- In 1994, about 80% of known juvenile homicide offenders committed their crime with a firearm; this percentage fell to 70% in 2010.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

The number of juvenile offenders who killed acquaintances and strangers varied considerably between 1980 and 2010



- The number of known juvenile homicide offenders who killed an acquaintance or stranger rose dramatically between 1980 and 1994. The decline since 1994 has been equally dramatic: by 2010, the number who killed an acquaintance was at its lowest level since at least 1980, and the number that killed a stranger was at its lowest level since 2003.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

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In the 10 years from 2001 through 2010, the characteristics of murders committed by juvenile offenders varied with the age, gender, and race of the offenders

	Juvenile offenders known to law enforcement, 2001–2010							
Characteristic	All	Male	Female	Younger than age 16	Age 16	Age 17	White	Black
Victim age	100%	100%	100%	100%	100%	100%	100%	100%
Younger than 13	4	3	18	8	3	3	6	4
13 to 17	20	20	16	24	21	17	22	18
18 to 24	32	33	24	24	33	37	31	33
Older than 24	43	43	42	45	43	43	41	45
Victim gender	100%	100%	100%	100%	100%	100%	100%	100%
Male	86	88	65	82	87	88	83	88
Female	14	12	35	18	13	12	17	12
Victim race	100%	100%	100%	100%	100%	100%	100%	100%
White	49	49	55	53	49	47	89	23
Black	47	47	42	43	48	49	9	75
Other race	4	4	3	4	3	4	2	2
Victim/offender relationship	100%	100%	100%	100%	100%	100%	100%	100%
Family	11	8	37	18	9	8	16	7
Acquaintance	50	51	45	48	49	52	50	50
Stranger	39	41	19	35	41	40	34	43
Firearm used	100%	100%	100%	100%	100%	100%	100%	100%
Yes	69	71	38	61	69	72	57	77
No	31	29	62	39	31	28	43	23
Number of offenders	100%	100%	100%	100%	100%	100%	100%	100%
One	41	41	42	43	41	40	43	40
More than one	59	59	58	57	59	60	57	60

- Between 2001 and 2010, a greater percentage of the victims of male juvenile murder offenders were adults than were the victims of female offenders (76% vs. 66%). The juvenile victims of female offenders tended to be younger than the juvenile victims of male offenders.
- Adults were the victims of 72% of white juvenile murder offenders and 78% of black juvenile murder offenders.
- Although 75% of the victims of black juvenile murder offenders were black, black murder offenders were much more likely than white offenders to have victims of another race (25% vs. 11%).
- Female juvenile murder offenders were much more likely than male juvenile murder offenders to have female victims (35% vs. 12%) and to have victims who were family members (37% vs. 8%).
- Firearms were more likely to be involved in murders by male offenders than female offenders (71% vs. 38%) and in murders by black offenders than white offenders (77% vs. 57%).
- Homicide victims of white juvenile offenders were more likely to be a family member than were homicide victims of black offenders (16% vs. 7%).
- Younger murder offenders (younger than age 16) were somewhat more likely than older youth (age 17) to commit their crimes alone (43% vs. 40%), and white offenders were more likely to act alone than were black offenders (43% vs. 40%). In contrast, juvenile murder offenders' gender was unrelated to the proportion of crimes committed with co-offenders.

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

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980 through 2010 [machine-readable data files].

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The daily patterns of juvenile violent, drug, and weapons crimes differ on school and nonschool days

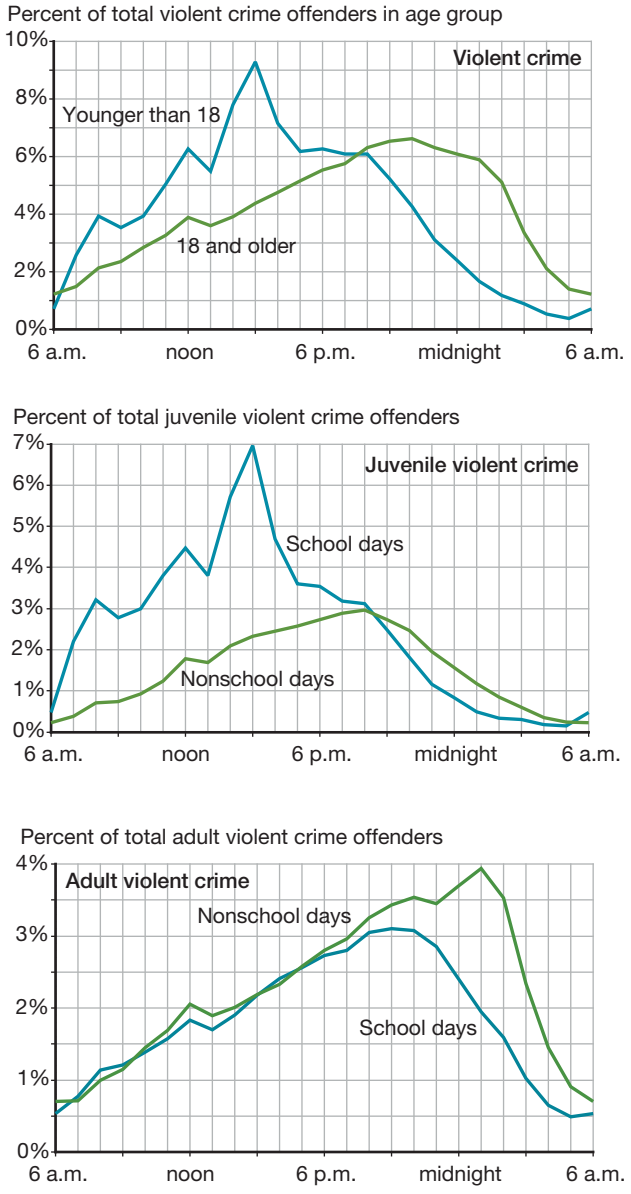
Peak time periods for juvenile violent crime depend on the day

The FBI's National Incident-Based Reporting System (NIBRS) collects information on each crime reported to contributing law enforcement agencies, including the date and time of day the crime occurred. For calendar years 2009 and 2010, agencies in 35 states and the District of Columbia provided information on the time of day of reported crimes. Analyses of these data show that for many offenses, juveniles commit crimes at different times than adults, and the juvenile patterns vary on school and nonschool days.

The number of violent crimes (murder, sexual assault, robbery, and aggravated and simple assault) by adult offenders increased hourly through the morning, afternoon, and evening hours, peaking around 10 p.m., then declining to a low point at 6 a.m. In contrast, violent crimes by juveniles peaked between 3 p.m. and 4 p.m. (the hour at the end of the school day) and then generally declined hour by hour until the low point at 5 a.m. At 10 p.m. when the number of adult violent crimes peaked, the number of violent crimes involving juvenile offenders was about half the number at 3 p.m.

The importance of the afterschool period in juvenile violence is confirmed when the days of the year are divided into two groups: school days (Mondays through Fridays in the months of September through May, excluding holidays) and nonschool days (the months of June through August, all weekends, and holidays). A comparison of the school- and nonschool-day violent crime patterns finds that the 3 p.m. peak occurs only on school days and only for juveniles. The timing of adult violent crimes is similar on school and nonschool days, with one exception: the peak occurs later on nonschool days (i.e., weekends and summer days).

Violent crime by juvenile offenders peaks in the afterschool hours on school days



- The small difference in the adult patterns on school and nonschool days probably is related to the fact that nonschool days are also weekend or summer days.

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

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data file].

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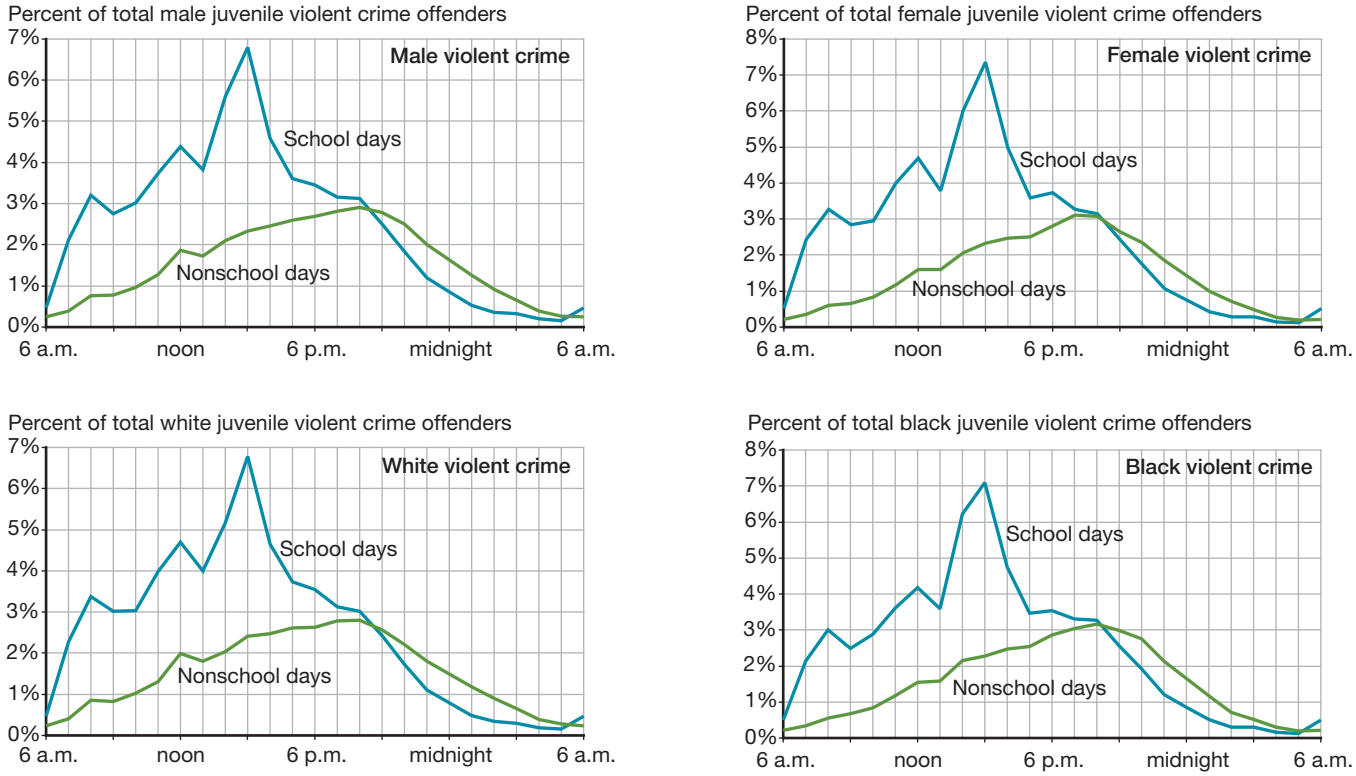
Finally, the time pattern of juvenile violent crimes on nonschool days is similar to that of adults (but peaks a few hours earlier than that of adults).

Afterschool programs have more crime reduction potential than do juvenile curfews

The number of school days in a year is essentially equal to the number of nonschool days in a year. Based on 2009–2010 NIBRS data, 62% of all violent crimes committed by juveniles occurred on school days. In fact, nearly 1 of every 5 juvenile violent crimes (19%) occurred in the 4 hours between 3 p.m. and 7 p.m. on school days. A smaller proportion of juvenile violent crime (14%) occurred during the standard juvenile curfew hours of 10 p.m. to 6 a.m. However, the annual number of hours in the curfew period (i.e., 8 hours every day in the year) is 4 times greater than the number of hours in the 3 p.m. to 7 p.m. period on school days (i.e., 4 hours in half of the days in the year). Therefore, the rate of juvenile violence in the afterschool period was more than 5 times the rate in the juvenile curfew period. Consequently, efforts to reduce juvenile crime after school would appear to have greater potential to decrease a community's violent crime rate than do juvenile curfews.

The patterns of juvenile violent crime are similar for males and females and for whites and blacks on school and nonschool days



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

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data file].

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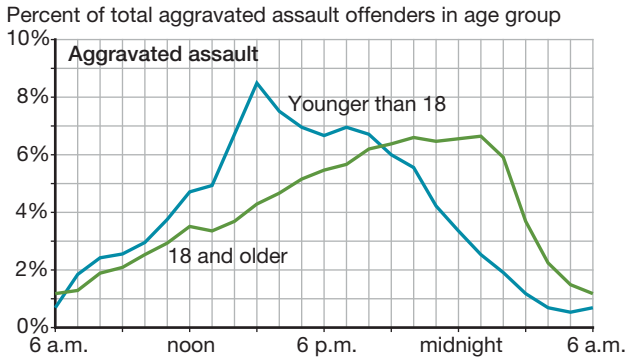
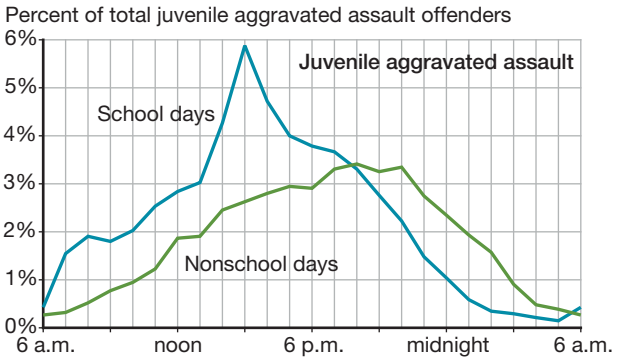
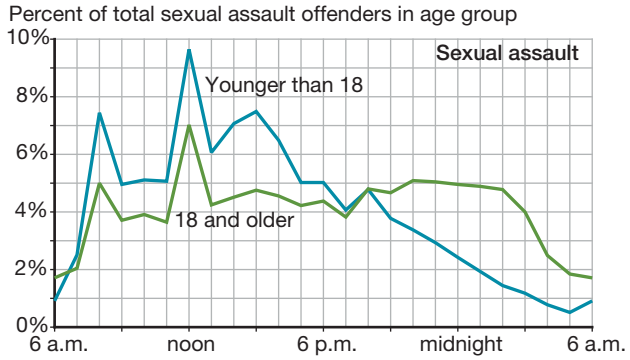
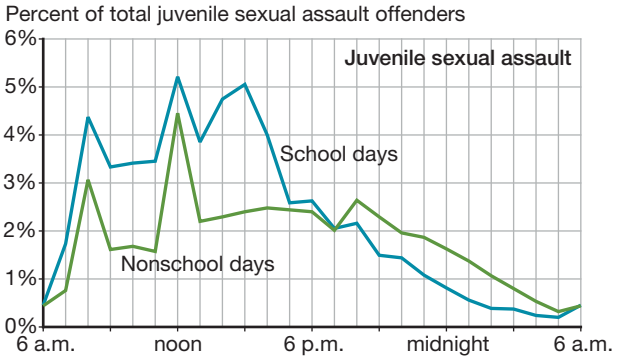
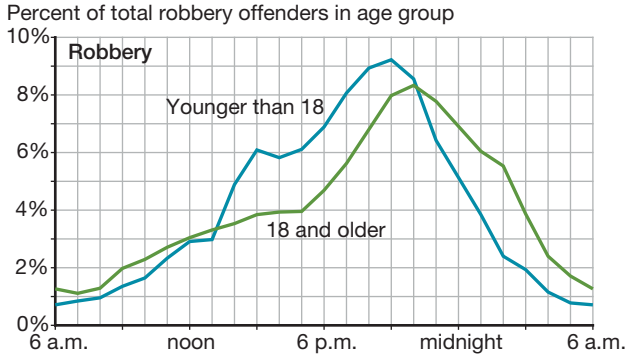
Aggravated assault by juvenile offenders peaked at 3 p.m. on school days, coinciding with the end of the school day

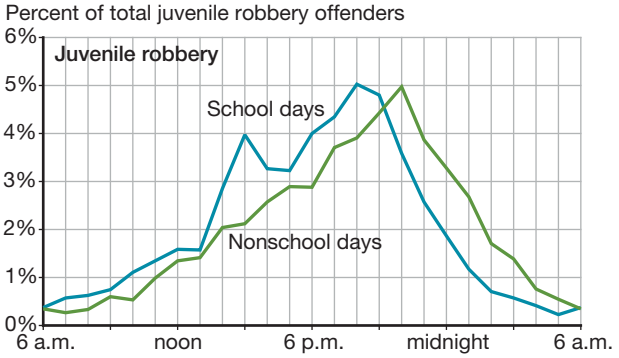












- Sexual assaults by juvenile offenders spike at 8 a.m. and noon on both school and nonschool days and at 3 p.m. on school days.
- Unlike other violent crimes, the daily timing of robberies by juvenile offenders is similar to the adult patterns, peaking in the evening hours on both school and nonschool days.
- Before 8 p.m., persons are more at risk of becoming an aggravated assault victim of a juvenile offender on school days than on nonschool days (i.e., weekends and all summer days).

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data file].

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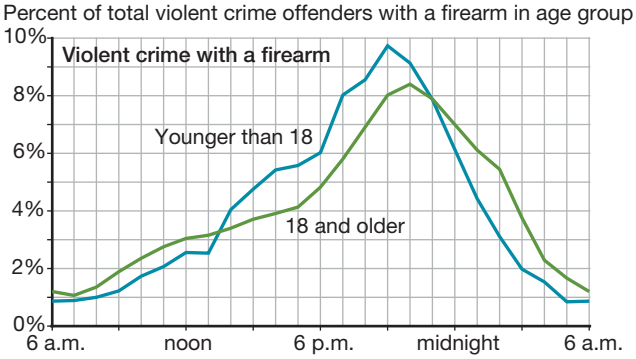
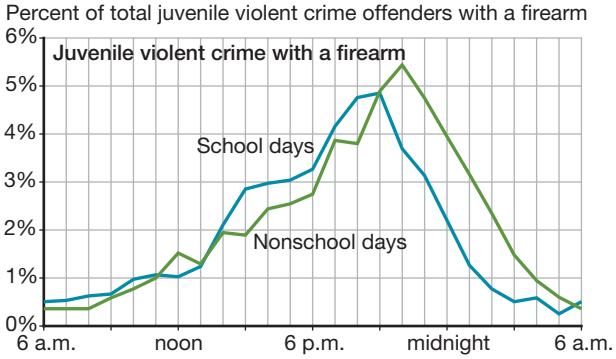
Similar to adults, juveniles are most likely to commit a crime with a firearm between 9 p.m. and 10 p.m.

Percent of total violent crime offenders with a firearm in age group



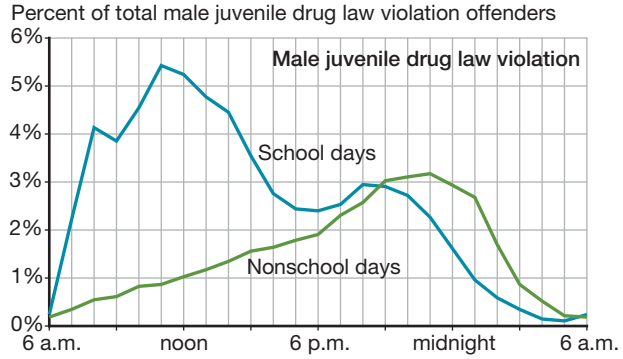
Percent of total juvenile violent crime offenders with a firearm



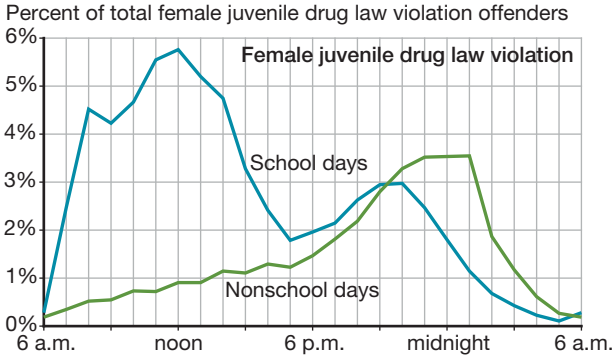
Note: Violent crimes include murder, violent sexual assault, robbery, aggravated assault, and simple assault.

The temporal patterns of drug law violations known to law enforcement for both male and female juveniles indicate how often schools are a setting for drug crimes and their detection

Percent of total male juvenile drug law violation offenders

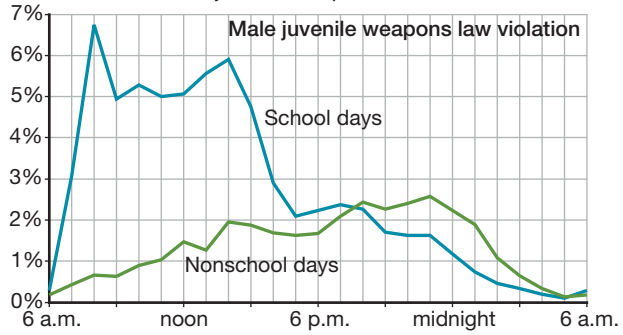


Percent of total female juvenile drug law violation offenders

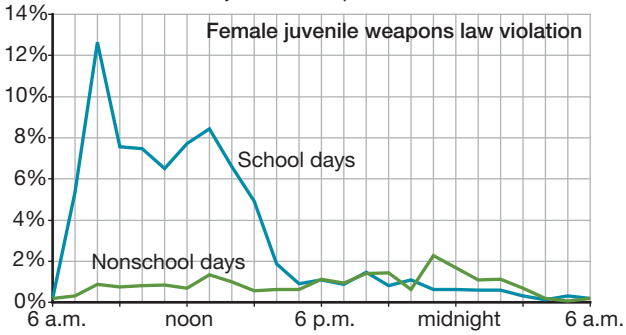


The time and day patterns of juvenile weapons law violations by males, and especially by females, reflect the major role schools play in bringing these matters to the attention of law enforcement

Percent of total male juvenile weapons law violation offenders



Percent of total female juvenile weapons law violation offenders



Source: Authors' analyses of the FBI's *National Incident-Based Reporting System: Extract Files* for the years 2009 and 2010 [machine-readable data file].

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Chapter 4

Juvenile justice system structure and process

The first juvenile court in the United States was established in Chicago in 1899, more than 100 years ago. In the long history of law and justice, juvenile justice is a relatively new development. The juvenile justice system has changed drastically since the late 1960s, due to Supreme Court decisions, federal legislation, and changes in state statutes.

Perceptions of a juvenile crime epidemic in the early 1990s, brought about by a number of reasons, including media scrutiny, focused the public's attention on the juvenile justice system's ability to effectively control violent juvenile offenders. As a reaction, states adopted numerous legislative changes in an effort to crack down on juvenile crime. In fact, through the mid-1990s, nearly every state broadened the scope of their transfer laws, exposing more youth to criminal court prosecution. Although the juvenile and criminal justice systems have grown similar in recent years, the juvenile justice system remains unique, guided by its own philosophy—with an emphasis on individualized justice and serving the best interests of the child—and legislation, and implemented by its own set of agencies.

This chapter describes the structure and process of the juvenile justice system, focusing on delinquency and status offense matters. (Chapter 2 discusses the handling of child maltreatment matters.) Parts of this chapter provide an overview of the history of juvenile justice in the United States, lay out the significant Supreme Court decisions that have shaped and affected the juvenile justice system, and describe standardized case processing in the juvenile justice system. Also summarized in this chapter are changes that states have made with regard to the juvenile justice system's jurisdictional authority, sentencing, corrections, programming, confidentiality of records and court hearings, and victim involvement in court hearings. Much of this information was drawn from National Center for Juvenile Justice analyses of juvenile codes in each state. (Note: For ease of discussion, the District of Columbia is often referred to as a state.)

This chapter also includes information on juveniles processed in the federal justice sytem, as well as a discussion on measuring recidivism in the justice system.

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The juvenile justice system was founded on the concept of rehabilitation through individualized justice

Early in U.S. history, children who broke the law were treated the same as adult criminals

Throughout the late 18th century, "infants" below the age of reason (traditionally age 7) were presumed to be incapable of criminal intent and were, therefore, exempt from prosecution and punishment. Children as young as 7, though, could stand trial in criminal court for offenses committed, and if found guilty, could be sentenced to prison or even given a death sentence.

The 19th century movement that led to the establishment of the juvenile court in the U.S. had its roots in 16th century European educational reform movements. These earlier reform movements changed the perception of children from one of miniature adults to one of persons with less than fully developed moral and cognitive capacities. As early as 1825, the Society for the Prevention of Juvenile Delinquency established a facility specifically for the housing, education, and rehabilitation of juvenile offenders. Soon, facilities exclusively for juveniles were established in most major cities. By mid-century, these privately operated youth "prisons" were under criticism for various abuses. Many states then took on the responsibility of operating juvenile facilities.

The first juvenile court in the United States was established in Cook County, Illinois, in 1899

Illinois passed the Juvenile Court Act in 1899, which established the nation's first separate juvenile court. The British doctrine of *parens patriae* (the state as parent) was the rationale for the right of the state to intervene in the lives of children in a manner different from the way it dealt with the lives of adults. The doctrine was interpreted to mean that because children were not of full legal capacity, the state had the inherent power and responsibility to provide protection for children whose natural parents were not providing appropriate care or supervision. A key element was the focus on the welfare of the child. Thus, the delinquent child was also seen as in need of the court's benevolent intervention.

Juvenile courts flourished for the first half of the 20th century

By 1910, 32 states had established juvenile courts and/or probation services. By 1925, all but two states had followed suit. Rather than merely punishing delinquents for their crimes, juvenile courts sought to turn delinquents into productive citizens—through rehabilitation and treatment.

The mission to help children in trouble was stated clearly in the laws that established juvenile courts. This mission led to procedural and substantive differences between the juvenile and criminal justice systems.

In the first 50 years of the juvenile court's existence, most juvenile courts had exclusive original jurisdiction over all youth under age 18 who were charged with violating criminal laws. Only if the juvenile court waived its jurisdiction in a case, a child could be transferred to criminal court and tried as an adult. Transfer decisions were made on a case-by-case basis using a "best interests of the child and public" standard and were within the realm of individualized justice.

The focus on offenders and not offense, on rehabilitation and not punishment, had substantial procedural impact

Unlike the criminal justice system, where district attorneys selected cases for trial, the juvenile court controlled its own intake. And unlike criminal prosecutors, juvenile court intake considered extra-legal as well as legal factors in deciding how to handle cases. Juvenile court intake also had discretion to handle cases informally, bypassing judicial action altogether.

In the courtroom, juvenile court hearings were much less formal than criminal court proceedings. In this benevolent court—with the express purpose of protecting children—due process protections afforded to criminal defendants were deemed unnecessary. In the early juvenile courts, and even in some to this day, attorneys for the state and the youth are not considered essential to the operation of the system, especially in less serious cases.

A range of dispositional options was available to a judge wanting to help rehabilitate a child. Regardless of offense, outcomes ranging from warnings to probation supervision to training school confinement could be part of the treatment plan. Dispositions were tailored to the "best interests of the child." Treatment lasted until the child was "cured" or became an adult (age 21), whichever came first.

As public confidence in the treatment model waned, due process protections were introduced

In the 1950s and 1960s, society came to question the ability of the juvenile court to succeed in rehabilitating delinquent youth. The treatment techniques available to juvenile justice professionals often failed to reach the desired levels of effectiveness. Although the goal of rehabilitation through individualized justice—the basic philosophy of the juvenile justice system— was not in question, professionals were concerned about the growing number of juveniles institutionalized indefinitely in the name of treatment.

In a series of decisions beginning in the 1960s, the U.S. Supreme Court changed the juvenile court process. Formal hearings were now required in

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The first cases in juvenile court

After years of development and months of compromise, the Illinois legislature passed, on April 14, 1899, a law permitting counties in the state to designate one or more of their circuit court judges to hear all cases involving dependent, neglected, and delinquent children younger than age 16. The legislation stated that these cases were to be heard in a special courtroom that would be designated as "the juvenile courtroom" and referred to as the "Juvenile Court." Thus, the first juvenile court opened in Cook County on July 3,1899, was not a new court, but a division of the circuit court with original jurisdiction over juvenile cases.

The judge assigned to this new division was Richard Tuthill, a Civil War veteran who had been a circuit court judge for more than 10 years. The first case heard by Judge Tuthill in juvenile court was that of Henry Campbell, an 11-year-old who had been arrested for larceny. The hearing was a public event. While some tried to make the juvenile proceeding secret, the politics of the day would not permit it. The local papers carried stories about what had come to be known as "child saving" by some and "child slavery" by others.*

At the hearing, Henry Campbell's parents told Judge Tuthill that their son was a good boy who had been led into trouble by others, an argument consistent with the underlying philosophy of the court—that individuals (especially juveniles) were not solely responsible for the crimes they commit. The parents did not want young Henry sent to an institution, which was one of the few options available to the judge. Although the enacting legislation granted the new juvenile court the right to appoint probation officers to handle juvenile cases, the officers were not to receive publicly funded compensation. Thus, the judge had no probation staff to provide services to Henry. The parents suggested that Henry be sent to live with his grandmother in Rome, New York. After questioning the parents, the judge agreed to send Henry to his grandmother's in the hope that he would "escape the surroundings which have caused the mischief." This first case was handled informally, without a formal adjudication of delinquency on the youth's record.

Judge Tuthill's first formal case is not known for certain, but the case of Thomas Majcheski (handled about two weeks after the Campbell case) might serve as an example. Majcheski, a 14-year-old, was arrested for stealing grain from a freight car in a railroad yard, a common offense at the time. The arresting officer told the judge that the boy's father was dead and his mother (a washerwoman with nine children) could not leave work to come to court. The officer also said that the boy had committed similar offenses previously but had never been arrested. The boy admitted the crime. The judge then asked the nearly 300 people in the courtroom if they had anything to say. No one responded. Still without a probation staff in place, the judge's options were limited: dismiss the matter, order incarceration at the state reformatory, or transfer the case to adult court. The judge decided the best alternative was incarceration in the state reformatory, where the youth would "have the benefit of schooling."

A young man in the audience then stood up and told the judge that the sentence was inappropriate. Newspaper accounts indicate that the objector made the case that the boy was just trying to obtain food for his family. Judge Tuthill then asked if the objector would be willing to take charge of the boy and help him become a better citizen. The young man accepted. On the way out of the courtroom, a reporter asked the young man of his plans for Thomas. The young man said "Clean him up, and get him some clothes and then take him to my mother. She'll know what to do with him."

In disposing of the case in this manner, Judge Tuthill ignored many possible concerns (e.g., the rights and desires of Thomas's mother and the qualifications of the young man—or more directly, the young man's mother). Nevertheless, the judge's actions demonstrated that the new court was not a place of punishment. The judge also made it clear that the community had to assume much of the responsibility if it wished to have a successful juvenile justice system.

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* Beginning in the 1850s, private societies in New York City rounded up street children from the urban ghettos and sent them to farms in the Midwest. Child advocates were concerned that these home-finding agencies did not properly screen or monitor the foster homes, pointing out that the societies were paid by the county to assume responsibility for the children and also by the families who received the children. Applying this concern to the proposed juvenile court, the Illinois legislation stated that juvenile court hearings should be open to the public so the public could monitor the activities of the court to ensure that private organizations would not be able to gain custody of children and then "sell" them for a handsome profit and would not be able to impose their standards of morality or religious beliefs on working-class children.

Source: Authors' adaptation of Tanenhaus' *Juvenile Justice in the Making*.

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waiver situations, and delinquents facing possible confinement were given 5th amendment protection against self-incrimination and rights to receive notice of the charges against them, to present witnesses, to question witnesses, and to have an attorney. The burden of proof was raised from "a preponderance of evidence" to a "beyond a reasonable doubt" standard for an adjudication. The Supreme Court, however, still held that there were enough "differences of substance between the criminal and juvenile courts … to hold that a jury is not required in the latter." (See Supreme Court decisions later in this chapter.)

Meanwhile, Congress, in the Juvenile Delinquency Prevention and Control Act of 1968, recommended that children charged with noncriminal (status) offenses be handled outside the court system. A few years later, Congress passed the Juvenile Justice and Delinquency Prevention Act of 1974, which as a condition for state participation in the Formula Grants Program required deinstitutionalization of status offenders and nonoffenders as well as the separation of juvenile delinquents from adult offenders. In the 1980 amendments to the 1974 Act, Congress added a requirement that juveniles be removed from adult jail and lockup facilities, and the 1992 amendment added requirements to reduce disproportionate minority confinement (later contact). Community-based programs, diversion, and deinstitutionalization became the banners of juvenile justice policy in the 1970s.

In the 1980s, the pendulum began to swing toward law and order

During the 1980s, the public perceived that serious juvenile crime was increasing and that the system was too lenient with offenders. Although there was a substantial misperception regarding increases in juvenile crime, many states responded by passing more stringent laws. Some laws removed certain classes of offenders from the juvenile justice system and handled them as adult criminals in criminal court. Others required the juvenile justice system to be more like the criminal justice system and to treat certain classes of juvenile offenders as criminals but in juvenile court.

As a result, offenders charged with certain offenses now are excluded from juvenile court jurisdiction or face mandatory or automatic waiver to criminal court. In several states, concurrent jurisdiction provisions give prosecutors the discretion to file certain juvenile cases directly in criminal court rather than juvenile court. In some states, certain adjudicated juvenile offenders face mandatory sentences.

The 1990s saw unprecedented change as state legislatures cracked down on juvenile crime

Five areas of change emerged as states passed laws designed to combat juvenile crime. These laws generally involved expanded eligibility for criminal court processing and adult correctional sanctioning, and reduced confidentiality protections for a subset of juvenile offenders. Between 1992 and 1997, all but three states changed laws in one or more of the following areas:

- Transfer provisions: Laws made it easier to transfer juvenile offenders from the juvenile justice system to the criminal justice system (45 states).
- Sentencing authority: Laws gave criminal and juvenile courts expanded sentencing options (31 states).
- Confidentiality: Laws modified or removed traditional juvenile court confidentiality provisions by making records and proceedings more open (47 states).

In addition to these areas, there was change relating to:

- Victims' rights: Laws increased the role of victims of juvenile crime in the juvenile justice process (22 states).
- Correctional programming: As a result of new transfer and sentencing laws, adult and juvenile correctional administrators developed new programs.

The 1980s and 1990s saw significant change in terms of treating more juvenile offenders as criminals. Changes since 2000 have been minor by comparison. No major new expansion of the juvenile justice system has occurred. On the other hand, states have shown little tendency to reverse or even reconsider the expanded transfer and sentencing laws already in place. Despite the steady decline in juvenile crime and violence rates since 1994, there has, at the time of this publication, been no discernible pendulum swing back toward the 1970s approach to transfer. However, many of the other juvenile justice mechanisms, such as community-based programs and diversion, are still in use.

Some juvenile codes emphasize prevention and treatment goals, some stress punishment, but most seek a balanced approach

States vary in how they express the purposes of their juvenile courts—not just in the underlying assumptions and philosophies but also in the approaches they take to the task. Some declare their goals and objectives in great detail; others mention only the broadest of aims. Many juvenile court purpose clauses have been amended over the years, reflecting philosophical or rhetorical shifts and changes in emphasis in the states' overall approaches to juvenile delinquency. Others have been

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Several core requirements of the Juvenile Justice and Delinquency Prevention Act address custody issues

The Juvenile Justice and Delinquency Prevention Act of 2002 (the Act) establishes four custody-related requirements.

The **"deinstitutionalization of status offenders and nonoffenders"** requirement (1974) specifies that juveniles not charged with acts that would be crimes for adults "shall not be placed in secure detention facilities or secure correctional facilities." This requirement does not apply to juveniles charged with violating a valid court order or possessing a handgun, or those held under interstate compacts.

The **"sight and sound separation"** requirement (1974) specifies that "juveniles alleged to be or found to be delinquent and [status offenders and nonoffenders] shall not be detained or confined in any institution in which they have contact with adult inmates" in custody because they are awaiting trial on criminal charges or have been convicted of a crime. This requires that juvenile and adult inmates cannot see each other and no conversation between them is possible.

The **"jail and lockup removal"** requirement (1980) states that juveniles shall not be detained or confined in adult jails or lockups. There are, however, several exceptions. There is a 6-hour grace period that allows adult jails and lockups to hold delinquents temporarily while awaiting transfer to a juvenile facility or making court appearances. (This exception applies only if the facility can maintain sight and sound separation.) Under certain conditions, jails and lockups in rural areas may hold delinquents awaiting initial court appearance up to 48 hours. Some jurisdictions have obtained approval for separate juvenile detention centers that are collocated with an adult facility; in addition, staff who work with both juveniles and adult inmates must be trained and certified to work with juveniles.

Regulations implementing the Act exempt juveniles held in secure adult facilities if the juvenile is being tried as a criminal for a felony or has been convicted as a criminal felon. Regulations also allow adjudicated delinquents to be transferred to adult institutions once they have reached the state's age of full criminal responsibility, where such transfer is expressly authorized by state law.

In the past, the **"disproportionate minority confinement"** (DMC) requirement (1988) focused on the extent to which minority youth were confined in proportions greater than their representation in the population. The 2002 Act broadened the DMC concept to encompass all stages of the juvenile justice process; thus, DMC has come to mean **disproportionate minority contact**.

States must agree to comply with each requirement to receive Formula Grants funds under the Act's provisions. States must submit plans outlining their strategy for meeting these and other statutory requirements. Noncompliance with core requirements results in the loss of at least 20% of the state's annual Formula Grants Program allocation per requirement.

As of 2012, 56 of 57 eligible states and territories were participating in the Formula Grants Program. Annual state monitoring reports show that the vast majority were in compliance with the requirements, either reporting no violations or meeting *de minimis* or other compliance criteria.

left relatively untouched for decades. Given the changes in juvenile justice in recent decades, it is remarkable how many states still declare their purposes in language first developed by standards-setting agencies in the 1950s and 1960s.

Most common in state purpose clauses are components of Balanced and Restorative Justice (BARJ). BARJ advocates that juvenile courts give balanced attention to three primary interests: public safety, individual accountability to victims and the community, and development of skills to help offenders live law-abiding and productive lives. Some states are quite explicit in their adoption of the BARJ model. Others depart somewhat from the model in the language they use, often relying on more traditional terms (treatment, rehabilitation, care, guidance, assistance, etc.).

Several states have purpose clauses that are modeled on the one in the Standard Juvenile Court Act. The Act was originally issued in 1925 and has been revised numerous times. The 1959 version appears to have been the most influential. According to its opening provision, the purpose of the Standard Act was that "each child coming within the jurisdiction of the court shall receive… the care, guidance, and control that will conduce to his welfare and the best interest of the state, and that when he is removed from the control of his parents the court shall secure for him care as nearly as possible equivalent to that which they should have given him."

Another group of states uses all or most of a more elaborate, multipart purpose clause contained in the Legislative *Guide for Drafting Family and Juvenile Court Acts*, a late 1960s publication. The *Guide's* opening section lists four purposes:

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- To provide for the care, protection, and wholesome mental and physical development of children involved with the juvenile court.
- To remove from children committing delinquent acts the consequences of criminal behavior and to substitute therefore a program of supervision, care, and rehabilitation.
- To remove a child from the home only when necessary for his welfare or in the interests of public safety.
- To assure all parties their constitutional and other legal rights.

Purpose clauses in some states can be loosely characterized as "tough" in that they stress community protection, offender accountability, crime reduction through deterrence, or outright punishment. Texas and Wyoming, for instance, having largely adopted the multipurpose language of the Legislative Guide, pointedly insert two extra items—"protection of the public and public safety" and promotion of "the concept of punishment for criminal acts"—at the head of the list.

A few jurisdictions have statutory language that emphasizes promotion of the welfare and best interests of the juvenile as the sole or primary purpose of the juvenile court system. For example, Massachusetts has language stating that accused juveniles should be "treated, not as criminals, but as children in need of aid, encouragement and guidance."

States juvenile code purpose clauses vary in their emphasis

State	BARJ features	Juvenile Court Act language	Legislative Guide language	Accountability/ protection emphasis	Child welfare emphasis
Alabama	■				
Alaska	■				
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			■	■	

Source: Authors' adaptation of OJJDP's *Statistical Briefing Book* [online].

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U.S. Supreme Court cases have had an impact on the character and procedures of the juvenile justice system

The Supreme Court has made its mark on juvenile justice

Issues arising from juvenile delinquency proceedings rarely come before the U.S. Supreme Court. Beginning in the late 1960s, however, the Court decided a series of landmark cases that dramatically changed the character and procedures of the juvenile justice system.

Kent v. *United States*
383 U.S. 541, 86 S. Ct. 1045 (1966)

In 1961, while on probation from an earlier case, Morris Kent, age 16, was charged with rape and robbery. Kent confessed to the charges as well as to several similar incidents. Assuming that the District of Columbia juvenile court would consider waiving jurisdiction to the adult system, Kent's attorney filed a motion requesting a hearing on the issue of jurisdiction.

The juvenile court judge did not rule on this motion filed by Kent's attorney. Instead, he entered a motion stating that the court was waiving jurisdiction after making a "full investigation." The judge did not describe the investigation or the grounds for the waiver. Kent was subsequently found guilty in criminal court on six counts of housebreaking and robbery and sentenced to 30 to 90 years in prison.

Kent's lawyer sought to have the criminal indictment dismissed, arguing that the waiver had been invalid. He also appealed the waiver and filed a writ of habeas corpus asking the state to justify Kent's detention. Appellate courts rejected both the appeal and the writ, refused to scrutinize the judge's "investigation," and accepted the waiver as valid. In appealing to the U.S. Supreme Court, Kent's attorney argued that the judge had not made a complete investigation and that Kent was denied constitutional rights simply because he was a minor.

The Court ruled the waiver invalid, stating that Kent was entitled to a hearing that measured up to "the essentials of due process and fair treatment," that Kent's counsel should have had access to all records involved in the waiver, and that the judge should have provided a written statement of the reasons for waiver.

Technically, the *Kent* decision applied only to D.C. courts, but its impact was more widespread. The Court raised a potential constitutional challenge to *parens patriae* as the foundation of the juvenile court. In its past decisions, the Court had interpreted the equal protection clause of the Fourteenth Amendment to mean that certain classes of people could receive less due process if a "compensating benefit" came with this lesser protection. In theory, the juvenile court provided less due process but a greater concern for the interests of the juvenile. The Court referred to evidence that this compensating benefit may not exist in reality and that juveniles may receive the "worst of both worlds"—"neither the protection accorded to adults nor the solicitous care and regenerative treatment postulated for children."

In re Gault
387 U.S. 1, 87 S. Ct. 1428 (1967)

Gerald Gault, age 15, was on probation in Arizona for a minor property offense when, in 1964, he and a friend made a prank telephone call to an adult neighbor, asking her, "Are your cherries ripe today?" and "Do you have big bombers?" Identified by the neighbor, the youth were arrested and detained.

The victim did not appear at the adjudication hearing and the court never resolved the issue of whether Gault made the "obscene" remarks. Gault was committed to a training school for the period of his minority. The maximum sentence for an adult would have been a $50 fine or 2 months in jail.

An attorney obtained for Gault after the trial filed a writ of habeas corpus that was eventually heard by the U.S. Supreme Court. The issue presented in the case was that Gault's constitutional rights (to notice of charges, counsel, questioning of witnesses, protection against self-incrimination, a transcript of the proceedings, and appellate review) were denied.

The Court ruled that in hearings that could result in commitment to an institution, juveniles have the right to notice and counsel, to question witnesses, and to protection against self-incrimination. The Court did not rule on a juvenile's right to appellate review or transcripts but encouraged the states to provide those rights.

The Court based its ruling on the fact that Gault was being punished rather than helped by the juvenile court. The Court explicitly rejected the doctrine of *parens patriae* as the founding principle of juvenile justice, describing the concept as murky and of dubious historical relevance. The Court concluded that the handling of Gault's case violated the due process clause of the Fourteenth Amendment: "Juvenile court history has again demonstrated that unbridled discretion, however benevolently motivated, is frequently a poor substitute for principle and procedure."

In re Winship
397 U.S. 358, 90 S. Ct. 1068 (1970)

Samuel Winship, age 12, was charged with stealing $112 from a woman's purse in a store. A store employee claimed to have seen Winship running from the scene just before the woman noticed the money was missing; others in the store stated that the employee was not in a position to see the money being taken.

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Winship was adjudicated delinquent and committed to a training school. New York juvenile courts operated under the civil court standard of a "preponderance of evidence." The court agreed with Winship's attorney that there was "reasonable doubt" of Winship's guilt but based its ruling on the "preponderance" of evidence.

Upon appeal to the Supreme Court, the central issue in the case was whether "proof beyond a reasonable doubt" should be considered among the "essentials of due process and fair treatment" required during the adjudicatory stage of the juvenile court process. The Court rejected lower court arguments that juvenile courts were not required to operate on the same standards as adult courts because juvenile courts were designed to "save" rather than to "punish" children. The Court ruled that the "reasonable doubt" standard should be required in all delinquency adjudications.

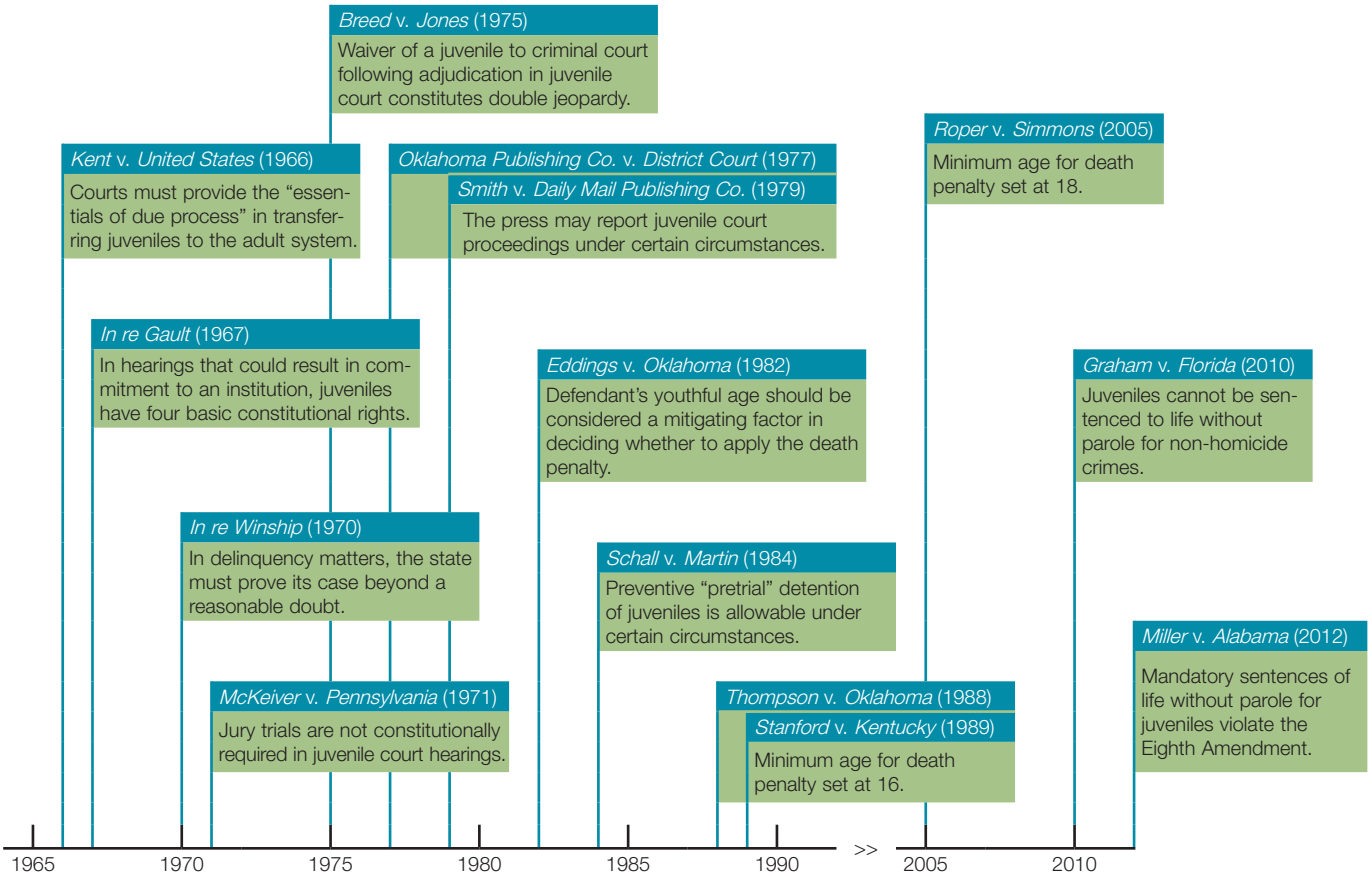
McKeiver v. *Pennsylvania* 403 U.S. 528, 91 S. Ct. 1976 (1971)

Joseph McKeiver, age 16, was charged with robbery, larceny, and receiving stolen goods. He and 20 to 30 other youth allegedly chased 3 youth and took 25 cents from them.

McKeiver met with his attorney for only a few minutes before his adjudicatory hearing. At the hearing, his attorney's request for a jury trial was denied by the court. He was subsequently adjudicated and placed on probation.

The state supreme court cited recent decisions of the U.S. Supreme Court that had attempted to include more due process in juvenile court proceedings without eroding the essential benefits of the juvenile court. The state supreme court affirmed the lower court, arguing that, of all due process rights, trial by jury is most likely to "destroy the traditional character of juvenile proceedings."

A series of U.S. Supreme Court decisions made juvenile courts more like criminal courts but maintained some important differences



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The U.S. Supreme Court found that the due process clause of the Fourteenth Amendment did not require jury trials in juvenile court. The impact of the Court's *Gault* and *Winship* decisions was to enhance the accuracy of the juvenile court process in the fact-finding stage. In *McKeiver*, the Court argued that juries are not known to be more accurate than judges in the adjudication stage and could be disruptive to the informal atmosphere of the juvenile court, tending to make it more adversarial.

Breed v. *Jones*
421 U.S. 519, 95 S. Ct. 1779 (1975)

In 1970, Gary Jones, age 17, was charged with armed robbery. Jones appeared in Los Angeles juvenile court and was adjudicated delinquent on the original charge and two other robberies.

At the dispositional hearing, the judge waived jurisdiction over the case to criminal court. Counsel for Jones filed a writ of habeas corpus, arguing that the waiver to criminal court violated the double jeopardy clause of the Fifth Amendment. The court denied this petition, saying that Jones had not been tried twice because juvenile adjudication is not a "trial" and does not place a youth in jeopardy.

Upon appeal, the U.S. Supreme Court ruled that an adjudication in juvenile court, in which a juvenile is found to have violated a criminal statute, is equivalent to a trial in criminal court. Thus, Jones had been placed in double jeopardy. The Court also specified that jeopardy applies at the adjudication hearing when evidence is first presented. Waiver cannot occur after jeopardy attaches.

Oklahoma Publishing Company v. *District Court in and for Oklahoma City*
480 U.S. 308, 97 S. Ct. 1045 (1977)

The Oklahoma Publishing Company case involved a court order prohibiting the press from publishing the name and photograph of a youth involved in a juvenile court proceeding. The material in question was obtained legally from a source outside the court. The U.S. Supreme Court found the court order to be an unconstitutional infringement on freedom of the press.

Smith v. *Daily Mail Publishing Company*
443 U.S. 97, 99 S. Ct. 2667 (1979)

The Daily Mail case held that state law cannot stop the press from publishing a juvenile's name that it obtained independently of the court. Although the decision did not hold that the press should have access to juvenile court files, it held that if information regarding a juvenile case is lawfully obtained by the media, the First Amendment interest in a free press takes precedence over the interests in preserving the anonymity of juvenile defendants.

Schall v. *Martin*
467 U.S. 253, 104 S. Ct. 2403 (1984)

Gregory Martin, age 14, was arrested in 1977 and charged with robbery, assault, and possession of a weapon. He and two other youth allegedly hit a boy on the head with a loaded gun and stole his jacket and sneakers.

Martin was held pending adjudication because the court found there was a "serious risk" that he would commit another crime if released. Martin's attorney filed a habeas corpus action challenging the fundamental fairness of preventive detention. The lower appellate courts reversed the juvenile court's detention order, arguing in part that pretrial detention is essentially punishment because many juveniles detained before trial are released before, or immediately after, adjudication.

The U.S. Supreme Court upheld the constitutionality of the preventive detention statute. The Court stated that preventive detention serves a legitimate state objective in protecting both the juvenile and society from pretrial crime and is not intended to punish the juvenile. The Court found that enough procedures were in place to protect juveniles from wrongful deprivation of liberty. The protections were provided by notice, a statement of the facts and reasons for detention, and a probable cause hearing within a short time. The Court also reasserted the *parens patriae* interests of the state in promoting the welfare of children.

Within the past decade, the U.S. Supreme Court has taken a closer look at juvenile detention as well as the juvenile death penalty and juvenile life without parole.

Roper v. *Simmons*
543 U.S. 551, 125 S. Ct. 1183 (2005)

Christopher Simmons, age 17, committed murder. The facts of the case were not in dispute. Simmons and two other accomplices conspired to burglarize a home and kill the occupant, one Shirley Crook. Simmons was arrested and, after a waiver of his right to an attorney, confessed to the murder of Shirley Crook. Missouri had set 17 as the age barrier between juvenile and adult court jurisdiction, so Simmons was tried as an adult. The state of Missouri sought the death penalty in the case, and the jury recommended the

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sentence, which the trial judge imposed.

After *Simmons* had been decided, the Supreme Court ruled in *Atkins* v. *Virginia* that the execution of a mentally retarded person was prohibited by the Eighth and Fourteenth Amendments. Simmons filed a petition with the Missouri Supreme Court, arguing that following the same logic used in *Atkins*, the execution of a juvenile who committed a crime under the age of 18 was prohibited by the Constitution. The Missouri Supreme Court agreed with Simmons and set aside his death penalty sentence.

The U.S. Supreme Court reviewed the case and reversed the imposition of the death penalty on any juvenile under the age of 18 on the grounds that it violated the Eighth Amendment prohibition of cruel and unusual punishment. The Court cited factors such as the "lack of maturity and an underdeveloped sense of responsibility, juvenile's susceptibility to peer pressure, and that the personality traits of juveniles are not as fixed as adults" in their decision. The Court also looked to other nation's practices as well as the evolving standards of decency in society to make their decision.

Graham v. *Florida*
560 U.S. 48, 130 S. Ct. 2011 (2010)

Terrance Graham, age 16, was arrested and charged with the crimes of burglary and robbery in 2003. Graham accepted a plea deal, part of which was a 3-year probationary period and a prison term requiring him to spend 12 months in the county jail. Graham was released from prison 6 months later on June 25, 2004.

Not 6 months later, Graham was arrested for armed robbery. The state of Florida charged him with violations of the terms and conditions of his probation. The trial court held a hearing on these violations in 2005 and 2006 and passed down a sentence of life imprisonment. Florida had abolished their system of parole; Graham could only be released by executive pardon.

Graham filed an appeal claiming that his Eighth Amendment rights against cruel and unusual punishment were being violated by the length of the sentence. The Supreme Court agreed, ruling that the sentencing of a juvenile offender to life without parole for a non-homicidal case was a violation of the cruel and unusual punishment clause of the Eighth Amendment. The Court found that there was no national consensus for life without parole sentences, juvenile offenders had limited culpability, and life sentences were extremely punitive for juvenile non-homicide offenders.

Miller v. *Alabama*
567 U.S. ___, 132 S. Ct. 2455 (2012)

Evan Miller was 14 when he and a friend beat his neighbor with a baseball bat and set fire to his trailer, killing him in the process. Miller was tried as a juvenile at first, but was then transferred to criminal court, pursuant to Alabama law. He was charged by the district attorney with murder in the course of arson, a crime with a mandatory minimum sentence of life without parole. The jury found Miller guilty, and he was summarily sentenced to a life without parole term.

Miller filed an appeal claiming that his sentence was in violation of the Eighth Amendment clause against cruel and unusual punishment. The Supreme Court held that the Eighth Amendment forbid a mandatory sentence of life in prison without parole for juvenile homicide offenders. The Court based their reasoning on prior rulings in *Roper* and *Graham*, which had prohibited capital punishment for children and prohibited life without parole sentences for non-homicide offenses, respectively. Combining the rationales from these precedential cases, the Court ruled that juveniles could not be mandatorily sentenced to serve a life without parole term.

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State statutes define who is under the jurisdiction of juvenile court

Statutes set age limits for original jurisdiction of the juvenile court

In most states, the juvenile court has original jurisdiction over all youth charged with a law violation who were younger than age 18 at the time of the offense, arrest, or referral to court. Since 1975, five 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; New Hampshire and Wisconsin lowered their upper age from 17 to 16 in 1996; and in 2007, Connecticut passed a law that gradually raised its upper age from 15 to 17 by July 1, 2012.

Oldest age for original juvenile court jurisdiction in delinquency matters, 2010:

Age	State
15	New York, North Carolina
16	Connecticut, Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, New Hampshire, South Carolina, Texas, Wisconsin
17	Alabama, Alaska, Arizona, Arkansas, California, Colorado, Delaware, District of Columbia, Florida, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming

Many states have higher upper ages of juvenile court jurisdiction in status offense, abuse, neglect, or dependency matters—typically through age 20. In many states, the juvenile court has original jurisdiction over young adults who committed offenses while juveniles.

States often have statutory exceptions to basic age criteria. For example, many states exclude married or otherwise emancipated juveniles from juvenile court jurisdiction. Other exceptions, related to the youth's age, alleged offense, and/or prior court history, place certain youth under the original jurisdiction of the criminal court. In some states, a combination of the youth's age, offense, and prior record places the youth under the original jurisdiction of both the juvenile and criminal courts. In these states, the prosecutor has the authority to decide which court will initially handle the case.

As of the end of the 2010 legislative session, 16 states have statutes that set the lowest age of juvenile court delinquency jurisdiction. Other states rely on case law or common law. Children younger than a certain age are presumed to be incapable of criminal intent and, therefore, are exempt from prosecution and punishment.

Youngest age for original juvenile court jurisdiction in delinquency matters, 2010:

Age	State
6	North Carolina
7	Maryland, Massachusetts, New York
8	Arizona
10	Arkansas, Colorado, Kansas, Louisiana, Minnesota, Mississippi, Pennsylvania, South Dakota, Texas, Vermont, Wisconsin

Juvenile court authority over youth may extend beyond the upper age of original jurisdiction

Through extended jurisdiction mechanisms, legislatures enable the court to provide sanctions and services for a duration of time that is in the best interests of the juvenile and the public, even for older juveniles who have reached the age at which original juvenile court jurisdiction ends. As of the end of the 2011 legislative session, statutes in 33 states extend juvenile court jurisdiction in delinquency cases until the 21st birthday.

Oldest age over which the juvenile court may retain jurisdiction for disposition purposes in delinquency matters, 2011:

Age	State
18	Alaska, Iowa, Kentucky, Nebraska, Oklahoma, Rhode Island, Texas
19	Mississippi
20	Alabama, Arizona*, Arkansas, Connecticut, Delaware, District of Columbia, Georgia, Idaho, Illinois, Indiana, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nevada**, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Pennsylvania, South Carolina, South Dakota, Utah, Virginia, Washington, West Virginia, Wyoming
21	Florida, Vermont
22	Kansas
24	California, Montana, Oregon, Wisconsin
***	Colorado, Hawaii, New Jersey, Tennessee

Note: Extended jurisdiction may be restricted to certain offenses or juveniles.

*Arizona statute extends jurisdiction through age 20, but a 1979 state supreme court decision held that juvenile court jurisdiction terminates at age 18.

** Until the full term of the disposition order for sex offenders.

*** Until the full term of the disposition order.

In some states, the juvenile court may impose adult correctional sanctions on certain adjudicated delinquents that extend the term of confinement well beyond the upper age of juvenile jurisdiction. Such sentencing options are included in the set of dispositional options known as blended sentencing.

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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 juvenile justice system

At arrest, a decision is made either to send the matter further into the justice system or to divert the case out of the system, often into alternative programs. Generally, law enforcement makes this decision after talking to the victim, the juvenile, and the parents and after reviewing the juvenile's prior contacts with the juvenile justice system. In 2010, 23% of all juvenile arrests were handled within the police department and resulted in release of the youth; in 68 of 100 arrests, the cases were referred to juvenile court. The remaining arrests were referred for criminal prosecution or to other agencies.

Most delinquency cases are referred by law enforcement agencies

Law enforcement accounted for 83% of all delinquency cases referred to juvenile court in 2010. The remaining referrals were made by others, such as parents, victims, school personnel, and probation officers.

Intake departments screen cases referred to juvenile court for formal processing

The court intake function is generally the responsibility of the juvenile probation department and/or the prosecutor's office. Intake decides whether to dismiss the case, to handle the matter informally, or to request formal intervention by the juvenile court.

To make this decision, an intake officer or prosecutor first reviews the facts of the case to determine whether there is sufficient evidence to prove the allegation. If not, the case is dismissed. If there is sufficient evidence, intake then determines whether formal intervention is necessary.

Nearly half of all cases referred to juvenile court intake are handled informally. Many informally processed cases are dismissed. In the other informally processed cases, the juvenile voluntarily agrees to specific conditions for a specific time period. These conditions often are outlined in a written agreement, generally called a "consent decree." Conditions may include such things as victim restitution, school attendance, drug counseling, or a curfew.

In most jurisdictions, a juvenile may be offered an informal disposition only if he or she admits to committing the act. The juvenile's compliance with the informal agreement often is monitored by a probation officer. Thus, this process is sometimes labeled "informal probation."

If the juvenile successfully complies with the informal disposition, the case is dismissed. If, however, the juvenile fails to meet the conditions, the case is referred for formal processing and proceeds as it would have if the initial decision had been to refer the case for an adjudicatory hearing.

If the case is to be handled formally in juvenile court, intake files one of two types of petitions: a delinquency petition requesting an adjudicatory hearing or a petition requesting a waiver hearing to transfer the case to criminal court.

A delinquency petition states the allegations and requests that the juvenile court adjudicate (or judge) the youth a delinquent, making the juvenile a ward of the court. This language differs from that used in the criminal court system, where an offender is convicted and sentenced.

In response to the delinquency petition, an adjudicatory hearing is scheduled. At the adjudicatory hearing (trial), witnesses are called and the facts of the case are presented. In nearly all adjudicatory hearings, the determination that the juvenile was responsible for the offense(s) is made by a judge; however, in some states, the juvenile has the right to a jury trial.

During the processing of a case, a juvenile may be held in a secure detention facility

Juvenile courts may hold delinquents in a secure juvenile detention facility if this is determined to be in the best interest of the community and/or the child.

After arrest, law enforcement may bring the youth to the local juvenile detention facility. A juvenile probation officer or detention worker reviews the case to decide whether the youth should be detained pending a hearing before a judge. In all states, a detention hearing must be held within a time period defined by statute, generally within 24 hours. At the detention hearing, a judge reviews the case and determines whether continued detention is warranted. In 2010, juveniles were detained in 21% of delinquency cases processed by juvenile courts.

Detention may extend beyond the adjudicatory and dispositional hearings. If residential placement is ordered but no placement beds are available, detention may continue until a bed becomes available.

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The juvenile court may transfer the case to criminal court

A waiver petition is filed when the prosecutor or intake officer believes that a case under jurisdiction of the juvenile court would be handled more appropriately in criminal court. The court decision in these matters follows a review of the facts of the case and a determination that there is probable cause to believe that the juvenile committed the act. With this established, the court then decides whether juvenile court jurisdiction over the matter should be waived and the case transferred to criminal court.

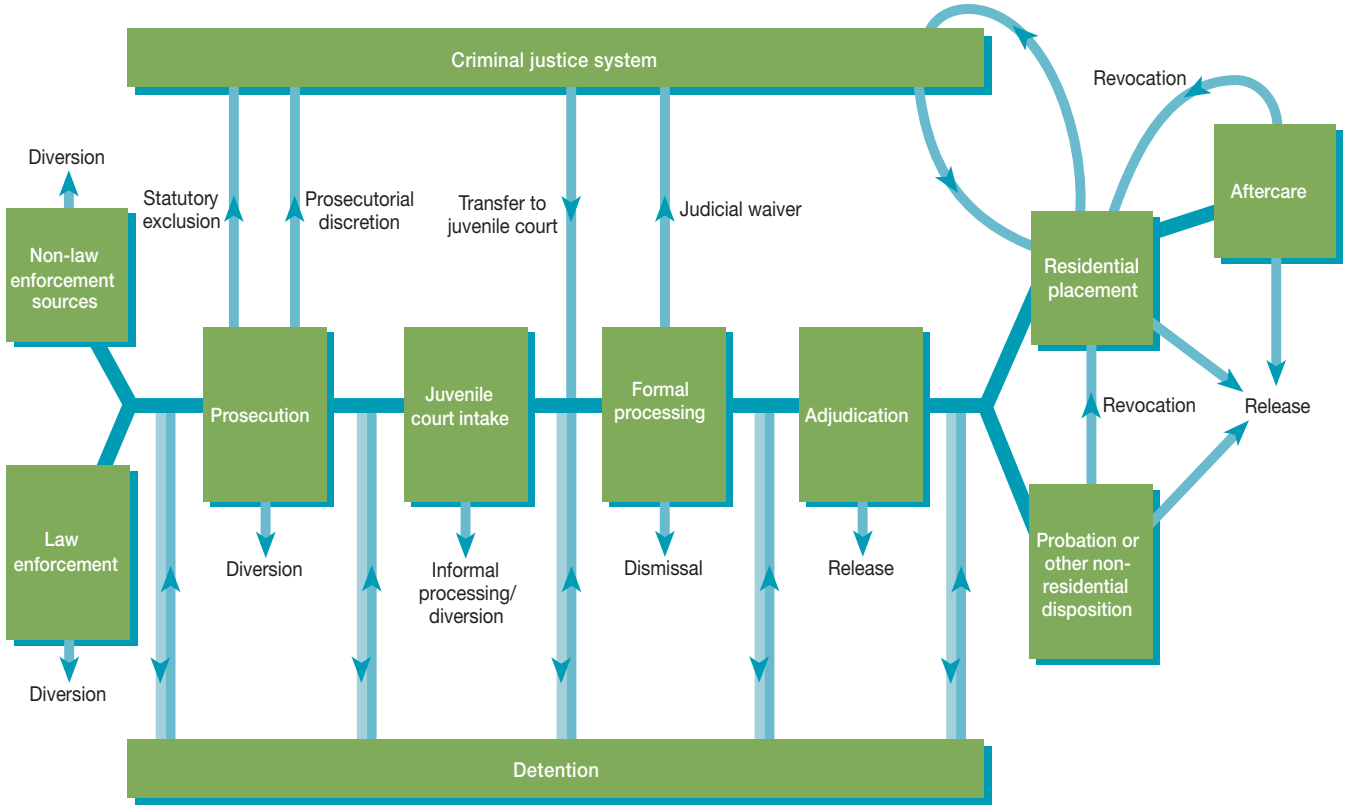
The judge's decision in such cases generally centers on the issue of the juvenile's amenability to treatment in the juvenile justice system. The prosecution may argue that the juvenile has been adjudicated several times previously and that interventions ordered by the juvenile court have not kept the 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 2010, 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, legislatures have decided that in certain cases (generally those involving serious offenses), juveniles should be tried as criminal offenders. The law excludes such cases from juvenile court; prosecutors must file them in criminal court. In a smaller number of states, legislatures have given both the juvenile and adult courts original jurisdiction in certain cases. Thus, prosecutors have discretion to file such cases in either criminal or juvenile court.

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



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

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After adjudication, probation staff prepare a disposition plan

Once the juvenile is adjudicated delinquent in juvenile court, probation staff develop a disposition plan. To prepare this plan, probation staff assess the youth, available support systems, and programs. The court may also order psychological evaluations, diagnostic tests, or a period of confinement in a diagnostic facility.

At the disposition hearing, probation staff present dispositional recommendations to the judge. The prosecutor and the youth may also present dispositional recommendations. After considering the recommendations, the judge orders a disposition in the case.

Most youth placed on probation also receive other dispositions

Most juvenile dispositions are multifaceted and involve some sort of supervised probation. A probation order often includes additional requirements such as drug counseling, weekend confinement in the local detention center, or restitution to the community or victim. The term of probation may be for a specified period of time or it may be open-ended. Review hearings are held to monitor the juvenile's progress. After conditions of probation have been successfully met, the judge terminates the case. In 2010, formal probation was the most severe disposition ordered in 61% of the cases in which the youth was adjudicated delinquent.

The judge may order residential placement

In 2010, 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, prison-like environment or a more open (even home-like) setting. In many states, when the judge commits a juvenile to the state department of juvenile corrections, the department determines where the juvenile will be placed and when the juvenile will be released. In other states, the judge controls the type and length of stay; in these situations, review hearings are held to assess the progress of the juvenile.

Juvenile aftercare is similar to adult parole

Upon release from an institution, the juvenile is often ordered to a period of aftercare or parole. During this period, the juvenile is under supervision of the court or the juvenile corrections department. If the juvenile does not follow the conditions of aftercare, he or she may be recommitted to the same facility or may be committed to another facility.

Status offense and delinquency case processing differ

A delinquent offense is an act committed by a juvenile for which an adult could be prosecuted in criminal court. There are, however, behaviors that are law violations only for juveniles and/or young adults because of their status. These "status offenses" may include behaviors such as running away from home, truancy, alcohol possession or use, incorrigibility, and curfew violations.

In many ways, the processing of status offense cases parallels that of delinquency cases. Not all states, however, consider all of these behaviors to be law violations. Many states view such behaviors as indicators that the child is in need of supervision. These states handle status offense matters more like dependency cases than delinquency cases, responding to the behaviors by providing social services.

Although many status offenders enter the juvenile justice system through law enforcement, in many states the initial, official contact is a child welfare agency. About 3 in 5 status offense cases referred to juvenile court come from law enforcement.

The federal Juvenile Justice and Delinquency Prevention Act states that jurisdictions shall not hold status offenders in secure juvenile facilities for detention or placement. This policy has been labeled deinstitutionalization of status offenders. There is an exception to the general policy: a status offender may be confined in a secure juvenile facility if he or she has violated a valid court order, such as a probation order requiring the youth to attend school and observe a curfew.

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.

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Once a mainstay of juvenile court, confidentiality has given way to substantial openness in many states

The first juvenile court was open to the public, but confidentiality became the norm over time

The legislation that created the first juvenile court in Illinois stated that the hearings should be open to the public. Thus, the public could monitor the activities of the court to ensure that the court handled cases in line with community standards.

In 1920, all but 7 of the 45 states that established separate juvenile courts permitted publication of information about juvenile court proceedings. The Standard Juvenile Court Act, first published in 1925, did not ban the publication of juveniles' names. By 1952, however, many states that adopted the Act had statutes that excluded the general public from juvenile court proceedings. The commentary to the 1959 version of the Act referred to the hearings as "private, not secret." It added that reporters should be permitted to attend hearings with the understanding that they not disclose the identity of the juvenile. The rationale for this confidentiality was "to prevent the humiliation and demoralizing effect of publicity." It was also thought that publicity might propel youth into further delinquent acts to gain more recognition.

As juvenile courts became more formalized and concerns about rising juvenile crime increased, the pendulum began to swing back toward more openness. By 1988, statutes in 15 states permitted the public to attend certain delinquency hearings.

Delinquency hearings are open to the public in 18 states

As of the end of the 2010 legislative session, statutes or court rules in 18 states either permit or require open delinquency hearings to the general public. Such statutes typically state that all hearings must be open to the public, except on special order of the court. The judge has the discretion to close the hearing when it is in the best interests of the child and the public or good cause is shown. In 3 of the 18 states, the state constitution has broad open court provisions.

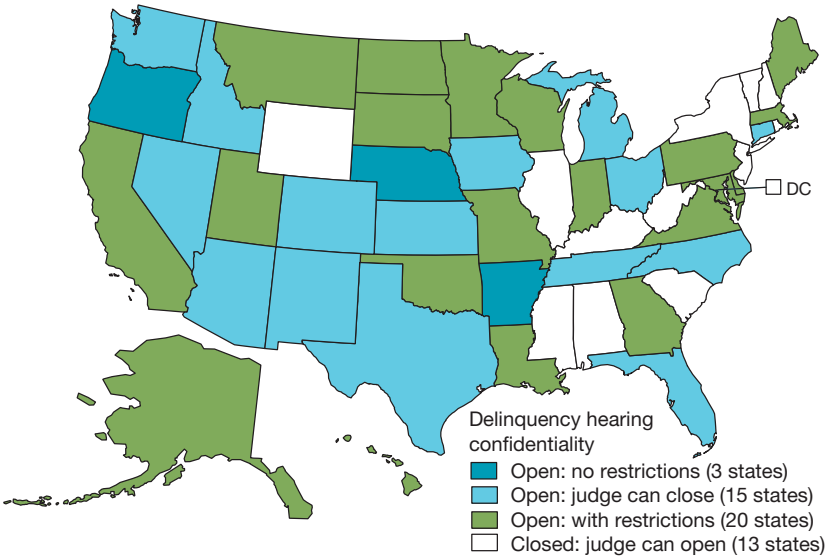
In 20 states, limits are set on access to delinquency hearings

In addition to the states with open delinquency hearings that a judge can close, 20 states have statutes that open delinquency hearings for some types of cases. The openness restrictions typically involve age and/or offense criteria. For example, a statute might allow open hearings if the youth is charged with a felony and was at least 16 years old at the time of the crime. Some statutes also limit open hearings to those involving youth with a particular criminal history. For example, hearings might be open only if the youth met age and offense criteria and had at least one prior felony conviction (criminal court) or felony adjudication (juvenile court).

In 13 states, delinquency hearings are generally closed

As of the 2010 legislative session, 13 states had statutes and/or court rules that generally close delinquency hearings to the general public. A juvenile court judge can open the hearings for compelling reasons, such as if public

Delinquency proceedings are open in some states, closed in others, and in some states, it depends on the type of case



- In 13 states, statutes or court rules generally close delinquency hearings to the public.
- In 20 states, delinquency hearings are open to the public, conditioned on certain age and offense requirements.

Note: Information is as of the end of the 2010 legislative session.

Source: Authors' adaptation of Szymanski's What States Allow for Open Juvenile Delinquency Hearings? *NCJJ Snapshot*.

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safety outweighs confidentiality concerns.

Most states specify exceptions to juvenile court record confidentiality

Although legal and social records maintained by law enforcement agencies and juvenile courts have traditionally been confidential, legislatures have made significant changes over the past decade in how the justice system treats information about juvenile offenders. In almost every state, the juvenile code specifies which individuals or agencies are allowed access to such records.

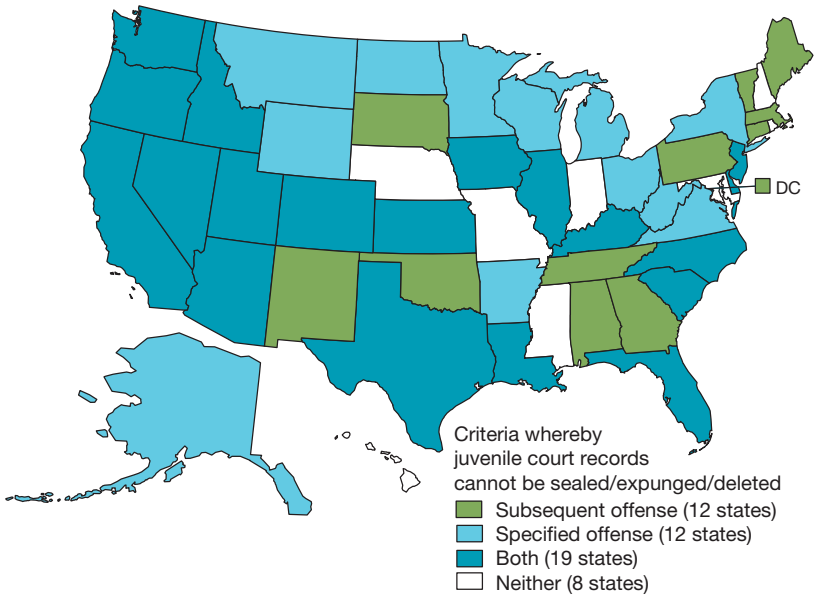
All states allow certain juvenile offenders to be fingerprinted under specific circumstances

All states have a statute or court rule that governs the fingerprinting of alleged or adjudicated juveniles under specified circumstances. As of the end of 2009, 10 states (Hawaii, Indiana, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Utah, and Wisconsin) have specific statutory age restrictions concerning the fingerprinting of juveniles. The age restrictions range between 10 and 14 as the lowest age that a juvenile can be fingerprinted. In the other 41 states, there are no age restrictions for fingerprinting by law enforcement individuals.

School notification laws are common

As of the end of the 2008 legislative session, 46 states have school notification laws. Under these laws, schools are notified when students are involved with law enforcement or courts for committing delinquent acts. Some statutes limit notification to youth charged with or convicted of serious or violent crimes.

Some juvenile court records cannot be sealed



- In 31 states, juvenile court records cannot be sealed/expunged/deleted if the court finds that the petitioning juvenile has subsequently been convicted of a felony or misdemeanor, or adjudicated delinquent.
- In 31 states, juvenile records cannot be sealed/expunged/deleted if the adjudication is for a statutorily specified offense. In some states, these are the offenses for which a juvenile can be transferred to criminal court.

Note: Information is as of the 2009 legislative session.

Source: Authors' adaptation of Szymanski's Are There Some Juvenile Court Records That Cannot Be Sealed? *NCJJ Snapshot*.

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All states allow certain juveniles to be tried in criminal court or otherwise face adult sanctions

Transferring juveniles to criminal court is not a new phenomenon

Juvenile courts have always had mechanisms for removing the most serious offenders from the juvenile justice system. Traditional transfer laws establish provisions and criteria for trying certain youth of juvenile age in criminal court. Blended sentencing laws are also used to impose a combination of juvenile and adult criminal sanctions on some offenders of juvenile age.

Transfer laws address which court (juvenile or criminal) has jurisdiction over certain cases involving offenders of juvenile age. State transfer provisions are typically limited by age and offense criteria. Transfer mechanisms vary regarding where the responsibility for transfer decisionmaking lies. Transfer provisions fall into the following 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.

Prosecutorial discretion: Original jurisdiction for certain cases is shared by both criminal and juvenile courts, and the prosecutor has the discretion to file such cases in either court. Transfer under prosecutorial discretion provisions is also known as prosecutorial waiver, concurrent jurisdiction, or direct file.

Statutory exclusion: State statute excludes certain juvenile offenders from juvenile court jurisdiction. Under statutory exclusion provisions, cases originate in criminal rather than juvenile court. Statutory exclusion is also known as legislative exclusion.

In many states, criminal courts may send transferred cases to juvenile court

Several states have provisions for sending transferred cases from criminal to juvenile court for adjudication under certain circumstances. This procedure, sometimes referred to as "reverse waiver," generally applies to cases initiated in criminal court under statutory exclusion or prosecutorial discretion provisions. Of the 36 states with such provisions at the end of the 2011 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, transfer cases resulting in conviction in criminal court may be reversed to juvenile court for disposition.

Most states have "once an adult, always an adult" provisions

In 34 states, juveniles who have been tried as adults must be prosecuted in criminal court for any subsequent offenses. Nearly all of these "once an adult, always an adult" provisions require that the youth must have been convicted of the offenses that triggered the initial criminal prosecution.

Blended sentencing laws give courts flexibility in sanctioning

Blended sentencing laws address the correctional system (juvenile or adult) in which certain offenders of juvenile age will be sanctioned. Blended sentencing statutes can be placed into the following two general categories.

Juvenile court blended sentencing: The juvenile court has the authority to impose adult criminal sanctions on certain juvenile offenders. The majority of these blended sentencing laws authorize the juvenile court to combine a juvenile disposition with a criminal sentence that is suspended. If the youth successfully completes the juvenile disposition and does not commit a new offense, the criminal sanction is not imposed. If, however, the youth does not cooperate or fails in the juvenile sanctioning system, the adult criminal sanction is imposed. Juvenile court blended sentencing gives the juvenile court the power to send uncooperative youth to adult prison, giving teeth to the typical array of juvenile court dispositional options.

Criminal court blended sentencing: Statutes allow criminal courts sentencing certain transferred juveniles to impose sanctions otherwise available only to offenders handled in juvenile court. As with juvenile court blended sentencing, the juvenile disposition may be conditional—the suspended criminal sentence is intended to ensure good behavior. Criminal court blended sentencing gives juveniles prosecuted in criminal court one last chance at a juvenile disposition, thus mitigating the effects of transfer laws on an individual basis.

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Most states have multiple ways to impose adult sanctions on offenders of juvenile age

State	Judicial waiver			Prosecutorial discretion	Statutory exclusion	Reverse waiver	Once an adult/ always an adult	Blended sentencing	
	Discretionary	Presumptive	Mandatory					Juvenile	Criminal
Number of states	45	15	15	15	29	24	34	14	17
Alabama	■				■		■		
Alaska	■	■			■			■	
Arizona	■			■	■	■	■		
Arkansas	■			■		■		■	■
California	■	■		■	■	■	■		■
Colorado	■	■		■		■		■	■
Connecticut			■			■		■	
Delaware	■		■		■	■	■		
Dist. of Columbia	■	■		■			■		
Florida	■			■	■		■		■
Georgia	■		■	■	■	■			
Hawaii	■						■		
Idaho	■				■		■		■
Illinois	■	■	■		■		■	■	■
Indiana	■		■		■		■		
Iowa	■				■	■	■		■
Kansas	■	■					■	■	
Kentucky	■		■			■			■
Louisiana	■		■	■	■				
Maine	■	■					■		
Maryland	■				■	■	■		
Massachusetts					■			■	■
Michigan	■			■			■	■	■
Minnesota	■	■			■		■	■	
Mississippi	■				■	■	■		
Missouri	■						■		■
Montana				■	■	■		■	
Nebraska				■		■			■
Nevada	■	■			■	■	■		
New Hampshire	■	■					■		
New Jersey	■	■	■						
New Mexico					■			■	■
New York					■	■			
North Carolina	■		■				■		
North Dakota	■	■	■				■		
Ohio	■		■				■	■	
Oklahoma	■			■	■	■	■		■
Oregon	■				■	■	■		
Pennsylvania	■	■			■	■	■		
Rhode Island	■	■	■				■	■	
South Carolina	■		■		■				
South Dakota	■				■	■	■		
Tennessee	■					■	■		
Texas	■						■	■	
Utah	■	■			■		■		
Vermont	■			■	■	■			
Virginia	■		■	■		■	■		■
Washington	■				■		■		
West Virginia	■		■						■
Wisconsin	■				■	■	■		■
Wyoming	■			■		■			

■ In states with a combination of provisions for transferring juveniles to criminal court, the exclusion, mandatory waiver, or prosecutorial discretion provisions generally target the oldest juveniles and/or those charged with the most serious offenses, whereas younger juveniles and/or those charged with relatively less serious offenses may be eligible for discretionary waiver.

Note: Table information is as of the end of the 2011 legislative session.

Source: Authors' adaptation of OJJDP's *Statistical Briefing Book* [online].

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In most states, age and offense criteria limit transfer provisions

Judicial waiver remains the most common transfer provision

As of the end of the 2011 legislative session, a total of 45 states have laws designating some category of cases in which waiver of jurisdiction by juvenile court judges transfers certain cases 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, waiver is limited by age and offense boundaries.

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 it may be a mandatory decision. Mandatory decisions arise when a law or provision requires a judge to waive the child after certain statutory criteria have been met. Most states set a minimum threshold for eligibility, but these are often quite low. In a few states, such as Alaska, Kansas, and Washington, prosecutors may ask the court to waive virtually any juvenile delinquency case. Nationally, the proportion of juvenile cases in which waiver is granted is less than 1% of petitioned delinquency cases.

Some statutes establish waiver criteria other than age and offense

In some states, waiver provisions target youth charged with offenses involving firearms or other weapons. Most state statutes also limit judicial waiver to juveniles who are no longer "amenable to treatment." The specific factors that determine lack of amenability vary, but they typically include the juvenile's offense history and previous dispositional outcomes. Such amenability criteria are generally not included in statutory exclusion or concurrent jurisdiction provisions.

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

	Judicial waiver offense and minimum age criteria, 2011							
State	Any criminal offense	Certain felonies	Capital crimes	Murder	Certain person offenses	Certain property offenses	Certain drug offenses	Certain weapon offenses
Alabama	14							
Alaska	NS				NS			
Arizona		NS						
Arkansas		14	14	14	14			14
California	16	14		14	14	14	14	
Colorado		12		12	12			
Connecticut		14	14	14				
Delaware	NS	15		NS	NS	16	16	
Dist. of Columbia	16	15		15	15	15		NS
Florida	14							
Georgia	15		13	14	13	15		
Hawaii		14		NS				
Idaho	14	NS		NS	NS	NS	NS	
Illinois	13	15					15	
Indiana	14	NS		10			16	
Iowa	14							
Kansas	10	14			14		14	
Kentucky		14	14					
Louisiana				14	14			
Maine		NS		NS	NS			
Maryland	15		NS					
Michigan		14						
Minnesota		14						
Mississippi	13							
Missouri		12						
Nevada	14	14			16			
New Hampshire		15		13	13		15	
New Jersey	14	14		14	14	14	14	14
North Carolina		13	13					
North Dakota	16	14		14	14		14	
Ohio		14		14	16	16		
Oklahoma		NS						
Oregon		15		NS	NS	15		
Pennsylvania		14			14	14		
Rhode Island	NS	16	NS	17	17			
South Carolina	16	14		NS	NS		14	14
South Dakota		NS						
Tennessee	16			NS	NS			
Texas		14	14				14	
Utah		14			16	16		16
Vermont				10	10	10		
Virginia		14		14	14			
Washington	NS							
West Virginia		NS		NS	NS	NS	NS	
Wisconsin	15	14		14	14	14	14	
Wyoming	13							

Notes: An entry in the column below an offense category means that there is at least one offense in that category for which a juvenile may be waived from juvenile court to criminal court. The number indicates the youngest possible age at which a juvenile accused of an offense in that category may be waived. "NS" means no age restriction is specified for an offense in that category. Table information is as of the end of the 2011 legislative session.

Source: Authors' adaptation of OJJDP's *Statistical Briefing Book* [online].

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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.

Before 1970, transfer in most states was court ordered on a case-by-case basis

Laws allowing juvenile courts to waive jurisdiction over individual youth can be found in some of the earliest juvenile courts and have always been relatively common. Most states had enacted judicial waiver laws by the 1950s, and they had become nearly universal by the 1970s.

For the most part, these laws made transfer decisions individual ones at the discretion of the juvenile court. Laws that made transfer "automatic" for certain categories were rare and tended to apply only to rare offenses such as murder and capital crimes. Before 1970, only 8 states had such laws.

Prosecutorial discretion laws were even rarer. Only 2 states, Florida and Georgia, had prosecutorial discretion laws before 1970.

States adopted new transfer mechanisms in the 1970s and 1980s

During the next 2 decades, automatic transfer and prosecutorial discretion steadily proliferated. In the 1970s, 5 states enacted prosecutorial discretion laws, and 7 more states added some form of automatic transfer.

By the mid-1980s, nearly all states had judicial waiver laws, 20 states had automatic transfer, and 7 states had prosecutorial discretion laws.

The surge in youth violence that peaked in 1994 helped shape current transfer laws

State transfer laws in their current form are largely the product of a period of intense legislative activity that began in the latter half of the 1980s and continued through the end of the 1990s. Prompted in part by public concern and media focus on the rise in violent youth crime that began in 1987 and peaked in 1994, legislatures in nearly every state revised or rewrote their laws to lower thresholds and broaden eligibility for transfer, shift transfer decisionmaking authority from judges to prosecutors, and replace individualized attention with broad automatic and categorical mechanisms.

Between 1986 and the end of the century, the number of states with automatic transfer laws jumped from 20 to 38, and the number with prosecutorial discretion laws rose from 7 to 15. Moreover, many states that had automatic or prosecutor-controlled transfer statutes expanded their coverage drastically. In Pennsylvania, for example, an automatic transfer law had been in place since 1933 but had applied only to murder charges. Amendments that took place in 1996 added a long list of violent offenses to this formerly narrow automatic transfer law.

In recent years, transfer laws have changed little

Transfer law changes since 2000 have been minor by comparison. No major new expansion has occurred. On the other hand, states have been reluctant to reverse or reconsider the expanded transfer laws already in place. Despite the steady decline in juvenile crime and violence rates, there has been no large-scale discernible pendulum swing away from transfer. Individual states have

In states with concurrent jurisdiction, the prosecutor has discretion to file certain cases in either criminal or juvenile court

	Prosecutorial discretion offense and minimum age criteria, 2011							
State	Any criminal offense	Certain felonies	Capital crimes	Murder	Certain person offenses	Certain property offenses	Certain drug offenses	Certain weapon offenses
Arizona		14						
Arkansas		16	14	14	14			
California		14	14	14	14	14	14	
Colorado		14		14	14	14		
Dist. of Columbia				16	16	16		
Florida	16	16	NS	14	14	14		14
Georgia			NS					
Louisiana				15	15	15	15	
Michigan		14		14	14	14	14	
Montana				12	12	16	16	16
Nebraska	16	NS						
Oklahoma		16		15	15	15	16	15
Vermont	16							
Virginia				14	14			
Wyoming	13	14		14	14	14		

Notes: An entry in the column below an offense category means that there is at least one offense in that category that is subject to criminal prosecution at the option of the prosecutor. The number indicates the youngest possible age at which a juvenile accused of an offense in that category is subject to criminal prosecution. "NS" means no age restriction is specified for an offense in that category. Table information is as of the end of the 2011 legislative session.

Source: Authors' adaptation of OJJDP's *Statistical Briefing Book* [online].

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changed or modified their laws, but there is no countrywide movement away from expansive transfer laws.

As of the end of the 2011 legislative session, 15 states have prosecutorial discretion provisions, which give both juvenile and criminal courts original jurisdiction in certain cases. Under such provisions, prosecutors have discretion to file eligible cases in either court. Prosecutorial discretion is typically limited by age and offense criteria. Cases involving violent or repeat crimes or weapons offenses usually fall under prosecutorial discretion statutes. These statutes are usually silent regarding standards, protocols, or considerations for decisionmaking, and no national data exists on the number of juvenile cases tried in criminal court under prosecutorial discretion provisions. In Florida, which has a broad prosecutor discretion provision, prosecutors sent more than 2,900 youth to criminal court in fiscal year 2008. In comparison, juvenile court judges nationwide waived 7,700 cases to criminal court in 2008.

State appellate courts have taken the view that prosecutorial discretion is equivalent to the routine charging decisions prosecutors make in criminal cases. Prosecutorial discretion in charging is considered an executive function, which is not subject to judicial review and does not have to meet the due process standards established by the Supreme Court. Some states, however, do have written guidelines for prosecutorial discretion.

In states with statutory exclusion provisions, certain serious offenses are excluded from juvenile court jurisdiction

	Statutory exclusion offense and minimum age criteria, 2011							
State	Any criminal offense	Certain felonies	Capital crimes	Murder	Certain person offenses	Certain property offenses	Certain drug offenses	Certain weapon offenses
Alabama		16	16				16	
Alaska					16	16		
Arizona		15		15	15			
California				14	14			
Delaware		15						
Florida				16	NS	16	16	
Georgia				13	13			
Idaho				14	14	14	14	
Illinois		15		13	15			15
Indiana		16		16	16		16	16
Iowa		16					16	16
Louisiana				15	15			
Maryland			14	16	16			16
Massachusetts				14				
Minnesota				16				
Mississippi		13	13					
Montana				17	17	17	17	17
Nevada	16*	NS		NS	16			
New Mexico				15				
New York				13	13	14		14
Oklahoma				13				
Oregon				15	15			
Pennsylvania				NS	15			
South Carolina		16						
South Dakota		16						
Utah		16		16				
Vermont				14	14	14		
Washington				16	16	16		
Wisconsin				10	10			

* In Nevada, the exclusion applies to any juvenile with a previous felony adjudication, regardless of the current offense charged, if the current offense involves the use or threatened use of a firearm.

Notes: An entry in the column below an offense category means that there is at least one offense in that category that is excluded from juvenile court jurisdiction. The number indicates the youngest possible age at which a juvenile accused of an offense in that category is subject to exclusion. "NS" means no age restriction is specified for an offense in that category. Table information is as of the end of the 2011 legislative session.

Source: Authors' adaptation of OJJDP's *Statistical Briefing Book* [online].

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 original juvenile court jurisdiction. As of the end of the 2011 legislative session, 29 states have statutory exclusion provisions. State laws typically set age and offense limits for excluded offenses. The offenses most often excluded are murder, capital crimes, and other serious person offenses. (Minor offenses such as wildlife, traffic, and watercraft violations are often excluded from juvenile court jurisdiction in states where they are not covered by concurrent jurisdiction provisions.)

Jurisdictional age laws may transfer as many as 137,000 additional youth to criminal court

Although not typically thought of as transfers, large numbers of youth younger than age 18 are tried in criminal court. States have always been free to define the respective jurisdictions of their juvenile and criminal courts. Nothing compels a state to draw the line between juvenile and adult at age 18. In 13 states, the upper age of juvenile court jurisdiction in 2010 was set at 15 or 16 and youth could be held criminally responsible at the ages of 16

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and 17, respectively. The number of youth younger than 18 prosecuted as adults in these states can only be estimated. But it almost certainly dwarfs the number that reaches criminal courts as a result of transfer laws in the nation as a whole.

In 2010, more than 2 million 16- and 17-year-olds were considered criminally responsible adults under the jurisdictional age laws of the states in which they resided. If national petitioned delinquency case rates (the number of delinquency referrals petitioned per 1,000 juveniles) are applied to this population group based on specific age, race, and county size factors, and if it is assumed that this population would have been referred to criminal court at the same rates that 16- and 17-year-olds were referred to juvenile courts in other states, then as many as 137,000 offenders younger than age 18 would have been referred to criminal courts in 2010.

It should be noted, however, that this estimate is based on an assumption that is at least questionable: that juvenile and criminal courts would respond in the same way to similar offending behavior. In fact, it is possible that some conduct that would be considered serious enough to merit referral to and formal processing in juvenile court—such as vandalism, trespassing, minor thefts, and low-level public order offenses—would not receive similar handling in criminal court.

Many states allow transfer of certain very young offenders

In 22 states, no minimum age is specified in at least one judicial waiver, concurrent jurisdiction, or statutory exclusion provision for transferring juveniles to criminal court. For example, Pennsylvania's murder exclusion has no specified minimum age. Other transfer provisions in Pennsylvania have age minimums set at 14 and 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, 2011:

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

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Like transfer laws, juvenile court blended sentencing allows imposition of adult sanctions on juveniles

Transfer laws and juvenile court blended sentencing laws have a similar impact

As of the end of the 2011 legislative session, 14 states have blended sentencing laws that enable juvenile courts to impose criminal sanctions on certain juvenile offenders. Although the impact of juvenile blended sentencing laws depends on the specific provisions (which vary from state to state), in general, juvenile court blended sentencing expands the sanctioning powers of the juvenile court such that juvenile offenders may face the same penalties as adult offenders. Thus, like transfer laws, juvenile court blended sentencing provisions define certain juvenile offenders as eligible to be handled in the same manner as adult offenders and expose those juvenile offenders to harsher penalties.

The most common type of juvenile court blended sentencing provision allows juvenile court judges to order both a juvenile disposition and an adult criminal sentence. The adult sentence is suspended on the condition that the juvenile offender successfully completes the terms of the juvenile disposition and refrains from committing any new offenses. The criminal sanction is intended to encourage cooperation and serve as a deterrent to future offending. This type of arrangement is known as inclusive blended sentencing.

Most states with juvenile court blended sentencing have inclusive blends (10 of 14). Generally, statutes require courts to impose a combination of juvenile and adult sanctions in targeted cases. In Massachusetts and Michigan, though, the court is not required to order a combined sanction. The court has the option to order a juvenile disposition, a criminal sentence, or a combined sanction.

Among the four states that do not have inclusive juvenile court blended sentencing, three (Colorado, Rhode Island, and Texas) have some type of contiguous blended sentencing arrangement. Under the contiguous model, juvenile court judges can order a sentence that would extend beyond the state's age of extended jurisdiction. The initial commitment is to a juvenile facility, but later the offender may be transferred to an adult facility. The fourth state without an inclusive juvenile blend, New Mexico, simply gives the juvenile court the option of ordering an adult sentence instead of a juvenile disposition. This is referred to as an exclusive blend.

As with transfer laws, states' juvenile court blended sentencing provisions are limited by age and offense criteria

	Juvenile court blended sentencing offense and minimum age criteria, 2011							
State	Any criminal offense	Certain felonies	Capital crimes	Murder	Certain person offenses	Certain property offenses	Certain drug offenses	Certain weapon offenses
Alaska					16			
Arkansas		14		NS	14			14
Colorado		NS			NS			
Connecticut		14			NS			
Illinois		13						
Kansas	10							
Massachusetts		14			14			14
Michigan		NS		NS	NS	NS	NS	
Minnesota		14						
Montana		12		NS	NS	NS	NS	NS
New Mexico		14		14	14	14		
Ohio		10		10				
Rhode Island		NS						
Texas		NS		NS	NS		NS	

Notes: An entry in the column below an offense category means that there is at least one offense in that category for which a juvenile may receive a blended sentence in juvenile court. The number indicates the youngest possible age at which a juvenile committing an offense in that category is subject to blended sentencing. "NS" indicates that, in at least one of the offense restrictions indicated, no minimum age is specified. Table information is as of the end of the 2011 legislative session.

Source: Authors' adaptation of OJJDP's *Statistical Briefing Book* [online].

Criminal court blended sentencing laws act as a fail-safe for juvenile defendants

Under criminal court blended sentencing, juvenile offenders who have been convicted in criminal court can receive juvenile dispositions. Criminal court blended sentencing provisions give juvenile defendants an opportunity to show that they belong in the juvenile court system. These laws act as a "safety valve" or "emergency exit" because they allow the court to review the circumstances of an individual case and make a decision based on the particular youth's amenability and suitability for juvenile or criminal treatment. Youth are given a last chance to receive a juvenile disposition.

Eighteen states allow criminal court blended sentencing. Of these states, 11 have exclusive blended sentencing arrangements where the criminal court has an either/or choice between criminal and juvenile sanctions. The other seven states have an inclusive model, where juvenile offenders convicted in criminal court can receive a combination sentence. The criminal court can also suspend the adult sanction or tie it conditionally to the youth's good behavior.

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Criminal court blended sentencing provisions, 2011:

Provision	State
Exclusive	California, Colorado, Illinois, Kentucky, Massachusetts, Nebraska, New Mexico, Oklahoma, Vermont, West Virginia, Wisconsin
Inclusive	Arkansas, Florida, Idaho, Iowa, Michigan, Missouri, Virginia

The scope of criminal court blended sentencing varies from state to state, depending on the individual state statutes. The broadest criminal court blended statutes allow juvenile sanctions in any case where a juvenile was prosecuted in criminal court. Other states exclude juveniles who are convicted of a capital offense from blended sentencing. In still other states, statutes require a hearing to determine whether the disposition for a lesser offense should be a juvenile sanction. The court must base its decision on criteria similar to those used in juvenile court discretionary waiver decisions.

States "fail-safe" mechanisms—reverse waiver and criminal court blended sentencing—vary in scope

Many states that transfer youth to criminal court either automatically or at the discretion of the prosecutor also provide a "fail-safe" mechanism that gives the criminal court a chance to review the case and make an individualized decision as to whether the case should be returned to the juvenile system for trial or sanctioning. The two basic types of fail-safes are reverse waiver and criminal court blended sentencing. With such combinations of provisions, a state can define cases to be handled in criminal court and at the same time ensure that the court can decide whether such handling is appropriate in individual cases. Of the 44 states with mandatory waiver, statutory exclusion, or concurrent jurisdiction provisions, 30 also have reverse waiver and/or criminal court blended sentencing as a fail-safe.

Reverse waiver. In 24 states, provisions allow juveniles whose cases are handled in criminal court to petition to have the case heard in juvenile court.

Criminal court blended sentencing. In 17 states, juveniles convicted in criminal court are allowed the opportunity to be sanctioned in the juvenile system.

Some states have comprehensive fail-safes; others do not.

Comprehensive fail-safes. In 15 states, no juvenile can be subject to criminal court trial and sentencing either automatically or at the prosecutor's discretion without a chance to prove his or her individual suitability for juvenile handling.

Partial fail-safes. In 15 states, fail-safe mechanisms do not cover every transferred case.

No fail-safe. In 14 states, juveniles have no chance to petition for juvenile handling or sanctioning: Alabama, Alaska, District of Columbia, Indiana, Louisiana, Minnesota, New Jersey, North Carolina, North Dakota, Ohio, Rhode Island, South Carolina, Utah, and Washington.

Need no fail-safe. Seven states need no fail-safe because cases only reach criminal court through judicial waiver: Hawaii, Kansas, Maine, Missouri, New Hampshire, Tennessee, and Texas.

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Juvenile indigent defense is primarily a state- or county-based system of public defense

Juvenile criminal defense came about in the 1960s, following two Supreme Court decisions

From the inception of the modern juvenile court in Chicago in 1889, the juvenile court process was non-adversarial. The court stood *in loco parentis* to its juvenile wards, there to provide guidance. The concept of juvenile criminal defense was first instituted by two U.S. Supreme Court cases from the 1960s, In *re. Gault* and *Gideon* v. *Wainwright*. In *re. Gault* extended the due process rights and protections that had always been available to adults to juveniles as well, including the right to an attorney. *Gideon* v. *Wainwright* created a right to government-provided counsel for indigent defendants. These two cases combined to create the right to an attorney for a juvenile indigent criminal defendant.

There are three primary types or methods of providing indigent defense

Indigent defense can take three main forms. The first form is that of a public defender. These are full- or part-time salaried attorneys who provide representation, generally in a central office with paralegal and administrative support. The second form is that of contract counsel. Contract counsel are private attorneys selected by the court to provide representation for an individual case or for a whole year. This contract is often awarded through a bidding process. The third form is that of assigned counsel. Assigned counsel are private attorneys picked to take cases and compensated by the hour or per case. They are generally used when the public defender's office has a conflict of interest or in other situations where public defenders or contract counsel cannot take a case. Additionally, non-profit defender services such as legal aid societies may provide indigent defense services.

Public defender's offices are provided for by states or counties in 49 states and the District of Columbia

As of 2007, 49 states and the District of Columbia have state- or county-based public defender offices that are funded at either the state or county level. Maine is the sole state without a centrally organized public defender office, operating a system of court-appointed attorneys in place of a designated public defender office. Twenty-two states have a state-based system, and 28 have a county-based system.

The Bureau of Justice Statistics' 2007 Census of Public Defender Offices collected data on 427 public defender offices across the country. This program did not report data on contract or assigned counsel. State-based public defender offices had 208,400 juvenile-related cases out of a total caseload of 1,491,420 in 2007 in 21 states (Alaska did not release caseload data, and Missouri and New Mexico only released aggregate data). This includes delinquency, delinquency appeals, and transfer/waiver cases. County-based public defender offices received 375,175 juvenile-related cases out of a total caseload of 4,081,030 in 2007. These data did not include public defender offices providing primarily appellate or juvenile representation.

Both state- and county-based public defender offices offered professional development services and training for attorneys who handled juvenile cases. Professional development includes continuing legal education courses, mentoring of junior attorneys by senior attorneys, and training and refresher courses for attorneys. Twenty state-based public defender offices offered professional development training for attorneys on juvenile delinquency issues. Most (76%) county-based public defender offices offered professional development training opportunities for attorneys on juvenile delinquency issues.

Current juvenile indigent defense reforms are being spearheaded by the National Juvenile Defender Center and the MacArthur Foundation

The MacArthur Foundation launched the Juvenile Indigent Defense Action Network (JIDAN) in 2008, an initiative to improve juvenile indigent defense policy and practice. Coordinated by the National Juvenile Defender Center, JIDAN is active in California, Florida, Illinois, Louisiana, Massachusetts, New Jersey, Pennsylvania, and Washington State, focusing on access to counsel and the creation of resource centers at the state, regional, and local levels. The access to counsel workgroup is focusing on timely access to counsel, with an emphasis on early appointment of counsel, postdisposition representation, and increased training for juvenile public defenders, as well as the development of standards and guidelines. The resource center workgroup is focused on building capacity, providing leadership, and establishing a mentoring structure for juvenile defenders.

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States have responded to *Miller* v. *Alabama* by changing mandatory sentencing laws for juveniles

Miller v. *Alabama* eliminated mandatory life without parole sentences for juveniles

The 2012 U.S. Supreme Court decision *Miller* v. *Alabama* struck down mandatory sentences of life without the possibility of parole for juvenile offenders. Previous Supreme Court decisions had struck down statutes that allowed the death penalty for juveniles and statutes that allowed for a life without parole sentence for a nonhomicide offense. At the time of *Miller* v. *Alabama*, 29 jurisdictions had statutes that made life without parole mandatory for a juvenile convicted of murder. As a result of this ruling, various state legislative bodies have enacted statutes to change their life without parole laws.

Several states have already passed laws codifying the judicial ruling of *Miller* v. *Alabama*

Pennsylvania passed Senate Bill 850 in 2012. This bill allows juveniles above the age of 15 to be sentenced to terms of 35 years to life and those under 15 to be sentenced to terms of 25 years to life. The life without parole sentencing option is no longer mandatory, and a court has the discretion, after looking at a list of factors, to not sentence a juvenile to life without parole.

North Carolina passed Senate Bill 635 in 2012. Under this new bill, any person under age 18 who is convicted of first-degree murder is sentenced to life imprisonment with the possibility of parole. The court must also consider mitigating factors or circumstances in determining the sentence. Additionally, the bill lays out procedures for resentencing juveniles who had previously been sentenced to life without parole prison terms.

California passed Senate Bill 9 in 2012 in response to the *Miller* v. *Alabama* ruling. This bill allowed a prisoner who had been sentenced while a juvenile to a term of life without parole to petition for a new sentencing hearing based on certain criteria. The petition would have to include a statement of remorse by the prisoner as well as their efforts to rehabilitate themselves. The court would have to hold a hearing if they found the petition to be true. Prisoners who had killed a public safety official or tortured their victim were not allowed to file a petition.

Montana passed House Bill 137 in 2013. This bill carved out exceptions to the mandatory minimum sentencing scheme and parole eligibility requirements in Montana. Mandatory life sentences and the restrictions on parole do not apply if the offender was under the age of 18 when they committed the offense for which they are being sentenced.

South Dakota passed Senate Bill 39 in 2013. This bill mandated a presentence hearing to allow mitigating and aggravating factors to be heard before a juvenile could be sentenced to a term of life imprisonment, complying with the requirements of *Miller* v. *Alabama* and eliminating mandatory sentences in South Dakota.

Wyoming passed House Bill 23 in 2013. This bill eliminated life sentences without the possibility of parole for crimes committed as a juvenile, and a person sentenced to life imprisonment would have parole eligibility after 25 years of incarceration.

Other states are in the process of modifying laws to conform with the judicial ruling of *Miller* v. *Alabama*

Other states have either passed executive orders or are currently discussing policies or laws to modify existing juvenile life without parole laws. The governor of Iowa commuted the life without parole sentences of 38 inmates to 60-year terms shortly after *Miller* v. *Alabama* was handed down. The Arkansas Supreme Court, permitted by state law to remove provisions that are unconstitutional, changed language in the capital murder statute to exclude juveniles. Other states have laws that are moving through the legislative process but have not yet been enacted or ratified. As of July 1, 2013, Alabama, Connecticut, Delaware, Florida, Illinois, Iowa, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Mexico, Texas, Utah, Virginia, and Washington all have bills pending as a result of the decision in *Miller* v. *Alabama*. Arizona, Idaho, Mississippi, Montana, New Hampshire, and New Jersey have not yet passed laws in reaction to the *Miller* v. *Alabama* decision.

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Few juveniles enter the federal justice system

There is no separate federal juvenile justice system

Juveniles who are arrested by federal law enforcement agencies may be prosecuted and sentenced in U.S. District Courts and even committed to the Federal Bureau of Prisons. The Federal Juvenile Delinquency Act, Title 18 U.S.C. 5031, lays out the definitions of a juvenile and juvenile delinquency as well as the procedures for the handling of juveniles accused of crimes against the U.S. Although it generally requires that juveniles be turned over to state or local authorities, there are limited exceptions.

Juveniles initially come into federal law enforcement custody in a variety of ways. The federal agencies that arrest the most young people are the Border Patrol, Drug Enforcement Agency, U.S. Marshals Service, and FBI. A report by Adams and Samuels of the Urban Institute, which documents the involvement of juveniles in the federal justice system, states that federal agencies arrested an average of 320 juveniles each year between 1999 and 2008.*

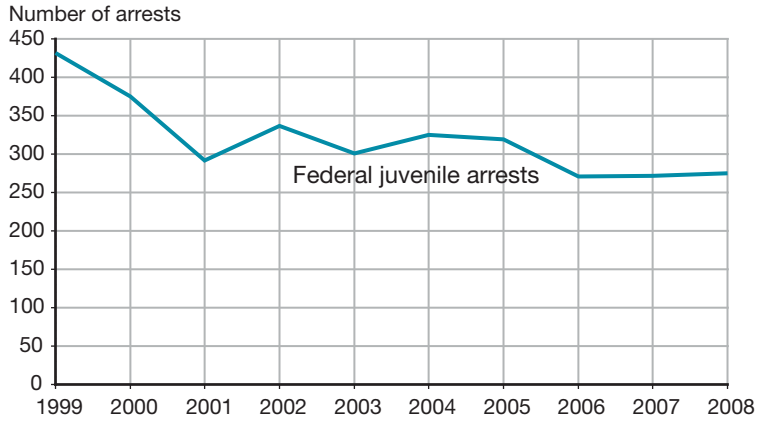
Federal juvenile arrest profile:

Demographic	1999	2008
Total arrests	432	275
Gender	100%	100%
Male	86	91
Female	14	9
Race	100%	100%
White	42	51
Black	12	13
American Indian	43	32
Other/unknown	2	4
Age at offense	100%	100%
Age 15 or younger	25	17
Age 16	27	17
Age 17	46	58
Age 18 or older	3	8

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

* Most juvenile arrests involve persons ages 10–17 but include a small number (16 per year on average) of youth ages 18–20 determined to have a juvenile legal status.

From 1999 to 2008, the number of federal arrests involving juveniles fell by more than one-third

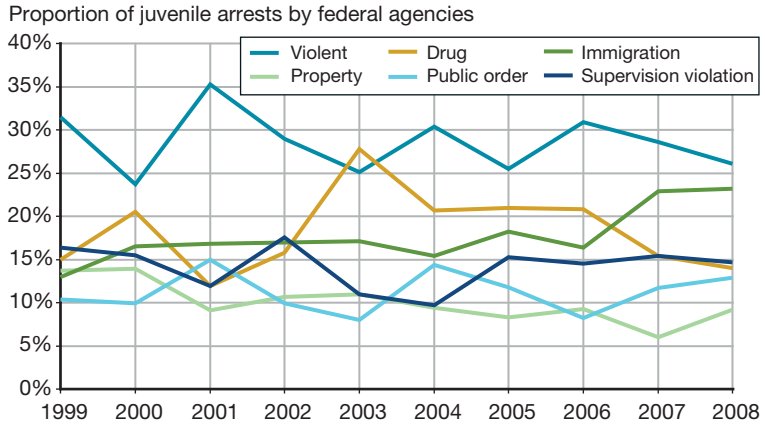


- Federal agencies reported nearly 3,200 arrests of juveniles between 1999 and 2008. The U.S. Marshals Service accounted for 22% of these arrests and the FBI accounted for nearly one-fifth (18%).

Note: Annual arrests involve persons ages 10–17 as well as a small number ages 18–20 who were determined to have a juvenile legal status.

Source: Authors' adaptation of Adams and Samuels' *Tribal Youth in the Federal Justice System: Final Report (Revised)*.

Together, violent crimes and immigration offenses accounted for half of all federal juvenile arrests in 2008



- The proportion of federal arrests for immigration offenses nearly doubled between 1999 and 2008—from 13% in 1999 to 23% in 2008.

Note: Annual arrests involve persons ages 10–17 as well as a small number ages 18–20 who were determined to have a juvenile legal status.

Source: Authors' adaptation of Adams and Samuels' *Tribal Youth in the Federal Justice System: Final Report (Revised)*.

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Federal prosecutors may retain certain serious cases involving a "substantial federal interest"

Following a federal arrest of a person under 21, federal law requires an investigation to determine whether the offense was a delinquent offense under state law. If so, and if the state is willing and able to deal with the juvenile, the federal prosecutor may forego prosecution and surrender the juvenile to state authorities. However, a case may instead be "certified" by the Attorney General for federal delinquency prosecution, if one of the following conditions exists: (1) the state does not have or refuses to take jurisdiction over the case; (2) the state does not have adequate programs or services for the needs of the juvenile; or (3) the juvenile is charged with a violent felony, drug trafficking, or firearms offense and the case involves a "substantial federal interest."

A case certified for federal delinquency prosecution is heard in U.S. District Court by a judge sitting in closed session without a jury. Following a finding of delinquency, the court has disposition powers similar to those of state juvenile courts. For instance, it may order the juvenile to pay restitution, serve a period of probation, or undergo "official detention" in a correctional facility. Generally, neither probation nor official detention may extend beyond the juvenile's 21st birthday or the maximum term that could be imposed on an adult convicted of an equivalent offense, whichever is shorter. But for juveniles who are between ages 18 and 21 at the time of sentencing, official detention for certain serious felonies may last up to 5 years.

A juvenile in the federal system may also be "transferred" for criminal prosecution

When proceedings in a federal case involving a juvenile offender are transferred for criminal prosecution, they actually remain in district court but are governed by federal criminal laws rather than state laws or the Juvenile Justice and Delinquency Prevention Act. Federal law authorizes transfer at the written request of a juvenile of at least age 15 who is alleged to have committed an offense after attaining the age of 15 or upon the motion of the Attorney General in a qualifying case where the court finds that "the interest of justice" requires it. Qualifying cases include those in which a juvenile is charged with (1) a violent felony or drug trafficking or importation offense committed after reaching age 15; (2) murder or aggravated assault committed after reaching age 13; or (3) possession of a firearm during the commission of any offense after reaching age 13. However, transfer is mandatory in any case involving a juvenile age 16 or older who was previously found guilty of a violent felony or drug trafficking offense and who is now accused of committing a drug trafficking or importation offense or any felony involving the use, attempted use, threat, or substantial risk of force.

Most federal juvenile arrests result in a guilty plea or a conviction at trial

The U.S. Marshals Service reports data on the disposition of federal arrests and bookings. The Urban Institute report found that about 85% of all juvenile defendants in cases terminated in U.S. District Court were convicted or adjudicated, mostly through use of the guilty plea. The other 15% were not convicted because of case dismissal or a finding of not guilty.

Juveniles may be committed to the Federal Bureau of Prisons as delinquents or adults

From fiscal years 1999 through 2008, a little over 3,500 juveniles were committed to the custody of the Federal Bureau of Prisons (BOP) for offenses committed while under age 18. Of these, 2,193 were committed to BOP custody as delinquents and 1,335 as adults. The majority of these juveniles were male (92%), American Indian (53%), and older than 15 (65%). Most juvenile delinquents were committed to BOP custody by probation confinement conditions, a probation sentence that requires a special condition of confinement or a term of supervised release (54%), whereas most juveniles with adult status were committed to BOP custody by a U.S. District Court (48%).

Profile of juveniles (younger than age 18 at the time of offense) committed to BOP custody:

Demographic	1999	2008
Total	513	156
Gender	100%	100%
Male	93	92
Female	7	8
Race	100%	100%
White	31	33
Black	16	17
American Indian	51	50
Asian	2	0
Ethnicity	100%	100%
Hispanic	17	23
Non-Hispanic	83	77
Age at offense	100%	100%
Younger than 15	19	15
Age 15	18	14
Age 16	22	25
Age 17	38	45
Older than 17	3	1
Committed as	100%	100%
Juvenile delinquent	64	57
Juvenile charged as adult	36	43

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

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Measures of subsequent reoffending can be indicators of system performance

What is recidivism?

Recidivism is the repetition of criminal behavior. A recidivism rate may reflect any number of possible measures of repeated offending—self-report, arrest, court referral, conviction, correctional commitment, and correctional status changes within a given period of time. Most measures of recidivism underestimate reoffending because they only include offending that comes to the attention of the system. Self-reported reoffending is also likely to be inaccurate (an over- or underestimate).

The most useful recidivism analyses include the widest possible range of system events that correspond with actual reoffending and include sufficient detail to differentiate offenders by offense severity in addition to other characteristics. Recidivism findings should include clearly identified units of count and detail regarding the length of time the subject population was in the community.

Measuring recidivism is complex

The complexities of measuring subsequent offending begin with the many ways that it can be defined. There are a number of decision points, or marker events, that can be used to measure recidivism, including rearrest, re-referral to court, readjudication, or reconfinement. The resulting recidivism rate can vary drastically, depending on the decision point chosen as a marker event. For example, when rearrest is counted as the point of recidivism, the resulting rate is much higher than when reconfinement is the measure. Of the youth who are rearrested, only a portion will be reconfined.

The followup time in a study can have a similar impact on recidivism rates. When subsequent offending is tracked over a short timeframe (i.e., 6 months, 1 year), there is less opportunity to reoffend, and rates are logically lower than when tracked over a longer timeframe (i.e., 2 or 3 years). Additionally, recidivism rates over a long time period may increase as benefits from treatment or other interventions subside.

Data availability can also impact how recidivism is defined. Recidivism studies often require information from multiple sources (e.g., juvenile court, criminal court, probation agencies, corrections agency). For example, an offender may first be confined as a juvenile, and later rearrested and enter the criminal justice system. In this case, it is necessary to have data from the juvenile corrections agency, the criminal court, and law enforcement to be able to measure subsequent offending.

Recidivism as a performance measure

Although there are a number of obstacles to obtaining meaningful recidivism rates, they are still valuable indicators of how a system is functioning. Juvenile justice practitioners can use recidivism rates to develop benchmarks to determine the impacts of programming, policies, or practices. Although using recidivism rates as a point of

Common uses of recidivism data

Recidivism data can serve a number of purposes. Each of these purposes should be considered in advance of data collection and at times in the design of the information system.

Systems diagnosis and monitoring: Recidivism data can enable systems to examine the impact of policy changes, budget reductions, new programs and/or practices, and changes in offender characteristics on system-level performance.

Evaluation against prior performance: This involves tracking outcome data and examining performance in previous outcomes. When purposeful changes are made to a program in order to improve outcomes, sustained trends tell us something about the likely impact of these program modifications.

Comparing different offender groups: Differentiating offenders in terms of demographic, risk, or assessment information can help to pinpoint differential impacts of interventions. Interventions can then be matched to youths likely to benefit from a specific set of methods.

Program evaluation: Studies involving comparison groups make it possible to test the impact or effectiveness of a program. Experiments are most effective for this purpose—they isolate the effects of an intervention from all other factors that may also influence outcomes. There are a variety of quasi-experimental designs available if random assignment is not possible or desirable.

Cost-benefit analysis: To influence public policy, cost-benefit analyses, which examine variations in cost associated with different program or policy options, should be pursued. Policymakers responsible for allocating tax dollars find such analyses particularly persuasive.

Comparing systems: Classifying systems on factors likely to affect outcomes, making comparisons within groups of similar systems, and comparing similar populations of individuals will decrease error. Here again, risk levels and other population attributes should be accounted for in the analysis.

Source: Authors' adaptation of Harris, Lockwood, and Mengers' *A CJCA White Paper: Defining and Measuring Recidivism*.

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comparison with other jurisdictions is a risky proposition, the reality is that such comparisons will be made. Any recidivism statistics developed should be well defined so users inclined to make jurisdictional comparisons can at least do so in an informed way. Depending on data availability, useful comparisons might include:

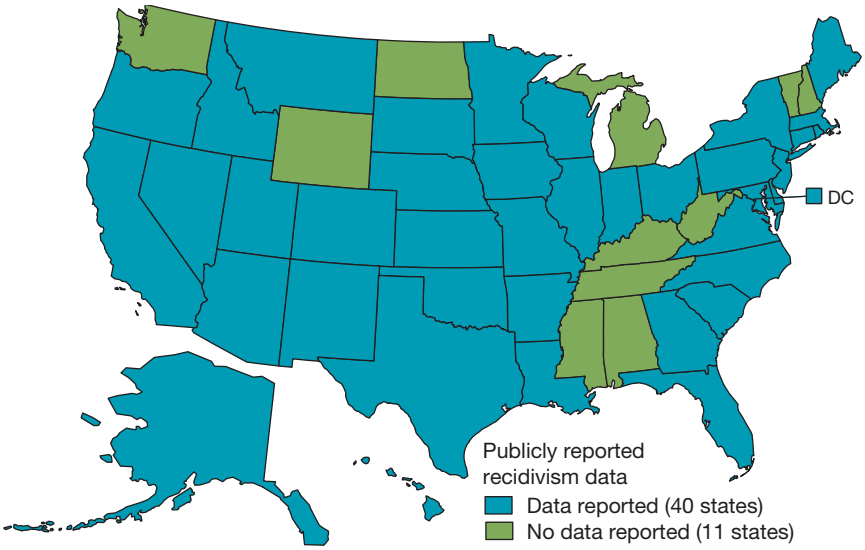
- System penetration groups: probation vs. placement vs. secure confinement.
- Demographics: gender, race/ethnicity, and age groups.
- Risk factor groups: offense seriousness, prior history, gang involvement, risk assessment groups.
- Needs groups: based on assessments of various social characteristics, substance abuse, mental health, etc.

There is no national recidivism rate for juveniles

Each state's juvenile justice system differs in organization, administration, and data capacity. These differences influence how states define, measure, and report recidivism rates. This also makes it challenging to compare recidivism rates across states.

There are general guidelines that increase the ability for recidivism studies to be compared. Studies should take into account multiple system events, such as rearrest, readjudication (reconviction), and reconfinement (reincarceration). Including information on severity of subsequent offenses, time to reoffend, and frequency of reoffending maximizes possibilities for making comparisons. Calculating recidivism rates for more than one timeframe (6 months, 1 year, 2 years, etc.) also increases comparison flexibility.

Most states publicly report recidivism data



- Agencies within the same state may report differing recidivism rates based on the characteristics they use to define the measure. For example, Missouri's correctional agency reports recidivism as recommitment or involvement in the adult system within a specified time period. Missouri's Office of State Courts Administrator reports recidivism as a law violation within 1 year of the initial referral's disposition.
- Other states have declared a state definition of recidivism to standardize measurements. Pennsylvania defines recidivism as, "a subsequent delinquency adjudication or conviction in criminal court for either a misdemeanor or felony offense within 2 years of case closure."

Note: Measures of subsequent offending vary, depending on the purpose for the collection.

Source: Authors' analyses of publicly available state agency reports, and authors' adaptation of the Pew Center for the States' *Juvenile Recidivism Infographic*.

CJCA offers recommendations for correctional agencies to measure recidivism

Clear measure: The Council of Juvenile Correctional Administrators (CJCA) recommendations emphasize the importance of identifying a clear measure of recidivism. This includes defining the population, multiple marker events, followup timeframe, and data sources. The CJCA recommends using readjudication and reconviction as marker events, although using multiple measures of recidivism is encouraged.

Timeframe: The CJCA recommends beginning data collection with the date of disposition. The timeframe for measurement recommended by the CJCA is at least 24 months; however, data must be collected for a longer time period to account for delays between arrest and adjudication. Including multiple timeframes is useful for comparing rates.

Sufficient detail for comparisons: The CJCA recommends collecting all subsequent charges, demographics, and risk levels so that similar groups can be compared.

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Chapter 5

Law enforcement and juvenile crime

For most delinquents, law enforcement is the doorway to the juvenile justice system. Once a juvenile is apprehended for a law violation, it is the police officer who first determines if the juvenile will move deeper into the justice system or will be diverted.

Law enforcement agencies track the volume and characteristics of crimes reported to them and use this information to monitor the changing levels of crime in their communities. Not all crimes are reported to law enforcement, and many of those that are reported remain unsolved. Law enforcement's incident-based reporting systems include victim reports of offender characteristics in crimes in which the victim sees the offender. For these crimes, even when there is no arrest, law enforcement records can be used to develop an understanding of juvenile offending. For all other types of crimes, an understanding of juvenile involvement comes through the study of arrest statistics. Arrest statistics can monitor the flow of juveniles and adults into the justice system and are the most frequently cited source of information on juvenile crime trends.

This chapter describes the volume and characteristics of juvenile crime from law enforcement's perspective. It presents information on the number and offense characteristics of juvenile arrests in 2010 and historical trends in juvenile arrests. This chapter also examines arrests and arrest trends for female juvenile offenders and offenders under age 13 and compares arrest trends for males and females and different racial groups. It includes arrest rate trends for many specific offenses, including murder and other violent crimes, property crimes, and drug and weapons offenses. The majority of data presented in this chapter were originally compiled by the Federal Bureau of Investigation as part of its Uniform Crime Reporting Program, which includes the Supplementary Homicide Reports and the National Incidence-Based Reporting System. Arrest estimates were developed from these data by the Bureau of Justice Statistics.

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The FBI's Uniform Crime Reporting Program monitors law enforcement's response to juvenile crime

Since the 1930s, police agencies have reported to the UCR Program

Each year, thousands of police agencies voluntarily report the following data to the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program:

- Number of Index crimes reported to law enforcement (see sidebar).
- Number of arrests and the most serious charge involved in each arrest.
- Age, sex, and race of arrestees.
- Proportion of reported Index crimes cleared by arrest, and the proportion of these Index crimes cleared by the arrest of persons younger than 18.
- Police dispositions of juvenile arrests.
- Detailed victim, assailant, and circumstance information in murder cases.

What can the UCR arrest data tell us about crime and young people?

The UCR arrest data provide a sample-based portrait of the volume and characteristics of arrests in the United States. Detailed national estimates (see sidebar) are developed by the Bureau of Justice Statistics (BJS) based on these sample data. The estimates include detailed juvenile age groups as well as details by sex, race, and specific offense. The data can be used to analyze the number and rates of juvenile arrests within offense categories and demographic subgroups and to track changes over various periods. They can also be used to compare the relative number of juvenile and adult arrests by offense categories and demographics and to monitor the proportion of crimes cleared by arrests of juveniles.

What do arrest statistics count?

To interpret the material in this chapter properly, the reader needs a clear understanding of what these statistics count. Arrest statistics report the number of arrests that law enforcement agencies made in a given year—not the number of individuals arrested nor the number of crimes committed. The number of arrests is not the same as the number of people arrested because an unknown number of individuals are arrested more than once during the year. Nor do arrest statistics represent the number of crimes that arrested individuals commit, because a series of crimes that one person commits may culminate in a single arrest, and a single crime may result in the arrest of more than one person. This latter situation, where many arrests result from one crime, is relatively common in juvenile law-violating behavior because juveniles are more likely than adults to commit crimes in groups. For this reason, one should not use arrest statistics to indicate the relative proportions of crime that juveniles and adults commit. Arrest statistics are most appropriately a measure of entry into the justice system.

Arrest statistics also have limitations in measuring the volume of arrests for a particular offense. Under the UCR Program, the FBI requires law enforcement agencies to classify an arrest by the most serious offense charged in that arrest. For example, the arrest of a youth charged with aggravated assault and possession of a weapon would be reported to the FBI as an arrest for aggravated assault. Therefore, when arrest statistics show that law enforcement agencies made an estimated 31,400 arrests of young people for weapons law violations in 2010, it means that a weapons law violation was the most serious charge in these 31,400 arrests. An unknown number of additional arrests in 2010 included a weapons charge as a lesser offense.

What are the Crime Indexes?

The designers of the UCR Program wanted to create an index (similar in concept to the Dow Jones Industrial Average or the Consumer Price Index) that would be sensitive to changes in the volume and nature of reported crime. They decided to incorporate specific offenses into the index, based on several factors: likelihood of being reported, frequency of occurrence, pervasiveness in all geographical areas of the country, and relative seriousness.

The Crime Index is divided into two components: the Violent Crime Index and the Property Crime Index.

Violent Crime Index—Includes murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault.

Property Crime Index—Includes burglary, larceny-theft, motor vehicle theft, and arson.

Although some violent crimes, such as kidnapping and extortion, are excluded, the Violent Crime Index contains what are generally considered to be serious crimes. In contrast, a substantial proportion of the crimes in the Property Crime Index are generally considered less serious crimes, such as shoplifting, theft from motor vehicles, and bicycle theft, all of which are included in the larceny-theft category.

* In this chapter, "juvenile" refers to persons younger than age 18. In 2010, this definition was at odds with the legal definition of juveniles in 13 states—11 states where all 17-year-olds are defined as adults and 2 states where all 16- and 17-year-olds are defined as adults.

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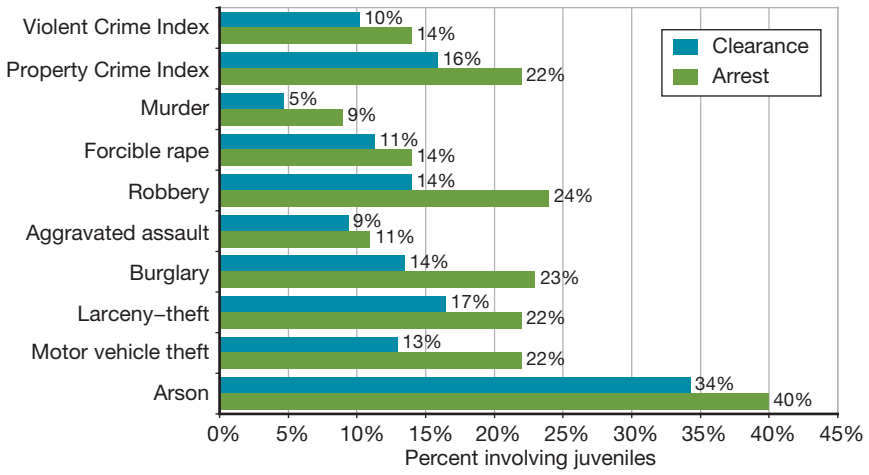
What do clearance statistics count?

Clearance statistics measure the proportion of reported crimes that were cleared (or "closed") by either arrest or other, exceptional means (such as the death of the offender or unwillingness of the victim to cooperate). A single arrest may result in many clearances. For example, 1 arrest could clear 10 burglaries if the person was charged with committing all 10 crimes. Or multiple arrests may result in a single clearance if a group of offenders committed the crime.

For those interested in juvenile justice issues, the FBI also reports the proportion of clearances that involved only offenders younger than age 18. This statistic is a better indicator of the proportion of crime that this age group commits than is the proportion of arrests, although there are some concerns that even the clearance statistic overestimates the proportion of crimes that juveniles commit. Research has shown that juvenile offenders are more easily apprehended than adult offenders; thus, the juvenile proportion of clearances probably overestimates juveniles' responsibility for crime.

To add to the difficulty in interpreting clearance statistics, the FBI's reporting guidelines require that clearances involving both juvenile and adult offenders be classified as clearances for crimes that adults commit. Because the juvenile clearance proportions include only those clearances in which no adults were involved, they underestimate juvenile involvement in crime. Although these data do not present a definitive picture of juvenile involvement in crime, they are the closest measure generally available of the proportion of crime known to law enforcement that is attributed to persons younger than age 18.

The juvenile proportion of arrests exceeded the juvenile proportion of crimes cleared by arrest in each offense category



Source: Authors' analysis of the FBI's *Crime in the United States 2010*.

How are national estimates of arrests calculated?

The FBI's *Crime in the United States* (*CIUS*) report presents a detailed snapshot of crime and arrests voluntarily reported by local law enforcement agencies. Some agencies report data for a full calendar year, other agencies are "partial reporters" (i.e., their reported data cover less than 12 months), and some agencies do not report at all. Data from 12-month reporting agencies form the basis of the tables presented in the annual *CIUS* report. As such, *CIUS* presents a sample-based portrait of arrests that law enforcement agencies report. There is an exception, however. Each *CIUS* report includes one table that presents national estimates of arrests for 29 offense categories. However, *CIUS* does not include national estimates for any subpopulation groups.

For nearly two decades, the National Center for Juvenile Justice developed national estimates of juvenile arrests based on data presented in *CIUS*; these estimates were the basis of the juvenile arrest data presented by OJJDP since the 1990s. However, the Bureau of Justice Statistics (BJS) recently developed a new process that supplants the estimation procedure used for juvenile arrests. The method that BJS uses takes advantage of more complete sample data reported to the FBI from local law enforcement agencies. To learn more about the BJS estimation process, see *Arrest in the United States, 1980–2010*, which is available from the BJS Web site (bjs.gov).

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Law enforcement agencies in the U.S. made 1.6 million arrests of persons under age 18 in 2010

Larceny-theft, simple assault, drug abuse violations, and disorderly conduct offenses accounted for half of all juvenile arrests in 2010

Most serious offense	2010 estimated number of juvenile arrests	Percent of total juvenile arrests					
		Female	Ages 16–17	White	Black	American Indian	Asian
Total	1,642,500	29%	73%	66%	31%	1%	1%
Violent Crime Index	75,890	18	73	47	51	1	1
Murder and nonnegligent manslaughter	1,010	10	91	43	56	0	1
Forcible rape	2,900	2	67	63	36	1	1
Robbery	27,200	10	81	31	67	0	1
Aggravated assault	44,800	25	69	56	41	1	1
Property Crime Index	366,600	38	72	64	33	1	2
Burglary	65,200	11	73	62	36	1	1
Larceny-theft	281,100	45	72	65	32	1	2
Motor vehicle theft	15,800	16	80	55	42	1	1
Arson	4,600	13	42	75	22	1	1
Nonindex							
Other (simple) assault	210,200	35	62	60	38	1	1
Forgery and counterfeiting	1,700	27	88	67	31	1	2
Fraud	5,800	34	84	59	39	1	1
Embezzlement	400	41	95	63	34	1	2
Stolen property (buying, receiving, possessing)	14,600	16	78	56	42	1	1
Vandalism	77,100	15	61	78	20	1	1
Weapons (carrying, possessing, etc.)	31,400	11	67	62	36	1	1
Prostitution and commercialized vice	1,000	82	89	38	60	1	2
Sex offense (except forcible rape and prostitution)	13,000	10	52	72	26	1	1
Drug abuse violation	170,600	16	82	74	24	1	1
Gambling	1,400	3	89	8	91	0	1
Offenses against the family and children	3,800	35	68	72	25	3	1
Driving under the influence	12,000	25	98	91	6	2	2
Liquor laws	94,700	39	90	88	7	3	1
Drunkenness	12,700	27	88	89	8	2	1
Disorderly conduct	155,900	34	63	58	40	1	1
Vagrancy	2,100	23	72	76	23	0	1
All other offenses (except traffic)	296,800	26	77	69	28	1	2
Suspicion (not included in totals)	100	23	74	68	32	0	1
Curfew and loitering	94,800	30	75	59	38	1	1
U.S. population ages 10–17:	33,599,246	49%	26%	76%	17%	2%	5%

- In 2010, females accounted for 18% of juvenile Violent Crime Index arrests, 38% of juvenile Property Crime Index arrests, and 45% of juvenile larceny-theft arrests.
- Youth ages 16–17 accounted for nearly three-fourths of all juvenile arrests for Violent Crime Index offenses and Property Crime Index offenses in 2010 (73% and 72%, respectively).
- Black youth, who accounted for 17% of the juvenile population in 2010, were involved in 67% of juvenile arrests for robbery, 56% for murder, 42% for motor vehicle theft, and 41% for aggravated assault.

Notes: UCR data do not distinguish the ethnic group Hispanic; Hispanics may be of any race. In 2010, 89% of Hispanics ages 10–17 were classified racially as white. Detail may not add to totals because of rounding.

Source: Authors' analysis of Snyder, H., and Mulako-Wantota, J. (Bureau of Justice Statistics) *Arrest Data Analysis Tool* [online].

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In 2010, 11% of male arrests and 14% of female arrests involved a person younger than age 18

In 2010, juveniles were involved in about 1 in 10 arrests for murder, about 1 in 4 arrests for robbery, burglary, and disorderly conduct, and about 1 in 5 arrests for larceny-theft and motor vehicle theft

	Juvenile arrests as a percentage of total arrests						
Most serious offense	All persons	Male	Female	White	Black	American Indian	Asian
Total	12%	11%	14%	11%	13%	10%	14%
Violent Crime Index	14	14	13	11	18	9	12
Murder and nonnegligent manslaughter	9	9	8	8	10	4	7
Forcible rape	14	14	29	14	16	9	7
Robbery	24	25	19	18	29	16	26
Aggravated assault	11	11	12	10	14	9	9
Property Crime Index	22	22	23	21	26	21	29
Burglary	23	23	17	21	27	21	26
Larceny-theft	22	21	23	21	25	20	30
Motor vehicle theft	22	22	20	19	28	25	20
Arson	40	42	31	40	40	40	52
Nonindex							
Other (simple) assault	16	14	21	15	20	11	15
Forgery and counterfeiting	2	3	2	2	2	2	3
Fraud	3	3	2	3	4	4	4
Embezzlement	3	3	2	3	3	4	3
Stolen property (buying, receiving, possessing)	15	16	13	13	20	14	17
Vandalism	30	32	24	32	26	23	31
Weapons (carrying, possessing, etc.)	20	19	25	21	18	21	25
Prostitution and commercialized vice	2	1	2	1	2	3	1
Sex offense (except forcible rape and prostitution)	18	17	23	17	20	10	18
Drug abuse violation	10	11	9	12	8	16	14
Gambling	14	15	5	4	18	10	3
Offenses against the family and children	3	3	5	4	3	5	3
Driving under the influence	1	1	1	1	0	1	1
Liquor laws	18	16	25	20	11	17	19
Drunkenness	2	2	3	2	1	3	3
Disorderly conduct	25	23	31	23	30	15	24
Vagrancy	7	6	8	9	4	1	7
All other offenses (except traffic)	8	8	9	8	7	6	11
Suspicion (not included in totals)	11	11	11	12	10	0	14

- Juvenile females accounted for more than one-fifth (21%) of all simple assault arrests involving females in 2010, while male juveniles accounted for 14% of all simple assault arrests involving males.
- On average, juveniles accounted for 9% of all murder arrests during the 2000s, compared with 14% during the 1990s.
- Overall, in 2010, 11% of white arrests and 13% of black arrests involved a person younger than age 18. However, for some offenses, juveniles were involved in a greater proportion of black arrests than white arrests (e.g., robbery, motor vehicle theft, and disorderly conduct). For other offenses, juvenile involvement was greater in white arrests than black arrests (e.g., vandalism and liquor law violations).

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

Source: Authors' analysis of Snyder and Mulako-Wantota's (Bureau of Justice Statistics) *Arrest Data Analysis Tool* [online].

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Across most offenses, juvenile arrests fell proportionately more than adult arrests between 2001 and 2010

The number of arrests of juveniles in 2010 was 21% fewer than the number of arrests in 2001

	Percent change in arrests, 2001–2010								
	All persons			Juveniles			Adults		
Most serious offense	All	Male	Female	All	Male	Female	All	Male	Female
Total	–3%	–8%	14%	–21%	–24%	–10%	0%	–5%	19%
Violent Crime Index	–12	–14	–2	–22	–22	–22	–10	–13	2
Murder and nonnegligent manslaughter	–18	–17	–27	–20	–20	–22	–18	–16	–28
Forcible rape	–26	–26	–31	–37	–37	–8	–24	–24	–38
Robbery	4	1	27	3	2	13	4	1	31
Aggravated assault	–15	–17	–5	–31	–33	–27	–12	–15	0
Property Crime Index	2	–9	26	–25	–32	–9	13	1	42
Burglary	–1	–3	14	–27	–27	–29	11	8	31
Larceny-theft	10	–3	31	–18	–27	–4	21	7	47
Motor vehicle theft	–52	–52	–47	–67	–67	–69	–44	–45	–36
Arson	–40	–41	–33	–52	–54	–44	–26	–27	–26
Nonindex									
Other (simple) assault	–2	–6	13	–13	–17	–3	1	–4	18
Forgery and counterfeiting	–31	–31	–32	–71	–67	–77	–29	–29	–30
Fraud	–42	–39	–45	–58	–61	–53	–41	–38	–45
Embezzlement	–18	–20	–16	–77	–76	–77	–11	–13	–10
Stolen property (buying, receiving, possessing)	–22	–24	–13	–43	–43	–41	–17	–19	–7
Vandalism	–7	–10	10	–27	–28	–17	6	3	23
Weapons (carrying, possessing, etc.)	–4	–4	–4	–15	–15	–17	–1	–1	1
Prostitution and commercialized vice	–22	–31	–18	–29	–60	–15	–22	–30	–18
Sex offense (except forcible rape and prostitution)	–21	–21	–16	–30	–32	–3	–19	–19	–19
Drug abuse violation	3	1	14	–15	–16	–9	6	4	16
Gambling	–11	–9	–26	31	32	19	–15	–13	–27
Offenses against the family and children	–23	–25	–13	–58	–57	–60	–20	–24	–8
Driving under the influence	–2	–10	39	–42	–47	–19	–1	–9	40
Liquor laws	–16	–24	16	–13	–21	6	–17	–25	19
Drunkenness	–9	–13	14	–38	–42	–23	–8	–12	16
Disorderly conduct	–1	–6	16	–6	–12	10	1	–4	19
Vagrancy	15	22	–7	–22	–23	–20	19	27	–6
All other offenses (except traffic)	3	–2	22	–22	–22	–21	6	0	28

- With few exceptions, juvenile arrests declined across offenses between 2001 and 2010. The relative decline was less for females than for males in most offense categories (e.g., driving under the influence, larceny-theft, simple assault, and vandalism). As a result, while male juvenile arrests declined 24% over the period, female juvenile arrests declined 10%.
- Arrests declined for juveniles and adults between 2001 and 2010, but the patterns varied by gender. While arrests were down across nearly all offenses for males, the relative decline for juveniles exceeded that of adults (e.g., aggravated assault, simple assault, and weapons law violations). Similar to the pattern found among males, juvenile female arrests declined proportionately more than adults for several offenses (motor vehicle theft, fraud, and stolen property offenses). More common, however, was a decline in juvenile female arrests coupled with an increase for adults (burglary, larceny-theft, simple assault, weapons law violations, and drug abuse violations).

Source: Authors' analysis of Snyder and Mulako-Wantota's (Bureau of Justice Statistics) *Arrest Data Analysis Tool* [online].

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The female proportion of youth entering the juvenile justice system for law violations has increased

Gender-specific factors influence juvenile arrest trends

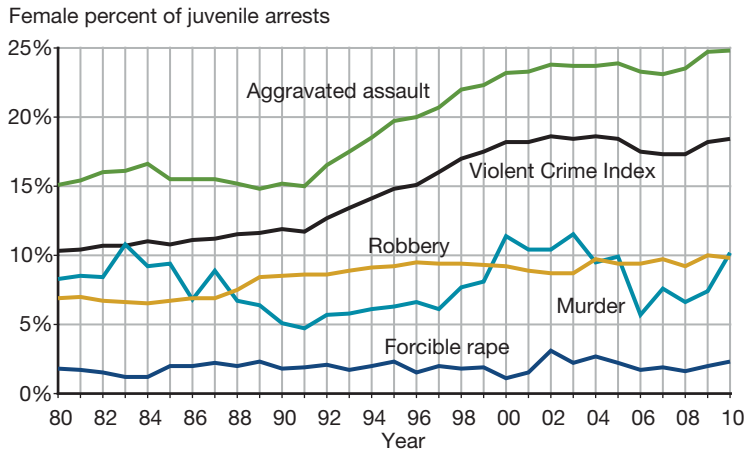
If juvenile males and females were contributing equally to an arrest trend, then the female proportion of juvenile arrests would remain constant. If, however, the female proportion changes, that means that the female arrest trend differs from the male trend—and any explanation of juvenile arrest trends must incorporate factors that affect males and females differently.

There has been growing concern over the rise in the proportion of females entering the juvenile justice system. In 1980, 17% of all juvenile arrests were female arrests; in 2010, this percentage had increased to 29%—with the majority of this growth occurring since the early 1990s. The female proportion increased steadily between 1980 and 2010 in juvenile arrests for Violent Crime Index offenses (from 10% to 18%) and for Property Crime Index offenses (from 18% to 38%); however, the female proportion of drug abuse violations arrests was about the same in 1980 (17%) and 2010 (16%). This implies there were (1) different factors influencing the volume and/or nature of law-violating behaviors by male and female juveniles over this time period and/or (2) differential responses by law enforcement to these behaviors.

A closer look at violence trends points to possible explanations

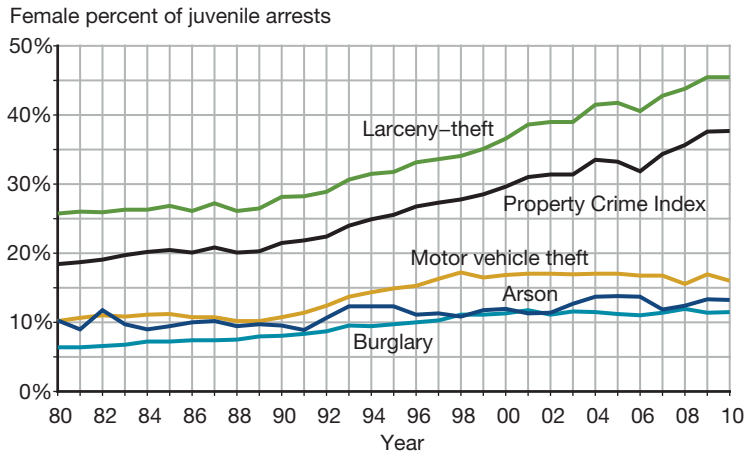
If juvenile females had simply become more violent, the female proportion of juvenile arrests would be expected to have increased for each violent crime. This did not occur. For example, the female proportion of juvenile arrests remained relatively constant between 1980 and 2010 for robbery (6% to 10%). The change that caused the Violent Crime Index proportion to increase between 1980 and 2010 was the increase in the female proportion of juvenile arrests for aggravated assault (from 15% to 25%). Similarly, a large increase was seen in the female proportion of juvenile arrests for simple assault (from 21% to 35%). To understand the relative increase in female arrests for violence, it is necessary to

Between 1980 and 2010, the female percentage of juvenile violent crime arrests increased, with the overall increase tied mainly to aggravated assault arrests



Source: Authors' analysis of Snyder and Mulako-Wantota's (Bureau of Justice Statistics) *Arrest Data Analysis Tool* [online].

The female percentage of juvenile arrests increased between 1980 and 2010 for each of the four Property Crime Index offenses



Source: Authors' analysis of Snyder and Mulako-Wantota's (Bureau of Justice Statistics) *Arrest Data Analysis Tool* [online].

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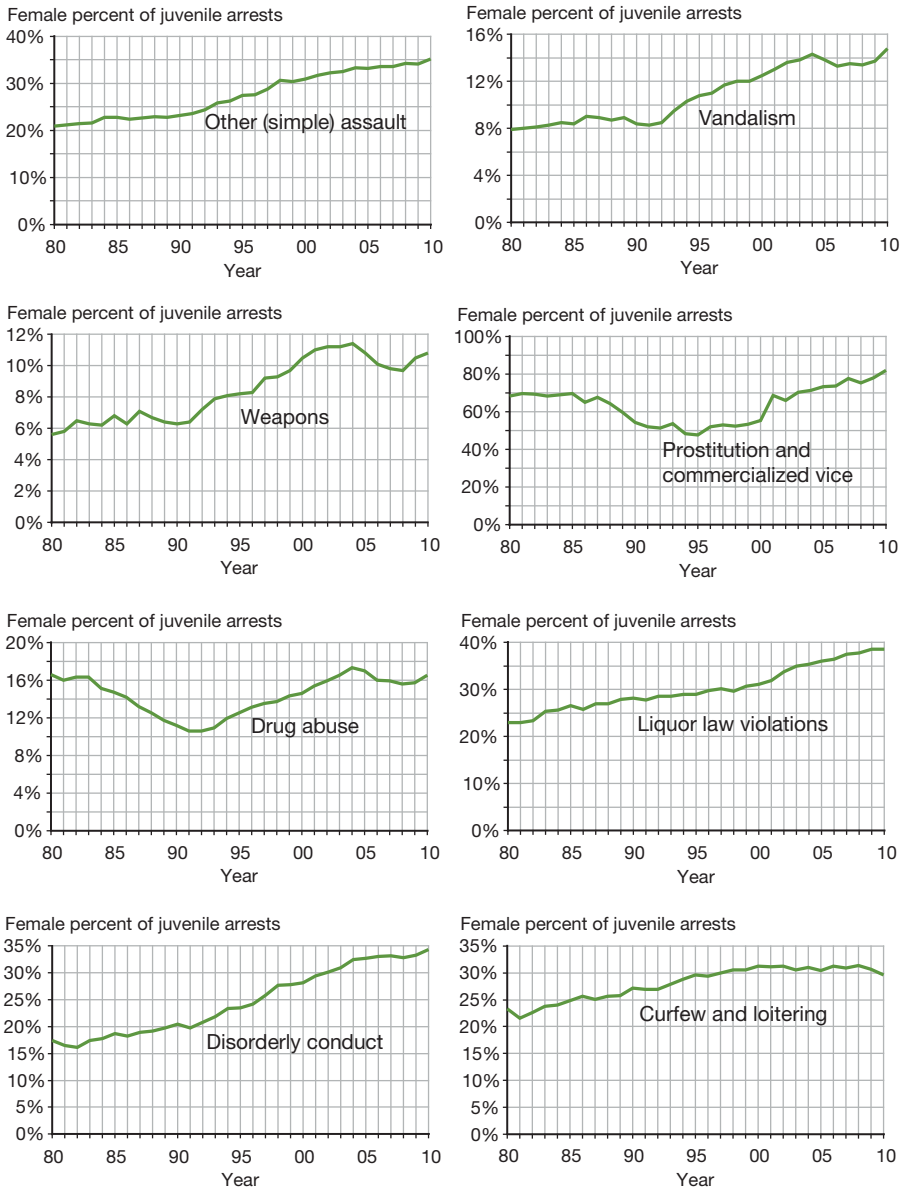
look for factors related primarily to assault.

One possible explanation for this pattern could be the changing response of law enforcement to domestic violence incidents. Domestic assaults represent a larger proportion of female violence than male violence. For example, analysis of the 2010 National Incidence-Based Reporting System (NIBRS) data finds that 18% of aggravated assaults known to law enforcement committed by juvenile males were against family members or intimate partners, compared with 28% of aggravated assaults committed by juvenile females. Mandatory arrest laws for domestic violence, coupled with an increased willingness to report these crimes to authorities, would yield a greater increase in female than male arrests for assault, while having no effect on the other violent crimes. Thus, policy and social changes may be a stimulus for the increased proportion of juvenile female arrests.

The female proportion of arrests increased for many offenses

When the female proportion of juvenile arrests remains constant over time, factors controlling this arrest trend are unrelated to gender. This pattern is seen in juvenile robbery and arson arrests from 1980 through 2010. Over this period, the female arrest proportions for some other offenses (e.g., murder, prostitution, and drug abuse violations) first declined and then increased back to earlier levels. However, for most other offenses (e.g., aggravated assault, simple assault, larceny-theft, vandalism, driving under the influence, liquor law violations, and disorderly conduct), the female proportions of juvenile arrests increased substantially over the 1980–2010 period.

Between 1980 and 2010, the female proportion of juvenile arrests increased substantially for simple assault, vandalism, weapons, liquor law violations, and disorderly conduct



- Between 1980 and 2010, the large decline and subsequent growth in the female proportion of juvenile arrests for drug abuse violations reflected a decline in the female arrest rate for drug abuse violations during the 1980s and early 1990s while the male rate generally held constant, followed by a proportionately greater increase in the female rate after the early 1990s.

Source: Authors' analysis of Snyder and Mulako-Wantota's (Bureau of Justice Statistics) *Arrest Data Analysis Tool* [online].

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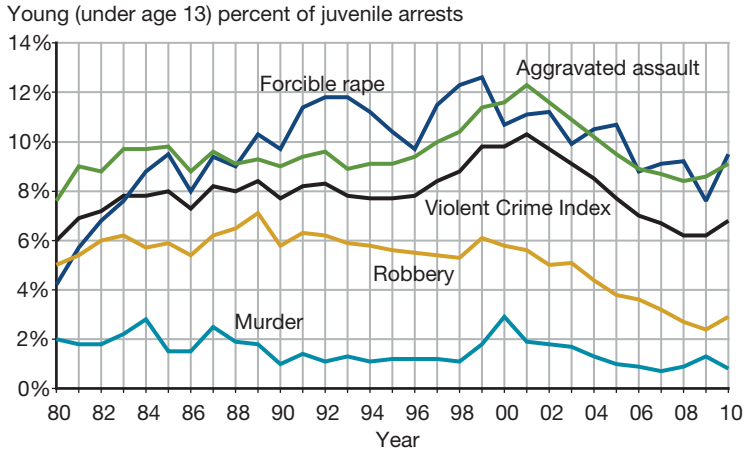
Fewer young juveniles are entering the juvenile justice system

Arrest rates for very young juveniles declined considerably since 2001

A common perception in the last few years was that the rate and proportion of young juveniles (under age 13) entering the juvenile justice system had increased. This statement is not true. In 1980, there were an estimated 1,259 arrests of persons ages 10–12 for every 100,000 persons in this age group in the U.S. population. By 2010, this arrest rate had fallen to 784, a decline of 38%. In 1980, 9.4% of all juvenile arrests were arrests of persons under age 13; in 2010, this percentage had decreased to 6.6%—with the majority of the decrease occurring since the early 1990s.

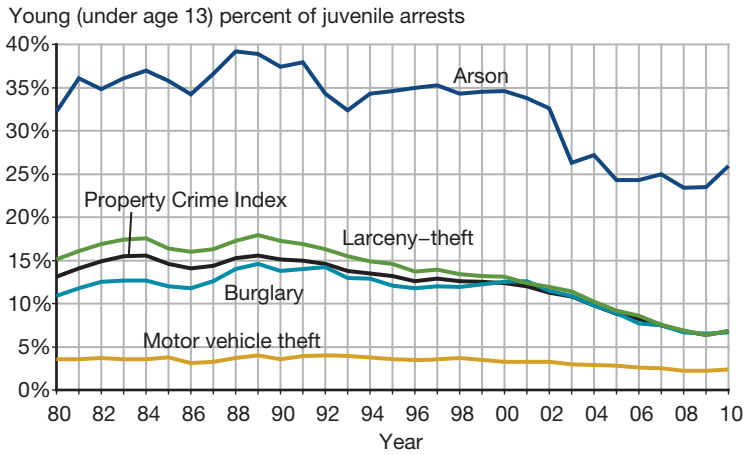
However, while the overall arrest rate for young juveniles declined, arrests for some offenses increased dramatically, and the types of young juvenile offenders entering the juvenile justice system changed. For example, the Property Crime Index arrest rate for juveniles ages 10–12 fell 72% between 1980 and 2010. Over the same period, the aggravated assault arrest rate increased 37% and the simple assault arrest rate more than doubled. Thus, while the overall arrest rate for young juveniles fell, a larger proportion of those arrested were arrested for assault offenses. Over the period 1980–2010, the arrest rate for juveniles ages 10–12 fell for robbery (66%), burglary (82%), larceny-theft (69%), arson (43%), and vandalism (60%). Over the same period, the arrest rate for young juveniles doubled for weapons law violations (101%) and drug law violations (103%), and increased for sex offenses (67%), disorderly conduct (65%), and curfew and loitering law violations (28%). As a result, even though the overall arrest rate declined, more young juveniles entered the juvenile justice system charged with assaults, weapons, and drug offenses in 2010 than in 1980. This implies there were (1) different factors influencing the volume and/or nature of law-violating behavior by young juveniles over this time period and/or (2) differential responses by law enforcement to these behaviors.

The proportion of juvenile Violent Crime Index arrests involving youth younger than age 13 declined from a high of 10% in the early 2000s to 7% in 2010



Source: Authors' analysis of Snyder and Mulako-Wantota's (Bureau of Justice Statistics) *Arrest Data Analysis Tool* [online].

The proportion of juvenile Property Crime Index arrests involving youth younger than age 13 declined from 16% in the late 1980s to 7% in 2010



Source: Authors' analysis of Snyder and Mulako-Wantota's (Bureau of Justice Statistics) *Arrest Data Analysis Tool* [online].

Arrest rates of young females outpace those of young males

The 38% decline in the total arrest rate for youth ages 10–12 between 1980

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and 2010 was a combination of a 46% decline in the young male arrest rate and a 4% increase in the young female arrest rate. For most offenses, the arrest rate for young females either increased more or decreased less from 1980 to 2010 than the arrest rate for young males. As a result, a greater number and proportion of the young juvenile arrestees in 2010 were female than in 1980, and these females had very different offending patterns compared with 1980.

Percent change in young juvenile (ages 10–12) arrest rate, 1980–2010

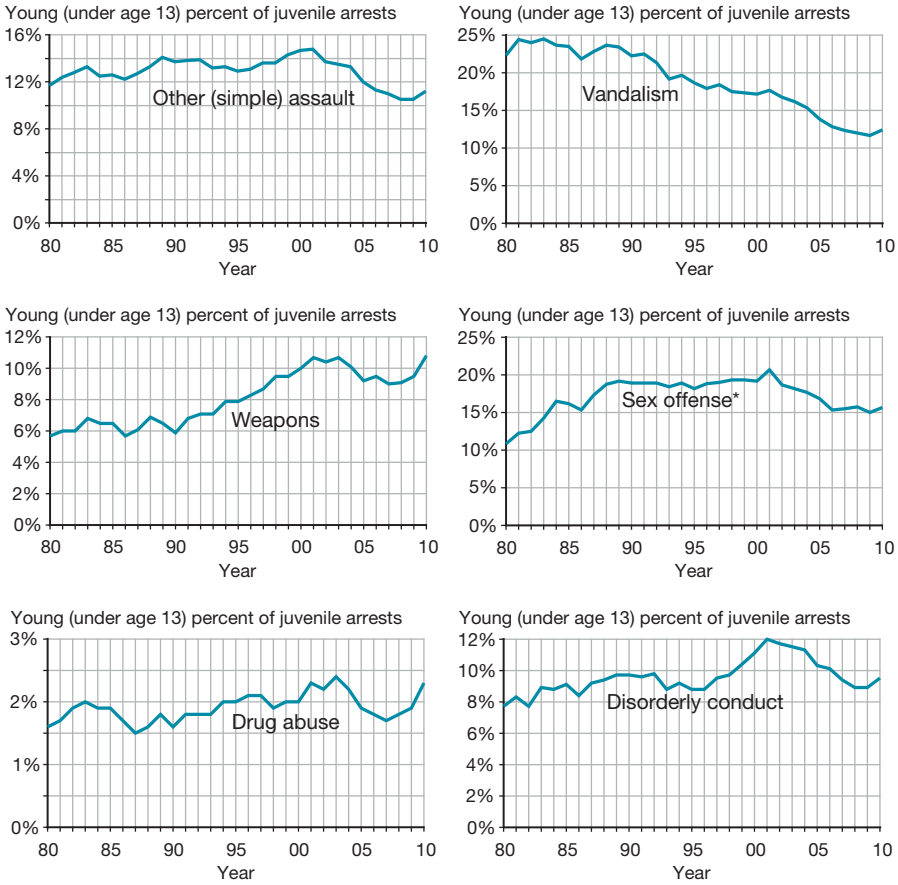
Most serious offense	Male	Female
All offenses	–46%	4%
Violent Crime Index	–17	77
Aggravated assault	24	112
Property Crime Index	–78	–49
Burglary	–83	–72
Larceny-theft	–76	–46
Simple assault	118	267
Stolen property	–78	–52
Vandalism	–64	–6
Weapons law violation	82	458
Sex offense	62	133
Drug abuse violation	105	95
Liquor law violations	–29	27
Disorderly conduct	34	218
Curfew	11	98

Source: Analysis of arrest data from the Bureau of Justice Statistics, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

Analysis of race-specific arrest rate trends for very young juveniles is not possible

The FBI's UCR Program captures information on the gender of arrestees subdivided into a large set of detailed age groups (e.g., under 10, 10–12, 13–14, 15, 16, and 17). It also captures information on the race of arrestees, but the only age breakdown associated with these counts is "under 18" and "18 and above." Therefore, age-specific arrest trends for racial groups, including trends for young juveniles, cannot be analyzed with UCR data.

Between 1980 and 2010, the proportion of juvenile arrests involving youth younger than age 13 declined for stolen property and vandalism offenses but increased for weapons and sex offenses



- In 1980, a greater proportion of juvenile simple assault arrests than aggravated assault arrests involved youth under age 13 (12% vs. 8%); this difference narrowed by 2010 (to 11% vs. 9%).

* Sex offenses include all sex offenses except forcible rape, prostitution, and commercialized vice.

Source: Authors' analysis of Snyder and Mulako-Wantota's (Bureau of Justice Statistics) *Arrest Data Analysis Tool* [online].

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The juvenile Violent Crime Index arrest rate reached a historic low in 2010

Violent crime arrest rates declined after 1994

Between 1980 and 1987, the juvenile Violent Crime Index arrest rate (i.e., the number of arrests per 100,000 juveniles in the population) was essentially constant. After these years of stability, the rate grew by nearly 70% in the 7-year period between 1987 and 1994. This rapid growth led to speculation about changes in the nature of juvenile offenders—concerns that spurred state legislators to pass laws that facilitated an increase in the flow of youth into the adult justice system. After 1994, however, the violent crime arrest rate fell. Between 1994 and 2010, the rate fell 55% to its lowest level since at least 1980.

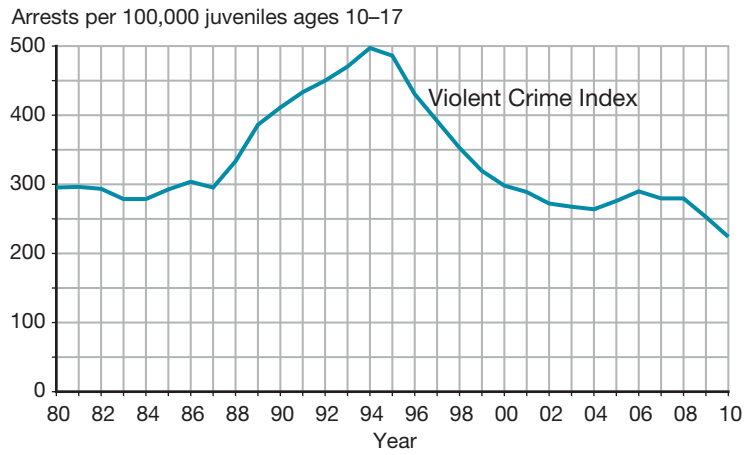
Female violent crime arrest rates remain relatively high

In 1980, the juvenile male violent crime arrest rate was 8 times greater than the female rate. By 2010, the male rate was just 4 times greater. This convergence of male and female arrest rates is due to the large relative increase in the female rate. Between 1980 and 1994, the male rate increased 60%, while the female rate increased 132%. By 2010, the male rate had dropped to 31% below its 1980 level, while the female violent crime arrest rate was still 36% above its 1980 level.

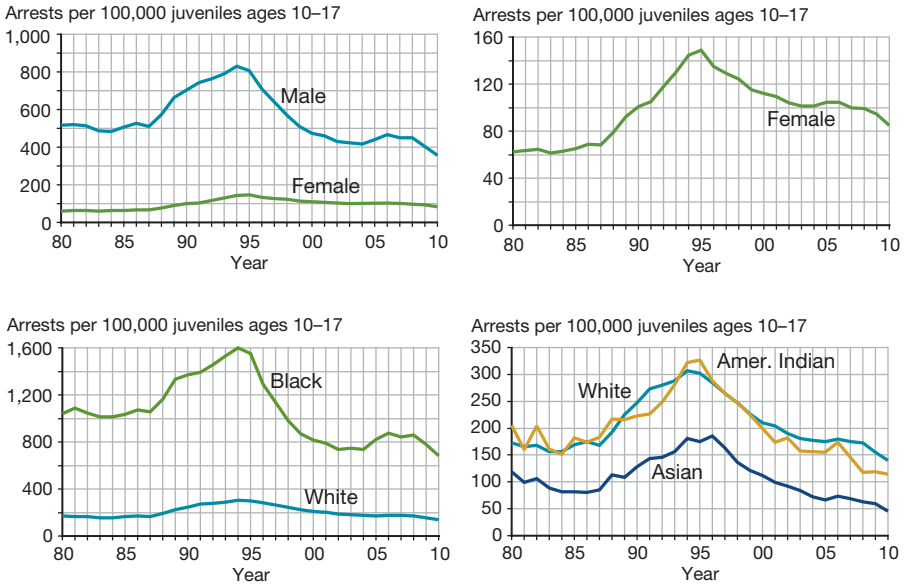
Arrest rates declined for all racial groups since the mid-1990s

All racial groups experienced large increases in their juvenile violent crime arrest rates in the late 1980s and early 1990s. Following their mid-1990s peak, the rates declined through 2010 for all racial groups: Asian (75%), American Indian (65%), black (57%), and white (54%) youth.

Following a 23% decline since 2006, the 2010 Violent Crime Index arrest rate reached its lowest level since at least 1980



Violent Crime Index arrest rate trends by gender and race



- The Violent Crime Index arrest rate in 2010 for black juveniles was 5 times the rate for white juveniles, 6 times the rate for American Indian juveniles, and 15 times the rate for Asian juveniles.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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The juvenile arrest rate for murder has remained relatively constant during the 2000s

The 2010 murder arrest rate was the lowest since at least 1980

Between the mid-1980s and the peak in 1993, the juvenile arrest rate for murder more than doubled. Since the 1993 peak, however, the rate fell substantially through 2000, resting at a level that essentially remained constant for the next decade. Compared with the prior 20 years, the juvenile murder arrest rate between 2000 and 2010 has been historically low and relatively stable. In fact, the number of juvenile arrests for murder in the 4-year period from 1992 through 1995 exceeded the total number of such arrests since 2000.

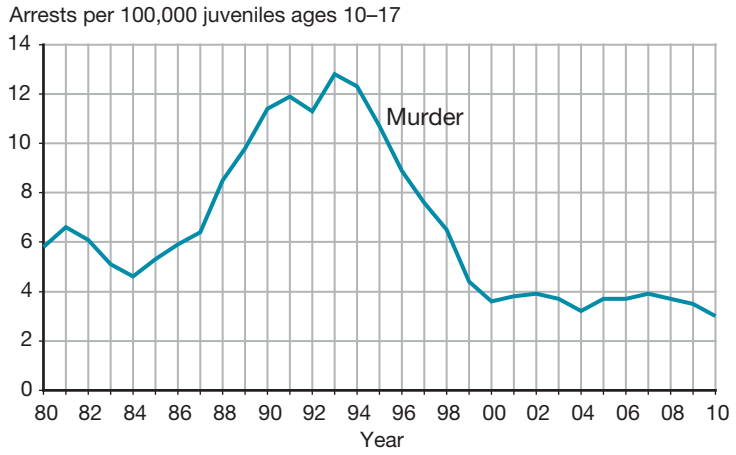
Male arrests drove murder arrest rate trends

During the 1980s and 1990s, the juvenile male arrest rate for murder was, on average, about 13 times greater than the female rate. Both displayed generally similar trends. The female arrest rate peaked in 1994 at 62% above its 1980 level, whereas the male rate peaked in 1993 at 123% above the 1980 rate. Both fell more than 58% since their respective peaks so that, by 2010, both arrest rates were substantially below their levels of the early 1980s.

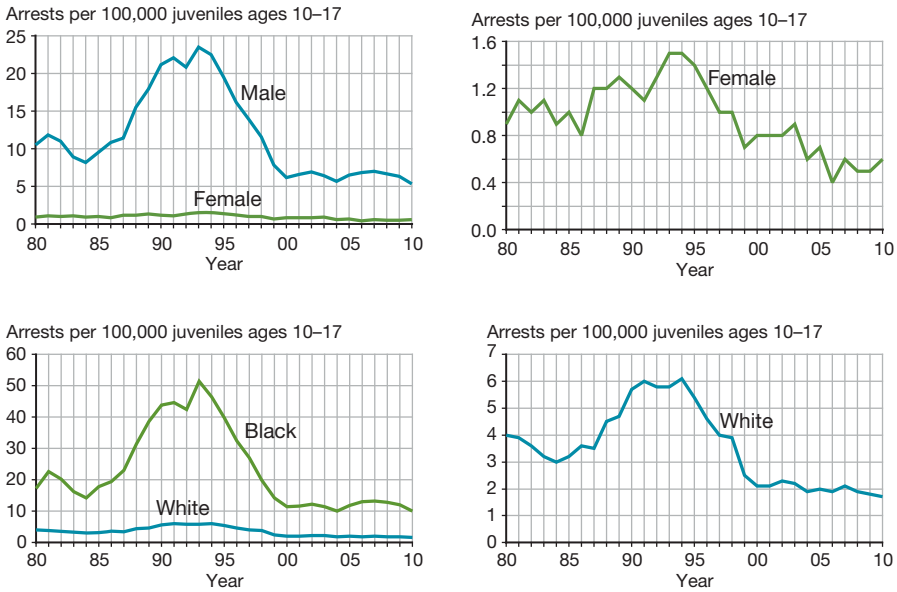
The juvenile murder arrest rate pattern was linked to the arrests of black juveniles

The black-to-white ratio of juvenile arrest rates for murder grew from about 4-to-1 in 1980 to nearly 9-to-1 in 1993, reflecting the greater increase in the black rate over this period—the white rate increased 47% while the black rate tripled. Since the 1993 peak, both rates fell through 2000, with the black rate falling considerably more. During the past decade, the rates remained relatively constant. As a result, the black-to-white ratio of juvenile arrest rates for murder in 2010 approached 6-to-1.

Following a 23% decline since 2007, the 2010 juvenile murder arrest rate was well below the levels reached during the 1990s



Murder arrest rate trends by gender and race



Note: Murder arrest rates for American Indian youth and Asian youth are not presented because the small number of arrests and small population sizes produce unstable rate trends.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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The juvenile arrest rate for forcible rape in 2010 was one-third its 1991 peak

The 2010 rape arrest rate was at its lowest level in three decades

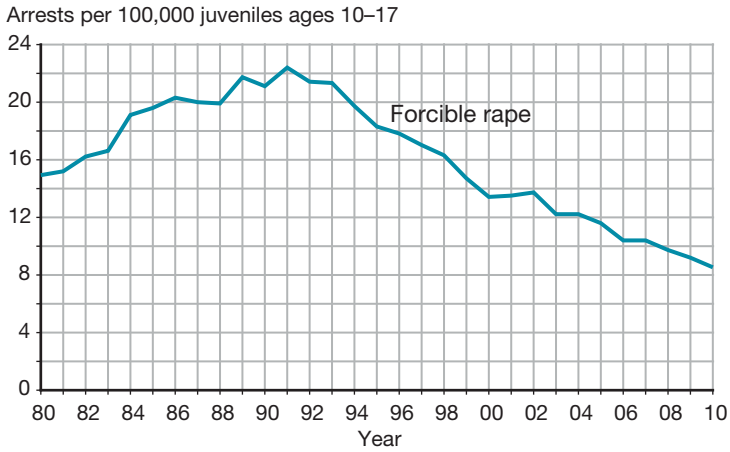
Between 1980 and the peak in 1991, the juvenile arrest rate for forcible rape increased 50%. This growth occurred during a time when there were also increases in arrest rates for aggravated assault and murder. After 1991, the forcible rape arrest rate gradually fell, resting at a level in 2010 that was 62% below the 1991 peak. In fact, the 2,900 estimated juvenile arrests for forcible rape in 2010 were the fewest such arrests in at least three decades.

Juveniles accounted for 14% of all forcible rape arrests reported in 2010. Two-thirds (67%) of these juvenile arrests involved youth ages 15–17. Not surprisingly, males accounted for the overwhelming majority (98%) of juvenile arrests for forcible rape.

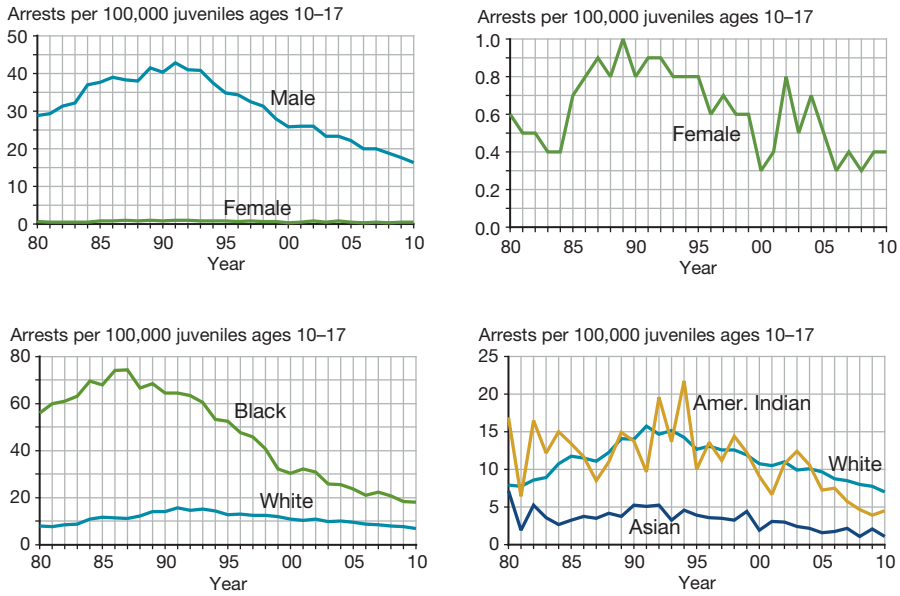
Rape arrest rates declined more for black youth than white youth since 1991

For black juveniles, the substantial decline in the arrest rate for forcible rape began in the late 1980s. The rate peaked in 1987 and then fell 75% by 2010. In contrast to the rate for whites, the forcible rape arrest rate for black juveniles in 2010 was less than one third the rate in 1980. For white juveniles, the arrest rate for forcible rape nearly doubled between 1980 and 1991, when it reached its peak. Between 1991 and 2010, the rate declined 55%, resting at its lowest level in at least 31 years. By 2010, the black-to-white ratio of juvenile arrest rates for forcible rape was less than 3-to-1, compared to a ratio of 7-to-1 in the early 1980s.

With few exceptions, the juvenile arrest rate for forcible rape dropped annually from 1991 through 2010



Forcible rape arrest rate trends by gender and race



- Although the rape arrest rate for black youth (18.2) was more than twice the rate for white youth (7.0) in 2010, white youth accounted for a greater number of arrests. Black youth accounted for more than one-third (36%) of all juvenile arrests for forcible rape in 2010, and white youth accounted for nearly two-thirds (63%).

Note: The annual rape arrest rate for American Indians fluctuates because of the small number of arrests, but the average rate over the period is close to the white rate.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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The juvenile arrest rate for robbery declined substantially after its mid-1990s peak

The juvenile arrest rate for robbery declined from 2008 to 2010

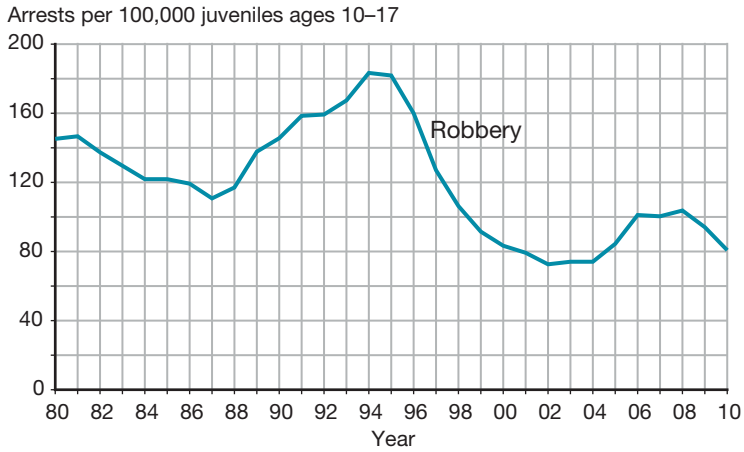
The juvenile arrest rate for robbery declined for most of the 1980s and then increased steadily to a peak in 1994. By 2002, the rate fell 60% from the 1994 peak and then increased yet again through 2008 (up 43%). Despite the decline since 2008 (down 22%), the rate in 2010 was 11% above its low point in 2002.

Arrest rate trends by gender and race parallel the overall robbery arrest rate pattern

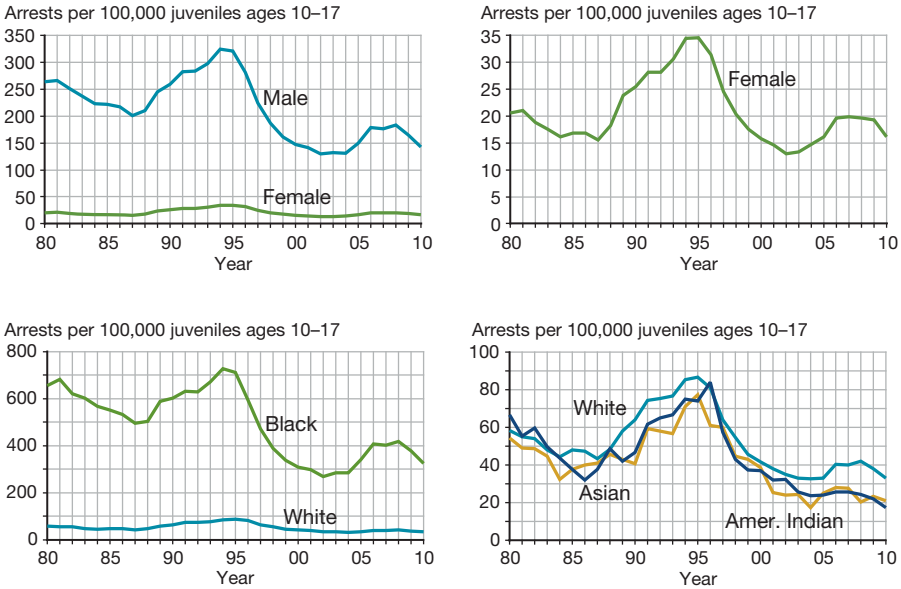
Across gender and race subgroups, robbery arrest rates decreased through the late 1980s and climbed to a peak in the mid-1990s. By 2002, the rates for males and females had fallen to their lowest level since at least 1980. Following these declines, the rates for both groups increased through 2008 (42% for males and 51% for females). Despite the decline over the previous 2 years, the rates for both groups in 2010 were above their 2002 low point.

The trends in arrest rates within racial groups were similar over the past three decades. For each racial group, the juvenile robbery arrest rate fell by more than 50% between the mid-1990s and the early 2000s. Juvenile robbery arrest rates increased for all but Asian youth since 2004. As a result, rates in 2010 were above the 2004 level for American Indian youth (21%), black youth (15%), and white youth (1%) and below the 2004 level for Asian youth (26%).

The juvenile arrest rate for robbery reached a historically low level in 2002, 60% below the 1994 peak



Robbery arrest rate trends by gender and race



- The racial disparity in juvenile arrest rates for robbery was quite large in 2010. Specifically, the rate for black youth was 10 times the rate for white youth, 15 times the rate for American Indian youth, and 19 times the rate for Asian youth.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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The 2010 juvenile arrest rate for aggravated assault was at its lowest since the early 1980s

The juvenile aggravated assault arrest rate fell 53% since its 1994 peak

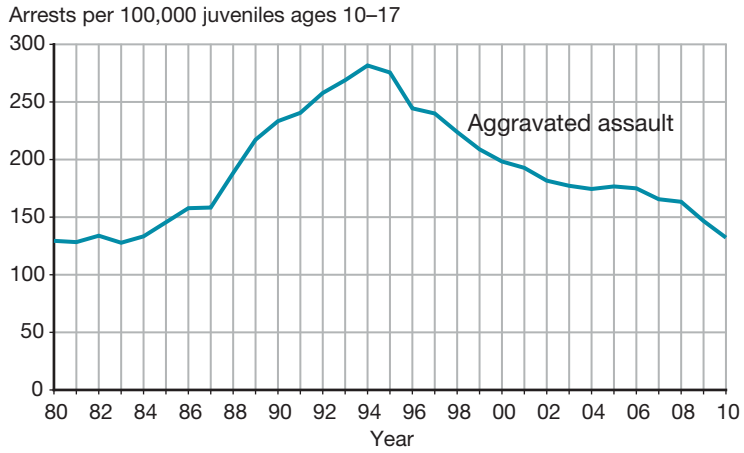
The juvenile arrest rate for aggravated assault doubled between 1980 and 1994 and then fell substantially and consistently through 2010, down 53% from its 1994 peak. As a result of this decline, the rate in 2010 returned to the level of the early 1980s, resting at a rate just 3% above the 1983 low point. However, of the four Violent Crime Index offenses, only aggravated assault had a juvenile arrest rate in 2010 above the levels of the 1980s.

The rate for females increased more and declined less than the male rate

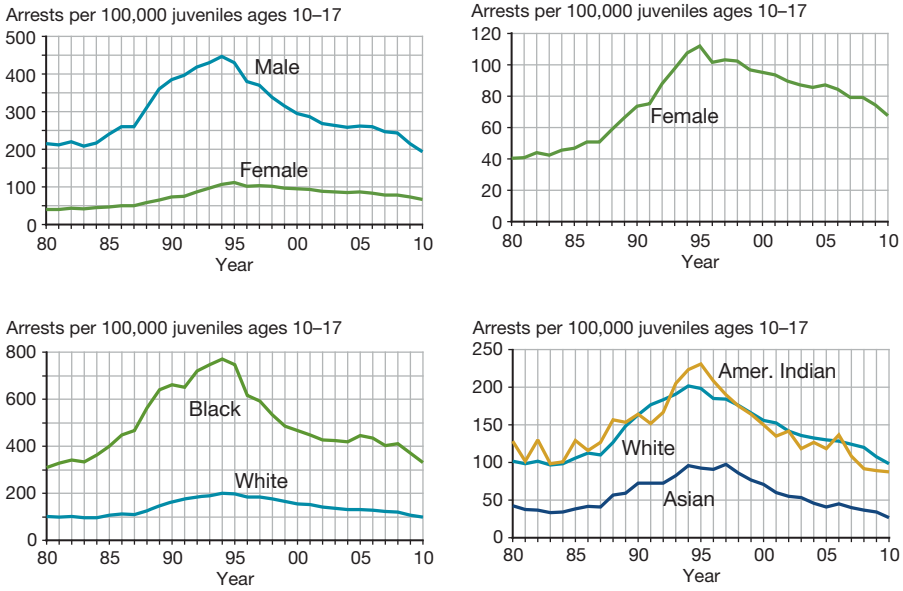
The juvenile arrest rate for aggravated assault doubled between 1980 and the mid-1990s for males while the female rate increased by more than 170%. Since the mid-1990s peak, the rates for both groups declined through 2010, but the relative decline was greater for males (57%) than for females (40%). As a result, in 2010, the juvenile male arrest rate was 10% below its 1980 level, and the female rate was 68% above its 1980 rate. The disproportionate increase in female arrest rates for aggravated assault compared with male rates indicates that factors that impinged differently on females and males affected the rates. One possible explanation may be found in policy changes over this period that encouraged arrests in domestic violence incidents.

The period from 1980 through 1994 saw substantial increases in aggravated assault arrest rates for juveniles in each racial group: black (149% increase), Asian (126%), white (97%), and American Indian (73%). Rates have declined for all racial groups since the mid-1990s, so much so that rates in 2010 were at their lowest levels since the early 1980s.

On average, the juvenile arrest rate for aggravated assault declined 5% each year since 1994



Aggravated assault arrest rate trends by gender and race



- The black-white disparity in aggravated assault arrest rates peaked in 1988, when the black rate was more than 4 times the white rate; by 2010, this black-white ratio was a little more than 3-to-1.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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The juvenile arrest rate for property crimes in 2010 was at its lowest point since at least 1980

After 1994, juvenile property crime arrest rates fell continuously for more than a decade

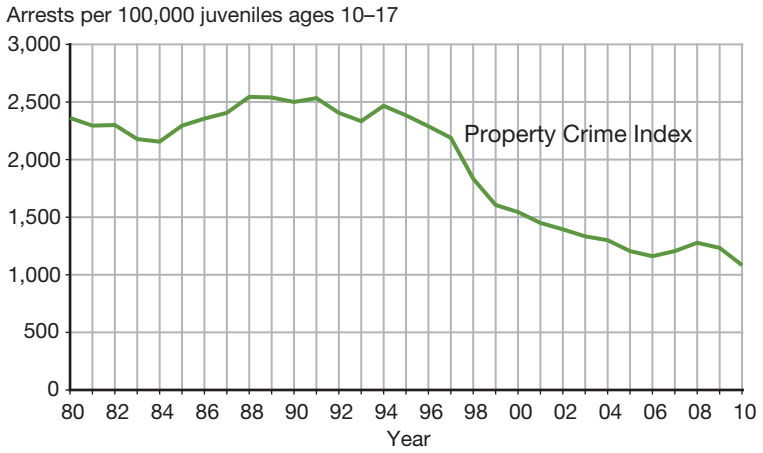
Between 1980 and 1994, the juvenile arrest rate for Property Crime Index offenses varied little, always remaining within 10% of the average for the period. After years of relative stability, the juvenile Property Crime Index arrest rate began a decline in the mid-1990s that continued annually until reaching a then-historic low in 2006, down 54% from its 1988 peak. This decline was followed by a 10% increase over the next 2 years, and then a 15% decline between 2008 and 2010. As a result, juveniles were far less likely to be arrested for property crimes in 2010 than they were 30 years earlier.

Female property crime arrest rates increased since 2006

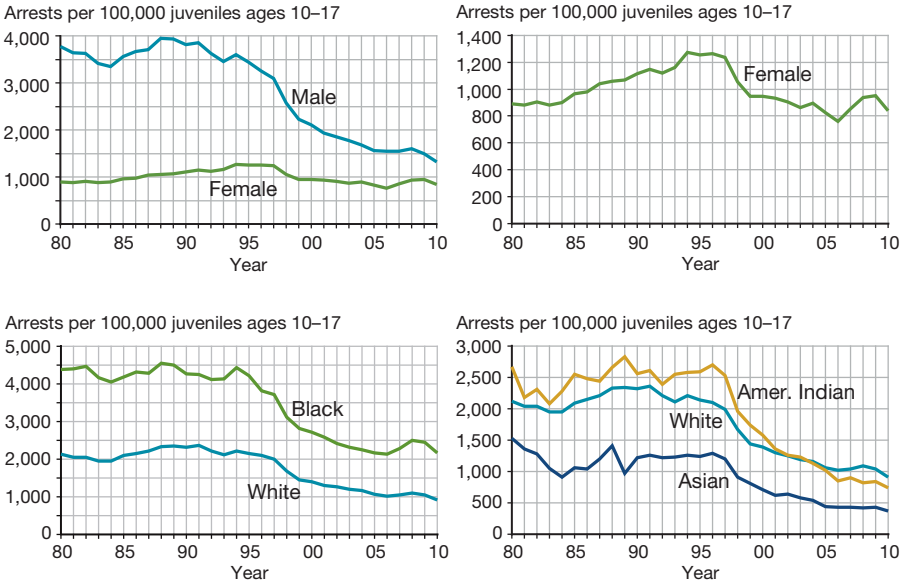
In 1980, the juvenile male arrest rate for Property Crime Index offenses was 4 times the female rate; by 2010, the male rate was about 60% above the female rate. These two rates converged in large part because the female rate increased 25% between 2006 and 2009 whereas the male rate declined 3%. The stark differences in the male and female trends suggest several possibilities, including gender-specific changes in these behaviors and an increased willingness to arrest female offenders.

The Property Crime Index arrest rates in 2010 were at their lowest level in 31 years for white, American Indian, and Asian youth, while the rate for black youth in 2010 was just 2% above its 2006 low point. In the 31 years from 1980 to 2010, the black youth arrest rate for property crimes averaged twice the white youth rate, much smaller than the black-white disparity in juvenile arrest rates for violent crimes.

The juvenile Property Crime Index arrest rate fell 15% between 2008 and 2010, erasing the increase between 2006 and 2008



Property Crime Index arrest rate trends by gender and race



- In 2010, for every 100,000 youth in the United States ages 10–17, there were 1,084 arrests of juveniles for Property Crime Index offenses. The Property Crime Index is dominated by larceny-theft, which in 2010 contributed 77% of all juvenile Property Crime Index arrests. Therefore, the trends in Property Crime Index arrests largely reflect the trends in arrests for larceny-theft.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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The juvenile arrest rate for burglary in 2010 was at its lowest rate since at least 1980

Juvenile arrests for burglary fell more than adult arrests

In 2010, the juvenile arrest rate for burglary reached its lowest point in the past 31 years, nearly one-quarter of its 1980 level. This large fall in juvenile burglary arrests from 1980 through 2010 was not replicated in the adult statistics. For example, in the 10 years between 2001 and 2010, the number of juvenile burglary arrests fell 27% while adult burglary arrests increased 11%. In 1980, 45% of all burglary arrests were arrests of a juvenile; in 2010, reflecting the greater decline in juvenile arrests, just 23% of burglary arrests were juvenile arrests.

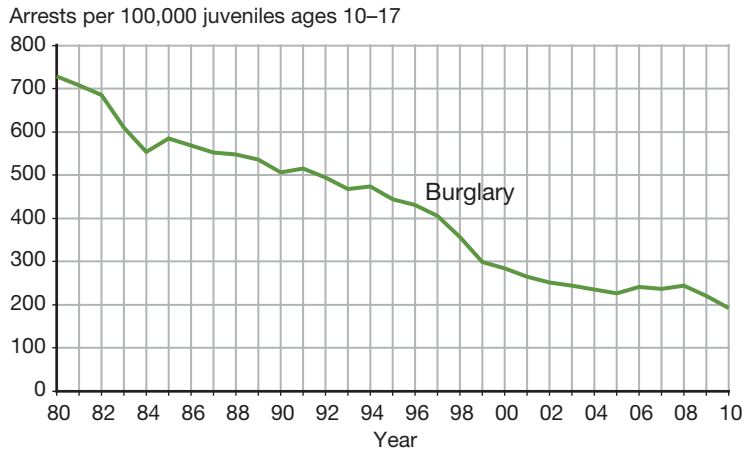
Juvenile female arrest rates for burglary declined less than male rates

The substantial decline in the juvenile burglary arrest rate was primarily the result of a decline in juvenile male arrests. In 1980, 6% of juveniles arrested for burglary were female; by 2010, 11% were female. Between 1980 and 2010, the male rate fell 75% while the female rate dropped 52%. As a result of these declines, both rates in 2010 were at their lowest level since 1980.

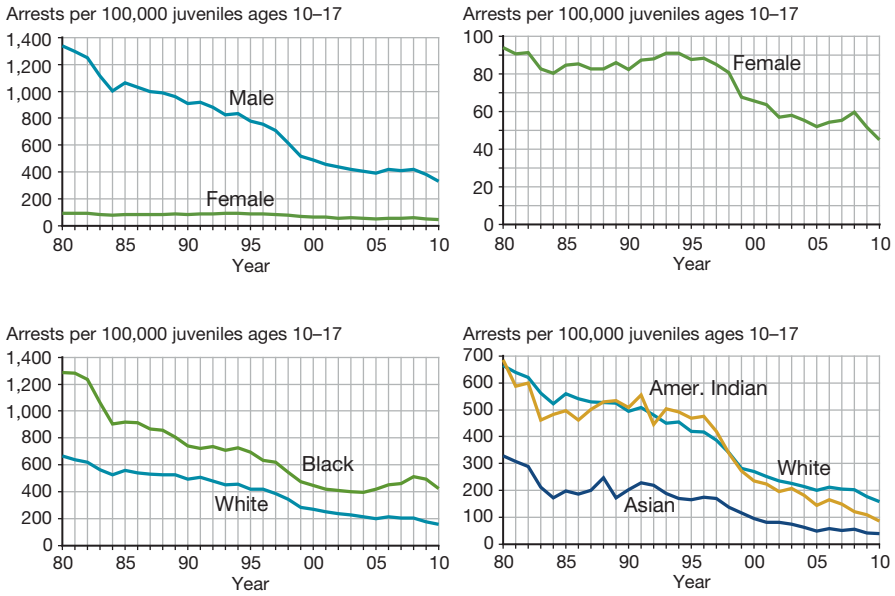
Juvenile burglary arrest rates fell for all racial groups

Between 1980 and 2010, the juvenile burglary arrest rate declined for all racial groups: 88% for Asians and American Indians, 76% for whites, and 67% for blacks. As a result, rates for Asian, American Indian, and white youth in 2010 were at their lowest levels of the 31-year period and the rate for black youth was 7% above its 2004 low point.

Unique in the set of property crime offenses, the juvenile arrest rate for burglary declined almost consistently and fell 74% from 1980 to 2010



Burglary arrest rate trends by gender and race



- The gender disparity in juvenile burglary arrest rates has diminished over the past 31 years. In 1980, the juvenile male arrest rate for burglary was more than 14 times the female rate; in 2010, the male rate was 7 times the female rate.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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Despite recent growth, juvenile arrest rates for larceny-theft remain low

Juvenile larceny-theft rates fell dramatically in the late 1990s and early 2000s

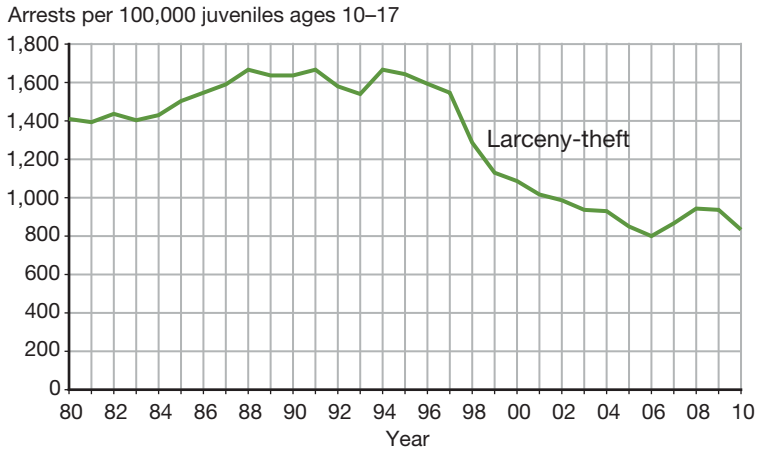
The juvenile arrest rate for larceny-theft generally increased between 1980 and the mid-1990s and then fell 52% between 1994 and 2006, reaching its lowest point since 1980. This decline reversed as the juvenile arrest rate for larceny-theft increased 4% between 2006 and 2010. Despite this increase, the overall decline in arrests for a high-volume offense translated into significantly fewer juveniles charged with property crimes entering the justice system.

The female proportion of larceny-theft arrests has grown

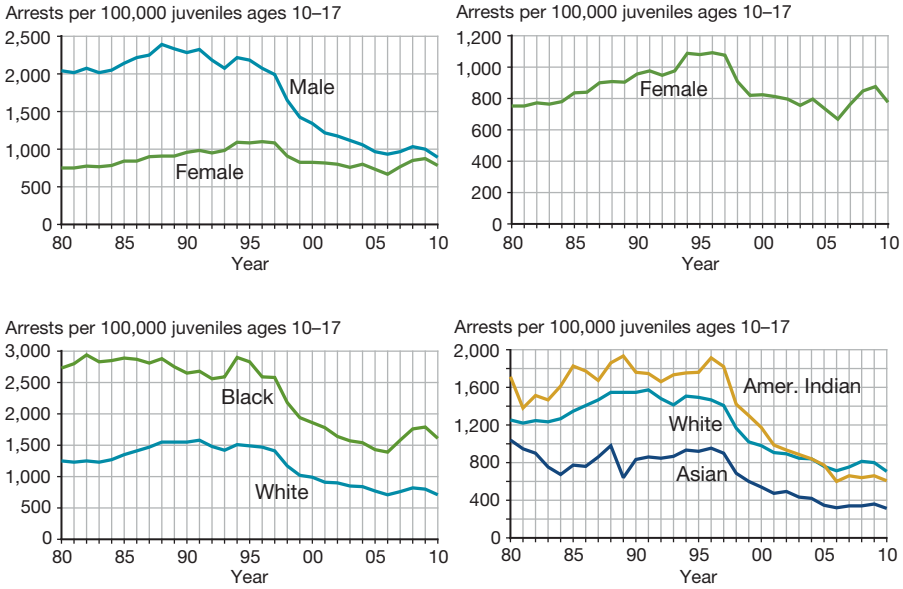
In 1980, 26% of juveniles arrested for larceny-theft were female; by 2010, this proportion had grown to 45%. Although larceny-theft arrest rates dropped for male and female juveniles in the late 1990s and early 2000s, the prior increases for females resulted in their 2006 rate being just 11% below their 1980 rate, whereas the 2006 rate for males was 55% below their 1980 rate. By 2010, the rate for males reached its lowest point since at least 1980 while the female rate was 16% above its 2006 low point.

The decline in the juvenile arrest rate for larceny-theft between 1994 and 2006 was similar in each of the four racial groups: 66% each for Asians and American Indians, 53% for whites, and 52% for blacks. Since 2006, the black juvenile larceny-theft arrest rate increased 15% while the rates for other racial groups remained about the same. In 2010, the black juvenile larceny theft arrest rate was 2.3 times greater than the white juvenile rate, equivalent to the 1982 peak in black-white disparity for larceny theft.

The recent increase in the juvenile arrest rate for larceny-theft reversed in 2010, as the rate fell 11% in the past year



Larceny-theft arrest rate trends by gender and race



- Larceny-theft is the unlawful taking of property from the possession of another. This crime group includes such offenses as shoplifting, bicycle theft, and pickpocketing—or thefts without the use of force, threat, or fraud. For juveniles, it has been the most common type of crime: in 2010, 1 in 5 juvenile arrests was for larceny-theft.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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The motor vehicle theft arrest rate for juveniles was at a 31-year low in 2010

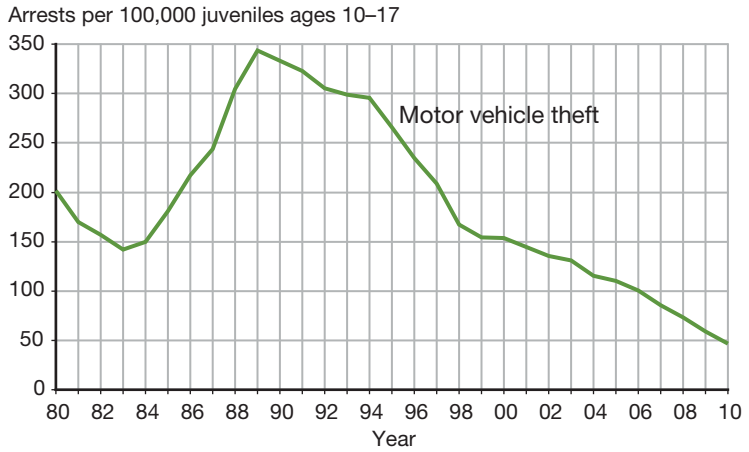
The juvenile arrest rate for motor vehicle theft peaked in 1989

The juvenile arrest rate for motor vehicle theft more than doubled between 1983 and 1989, up 141%. After the 1989 peak, the juvenile arrest rate for motor vehicle theft declined steadily, erasing its prior growth by the early 2000s. In 2010, the juvenile arrest rate for motor vehicle theft was lower than in any year in the 31-year period, 86% below its peak level. This large decline in juvenile arrests outpaced declines in adult statistics. In the 10-year period between 2001 and 2010, the number of juvenile motor vehicle theft arrests fell 67%, and adult motor vehicle theft arrests decreased 44%.

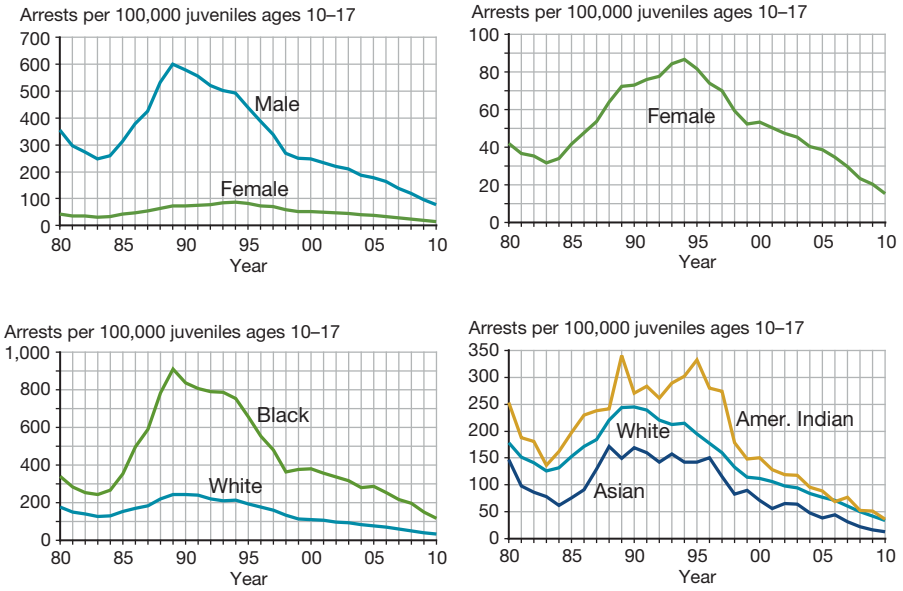
Male and female juvenile arrest rates for motor vehicle theft displayed generally similar trends in the 1980s and 1990s, first increasing and then decreasing. However, the male rate peaked in 1989, but the female rate did not peak until 1994. With a longer period of decline than the female rate, the male rate in 1999 fell to within 1% of its 1983 low, but the female rate was still 66% above its 1983 low point. By 2010, the male and female rates reached their lowest level in over 3 decades.

From 1983 to their peak years, arrest rates for motor vehicle theft nearly doubled for white juveniles (peak year 1990) and Asian juveniles (peak year 1988), increased nearly 150% for American Indian juveniles (peak year 1989), and more than tripled for black juveniles (peak year 1989). By 2010, motor vehicle theft arrest rates were at their lowest level since at least 1980 for all race groups.

Between 1989 and 2010, the juvenile arrest rate for motor vehicle theft fell 86%, so that the rate in 2010 was at its lowest level since 1980



Motor vehicle theft arrest rate trends by gender and race



- The juvenile arrest rate trends for motor vehicle theft differed from those for the other high-volume theft crimes of burglary and larceny-theft. In the 1980s and 1990s, the burglary arrest rate declined consistently and the larceny-theft rate remained relatively stable, but the motor vehicle theft rate soared and then dropped just as dramatically.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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Forty percent of all persons arrested for arson in 2010 were younger than 18; 1 in 4 was younger than 15

Arson is the criminal act with the largest proportion of juvenile arrestees

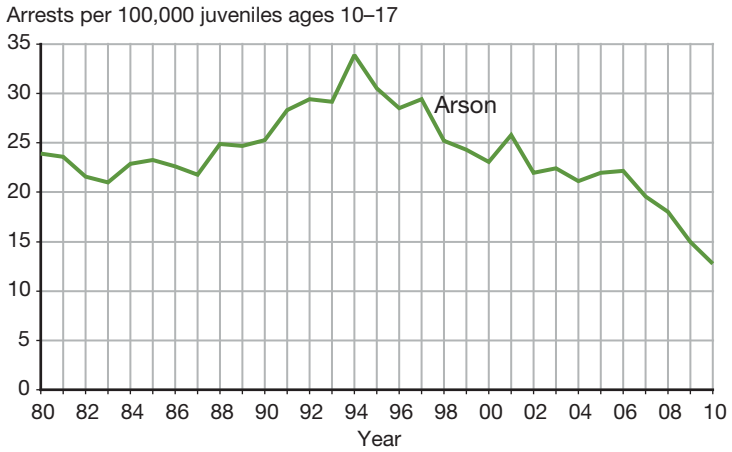
In 2010, 40% of all arson arrests were arrests of juveniles, and more than half of these juvenile arrests (58%) involved youth younger than 15. In comparison, 22% of all larceny-theft arrests in 2010 involved juveniles, but only 28% of these juvenile arrests involved youth younger than 15.

Trends in juvenile arson arrests paralleled that of violent crime

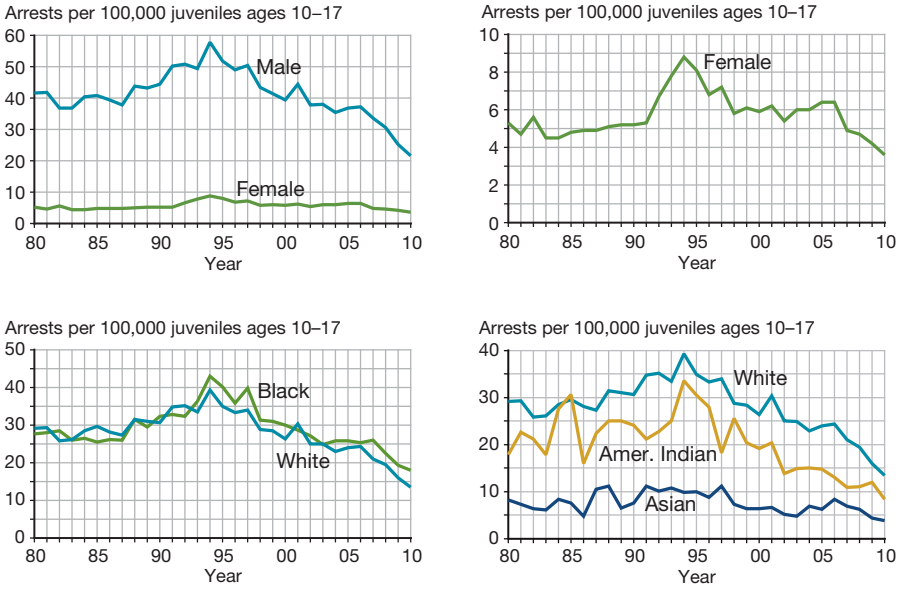
The pattern of stability, growth, and decline in the juvenile arrest rate for arson in the past 31 years was similar in magnitude and character to the trend in juvenile violent crime arrest rates. After years of stability, the juvenile arrest rate for arson increased more than 50% between 1987 and 1994 before falling 60% through 2010. During the period of increase, the female rate increased abruptly between 1991 and 1994 (up 66%). During the period of decline after 1994, the male and female rates declined proportionally (63% and 59%, respectively). However, because of the greater increase in the female rate, these declines left the female rate in 2010 32% below its 1980 level, and the male rate was 48% below its 1980 level.

One major distinction between violent crime and arson arrest rates over this period was that white and black rates were similar for arson but not for violent crime. For white juveniles and black juveniles, arson arrest rates were essentially equal between 1980 and 2010, but the violent crime arrest rate for black juveniles was on average 5 times the white rate. Both racial groups ended the 31-year period at their lowest rates for arson arrests.

Following a 42% decline between 2006 and 2010, the juvenile arrest rate for arson in 2010 reached a historic low



Arson arrest rate trends by gender and race



- Between 1980 and 2010, the arson arrest rate for Asian juveniles stayed within a limited range and was substantially below the rate for other races, averaging less than 30% of the white rate over the 31-year period.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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The juvenile arrest rate for simple assault in 2010 was more than twice the 1980 rate

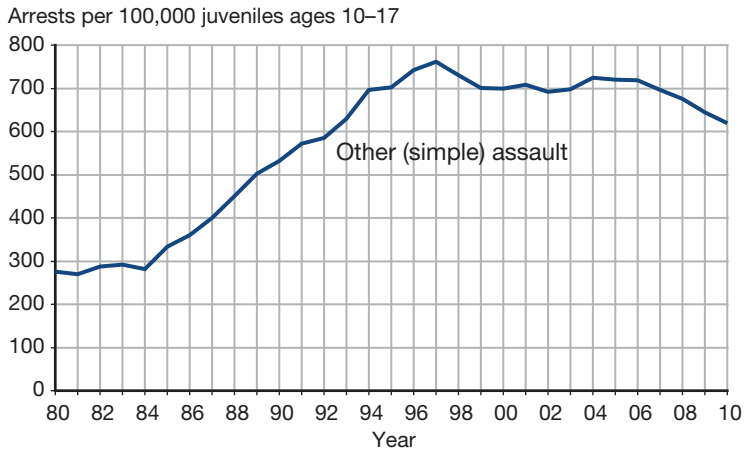
Simple assault is the most common of all crimes against persons

The juvenile arrest rate for simple assault increased 176% between 1980 and 1997, then declined 19% by 2010. In comparison, the rate for juvenile aggravated assault arrests declined 53% between its 1994 peak and 2010. As a result of the greater decrease in aggravated assault rates, a greater percentage of assaults that law enforcement handled in recent years has been for less serious offenses. In 1980, there were 2 juvenile arrests for simple assault for every 1 juvenile arrest for aggravated assault; by 2010, this ratio had grown to 4-to-1—with most of this growth occurring after the mid-1990s. The large increase in the juvenile arrest rate for simple assault was paralleled by a similar increase in the adult rate, so that the juvenile proportion of all simple assault arrests was 18% in 1980 and 16% in 2010.

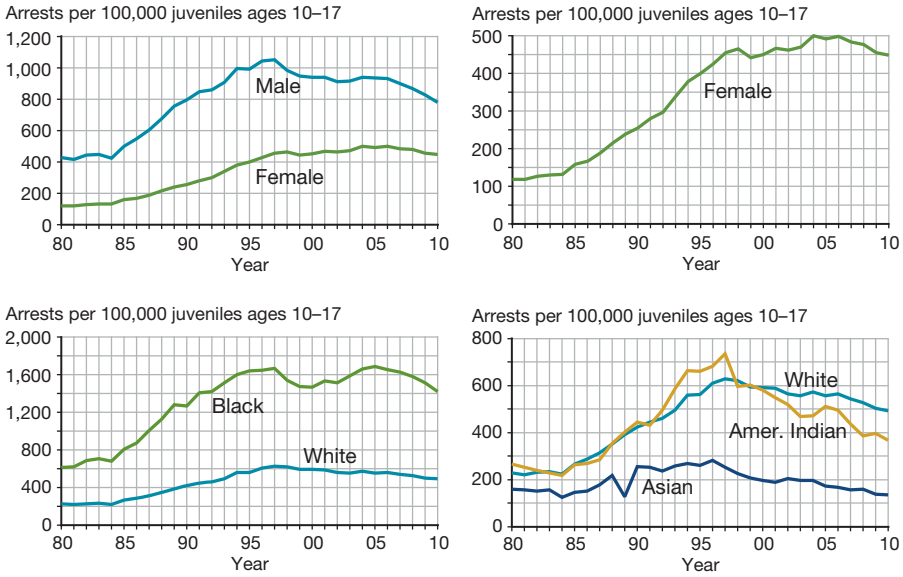
Growth in the female arrest rate for simple assault outpaced the male rate

As with aggravated assault, between 1980 and 2010, the increase in the juvenile female arrest rate for simple assault far outpaced the increase in the male rate (278% vs. 83%). As a result, the female proportion of juvenile arrests for simple assault grew from 21% to 35%. During that period, simple assault arrest rates increased substantially for black (131%), white (114%), and American Indian (38%) youth, with rates for Asian youth declining 15% over the 31-year period. These increases were greater than the corresponding increases in aggravated assault rates

The juvenile arrest rate for simple assault has declined steadily since 2004—down 15% over that period



Other (simple) assault arrest rate trends by gender and race



- Juvenile male and female simple assault arrest rates declined similarly between 2004 and 2010 (by 17% and 10%, respectively).
- In 2010, the ratio of simple to aggravated assault arrests of juveniles varied across gender and racial groups: male (4.0-to-1), female (6.7-to-1), white (5.0-to-1), black (4.3-to-1), American Indian (4.2-to-1), and Asian (5.0-to-1).

Note: In contrast to aggravated assault, a simple assault does not involve the use of a weapon and does not result in serious bodily harm to the victim. The lesser severity of simple assault makes the reporting of it to law enforcement less likely and gives law enforcement more discretion in how to handle the incident.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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Juvenile arrest rate trends for weapons law violations generally paralleled trends for violent crimes

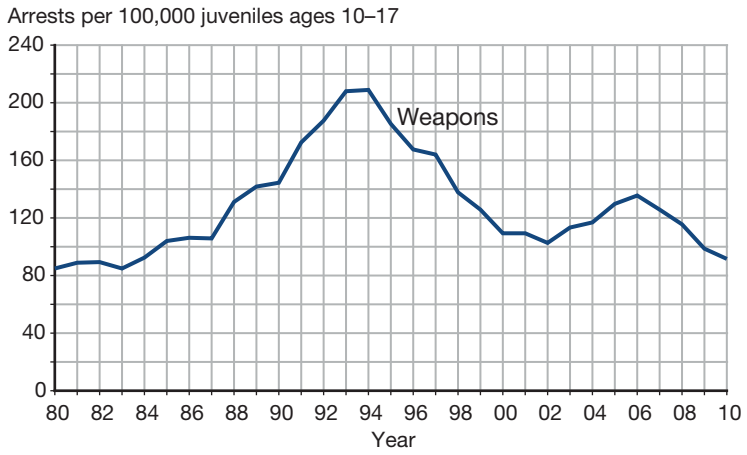
The juvenile weapons arrest rate in 2010 was half its 1994 peak

Between 1980 and 1994, the juvenile arrest rate for weapons law violations increased 146%. Then the rate fell substantially, so that by 2002 the rate was just 21% more than the 1980 level. However, between 2002 and 2006, the juvenile weapons arrest rate grew 32% and then fell through 2010. As a result, the rate in 2010 was only 8% above the 1980 level and 56% below its 1994 peak. It must be remembered that these statistics do not reflect all arrests for weapons offenses. An unknown number of other arrests for more serious crimes also involved a weapons offense as a secondary charge, but the FBI's arrest statistics classify such arrests by their most serious charge and not the weapons offense.

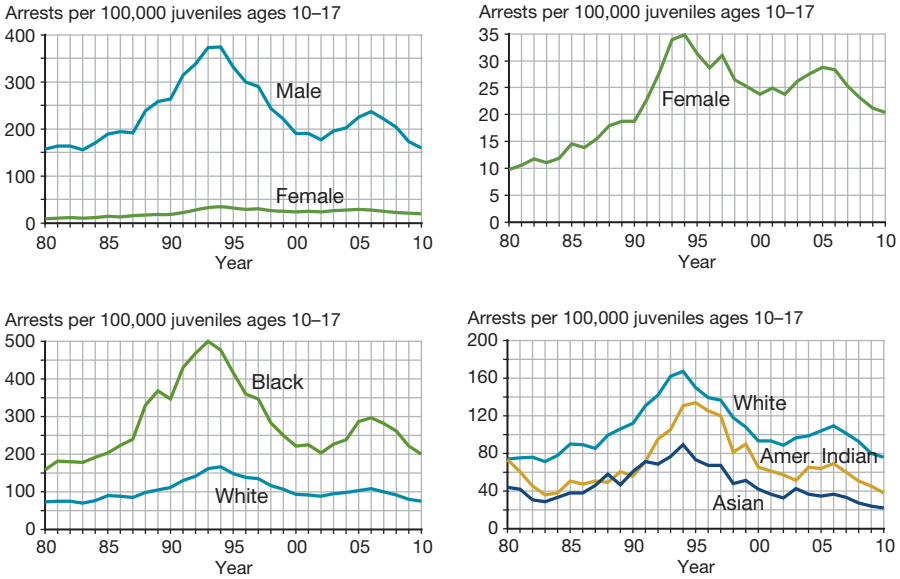
Between 1980 and 1994, the arrest rate for weapons law violations increased proportionally more for females (256%) than for males (139%). After reaching a peak in 1994, both rates declined through 2002 (53% for males and 32% for females), increased through 2006, and then fell through 2010.

Arrest rates for weapons law violations peaked in 1993 for black juveniles, in 1994 for white and Asian juveniles, and in 1995 for American Indian juveniles. The increase between 1980 and the peak year was the greatest for black juveniles (215%), followed by whites (126%), Asians (104%), and American Indians (83%). Similar to trends for males and females, the rates for all racial groups dropped quickly after their peaks, grew between 2002 and 2006, and fell again between 2006 and 2010. Despite recent declines, the 2010 arrest rates were still slightly above their 1980 levels for male (2%) and white (3%) juveniles, and substantially above their 1980 levels for female (109%) and black (27%) juveniles. In 2010, arrest rates for weapons law violations were actually below their 1980 levels for American Indian and Asian youth (by 49% and 50%, respectively).

The juvenile arrest rate for weapons law violations declined for the fourth consecutive year, falling 32% since 2006



Weapons law violation arrest rate trends by gender and race



- The disproportionate increase in the female rate narrowed the gender disparity in weapons law violation arrest rates. In 1980, the male rate was 16 times the female rate; in 2010, the male rate was about 8 times the female rate.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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The juvenile drug abuse violation arrest rate more than doubled between 1991 and 1997 but has since declined

Racial disparity in drug arrests increased in the 1980s and early 1990s

The annual juvenile arrest rates for drug abuse violations (a category that includes both drug possession and drug sales) varied within a limited range in the 1980s. A closer look at juvenile drug arrest rates finds sharp racial differences. The drug abuse violation arrest rate for white juveniles generally declined between 1980 and 1991 while the black rate soared. The white rate fell 54%, compared with a 190% increase for blacks. In 1980, the white and black arrest rates were essentially equal, with black youth involved in 14% of all juvenile drug arrests. By 1991, the black rate was nearly 6 times the white rate, and black youth were involved in 52% of all juvenile drug arrests.

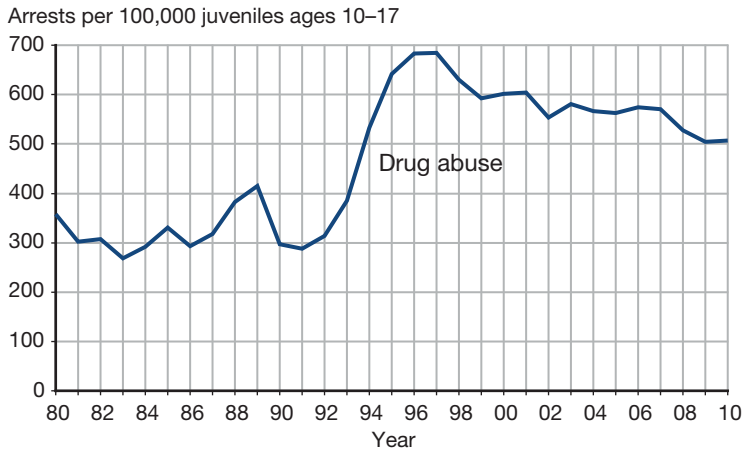
Drug arrests soared for all youth between 1991 and 1997

Between 1991 and 1997, the juvenile arrest rate for drug abuse violations increased 138%. The rate declined 26% between 1997 and 2010, but the 2010 rate was 76% more than the 1991 rate.

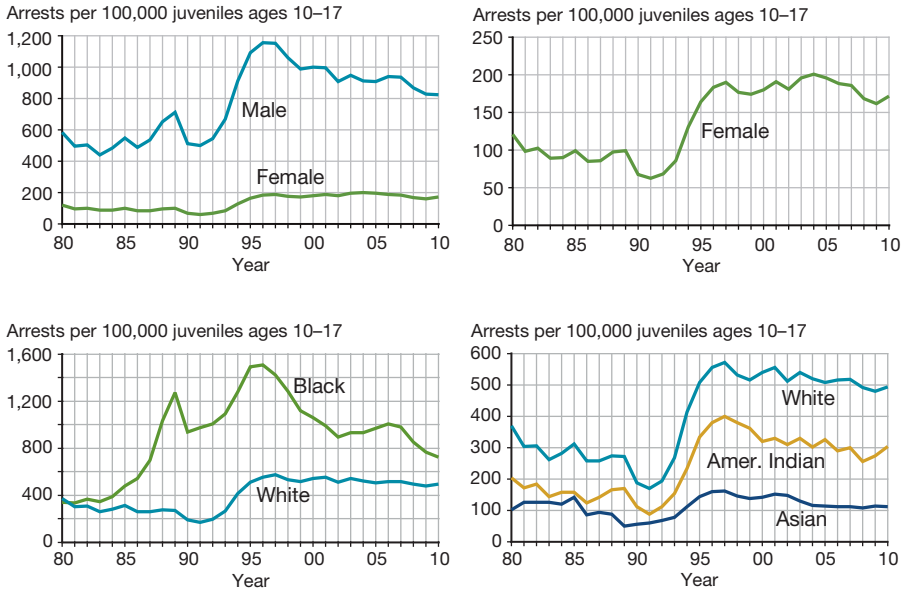
After a period of substantial growth in the early and mid-1990s, the male juvenile arrest rate for drug abuse violations generally declined after 1996 while the female rate remained relatively stable. By 2010, the drug abuse arrest rate for males declined 29% from its 1996 peak, whereas the rate for females was just 7% below its 1996 level. For both groups, the arrest rates in 2010 were considerably above the rates in 1980 (41% for both males and females).

Between 1980 and 2010, the juvenile drug arrest rate for whites peaked in 1997 and then remained relatively constant through 2010 (down 14%). In contrast, the rate for blacks peaked in 1996 and then fell 52% by 2010.

After a period of substantial growth through the 1990s, the juvenile arrest rate for drug abuse violations generally declined through 2010



Drug abuse violation arrest rate trends by gender and race



- The trend in juvenile arrests for drug abuse violations among blacks was different from the trends for other racial groups. Whereas the arrest rate for other races generally declined throughout the 1980s, the rate for black juveniles increased substantially during this period.
- Despite recent declines, rates for all racial groups in 2010 remained above their 1980 rates: white (34%), black (115%), American Indian (49%), and Asian (9%).

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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Age-specific arrest rates for violent crimes in 2010 were well below their mid-1990s peak for all juvenile age groups

What is the age-crime curve?

Most displays of juvenile and adult arrest rates show data that combines all ages younger than 18 into the juvenile group and all ages 18 and older into the adult group. However, UCR data allow the calculation of age-specific arrest rates. When graphed, these rates show a mountain-shaped curve—which increases through young adulthood—often referred to as the "age-crime curve." This age-crime curve is seen across offense categories, although the exact shape of the curve varies. Variations are also seen over time.

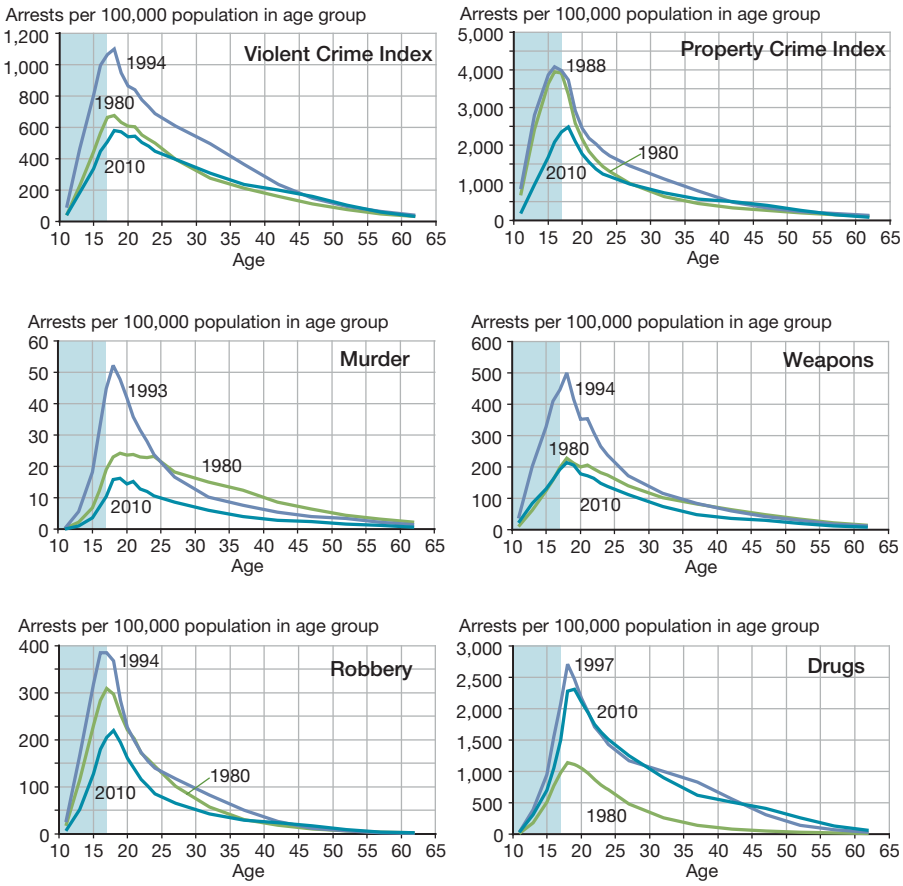
Although the overall juvenile arrest rate for Violent Crime Index offenses was 224.5 per 100,000 youth ages 10–17 in 2010, the age-specific rates ranged from 37.8 for children ages 10–12 to 508.6 for 17-year-olds. The age with the highest rate was 18-year-olds with a rate of 579.9. In 2010, all ages between 16 and 24 had Violent Crime Index arrest rates greater than 400. Only adults who reached age 60 had a rate lower than the rate for 10- to 12-year-olds (32.9 per 100,000 persons ages 60–64).

The shape of the age-crime curve has changed for some offenses

For both murder and aggravated assault, the age-specific arrest rates in 2010 were substantially below the levels of the mid-1990s. The biggest declines were in the age groups that had the highest rates, specifically ages 15–24.

The 2010 age-crime curve for simple assault did not decline to the 1980 level, as was the case for aggravated assault. There was some decline from the 1997 rates, and what had been a moderate peak at age 21 became two pronounced peaks at age 16 and age 21.

The shape of the age-crime curve varies across offense categories and over time within offenses



- In 2010, Violent Crime Index age-specific arrest rates peaked at age 18.
- Property Crime Index arrest rates in 2010 were below 1980 rates for ages younger than 30; for youth younger than 18, the differences were at least 40%.
- From 1993 to 2010, murder arrest rates declined for all age groups, but the declines were greater for juvenile ages than for adults.
- Robbery arrest rates were lower in 2010 than in 1980 for nearly all age groups—the declines were greater for youth younger than 18 than for adults.
- The 2010 arrest rates for weapons offenses were less than the 1980 rates for all ages older than 16. The largest relative declines were for those age 35 or older.
- Unlike other offense categories, the 2010 arrest rates for drug abuse violations were higher than the 1980 arrest rates for all ages.

Note: Rates are shown for 2010, 1980, and the year with the highest juvenile arrest rate peak for each offense.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

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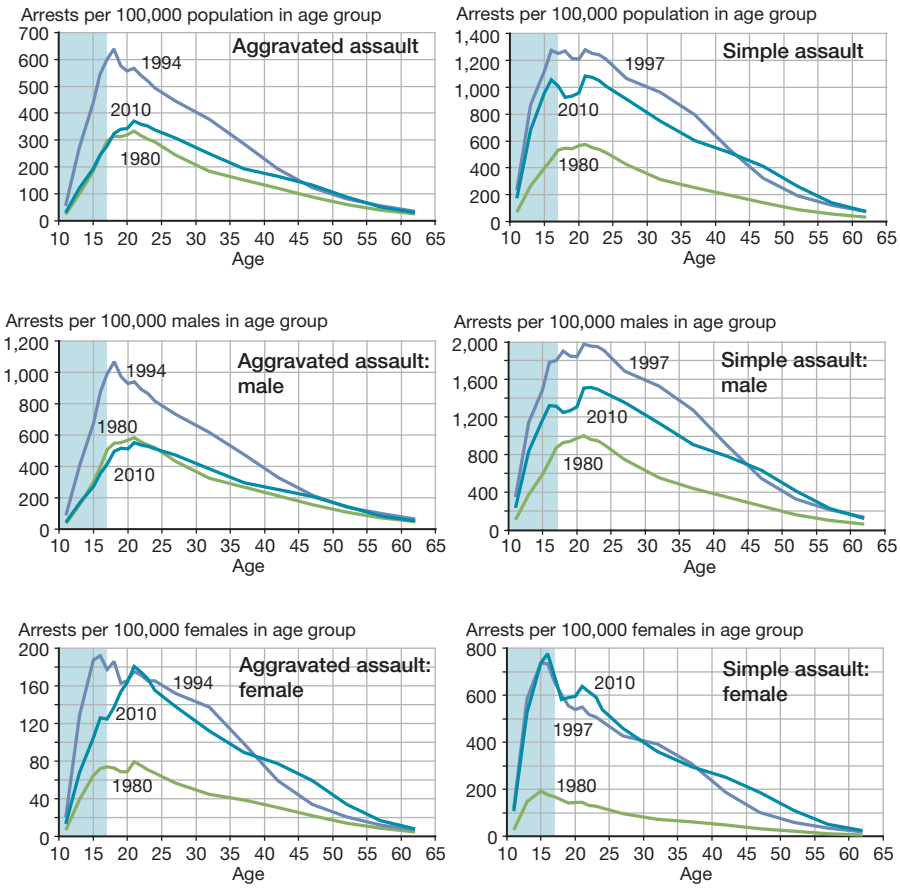
Age-specific arrest rates for simple assault showed patterns very different than those for aggravated assault



- The 2010 aggravated assault arrest rates for youth ages 15–17 were about the same as in 1980.
- In 1980, all ages 17–24 had simple assault arrest rates between 530 and 574. By 2010, not only had the rates increased for all ages, but the age-crime curve had developed two pronounced peaks with rates greater than 1,000 for ages 16 and 17 and also for ages 21–24. Those ages 18, 19, and 20 had rates between 924 and 959.
- Most assault arrest rates for females were less than half the rates for their male counterparts. The only exceptions were simple assault rates for the 13–17 age groups.

Note: Rates are shown for 2010, 1980, and the year with the highest total juvenile arrest peak for each offense. Male and female rate trends are displayed for the same years as the total rate trends for each offense.

Source: Authors' analysis of arrest data from Snyder and Mulako-Wantota, and population data from the U.S. Bureau of the Census. (See arrest rate data source note at the end of this chapter for details.)

Age-crime curves vary by gender within offense categories

A closer look at the age-specific arrest rates for assault by gender shows some very different patterns for males and females. For both aggravated and simple assault, compared with males, the age-specific arrest rates for females in 2010 had not declined much from the rates in the late 1990s. For aggravated assault, 2010 arrest rates for males were near the 1980 rates, but for females, only girls 18 or younger had declines greater than 25%.

For simple assault, the 2010 age-specific arrest rates for males were between the 1980 and 1997 levels. However, the age-specific rates for females were higher in 2010 than the 1997 peak-year levels for most age groups.

The male and female data also show how the simple assault twin peaks developed. In 2010, the age group with the highest rate was 16 for females and 21 for males. Each gender showed a secondary peak at the peak age group for the opposite gender (21 for females and 16 for males).

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Clearance figures implicate juveniles in 1 in 20 murders, 1 in 9 forcible rapes, and 1 in 10 aggravated assaults in 2010

Clearances give insight into the relative involvement of juveniles and adults in crime

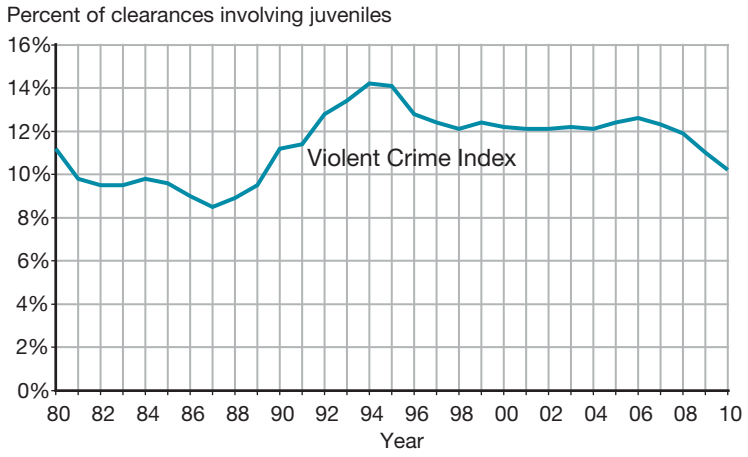
Clearance statistics measure the proportion of reported crimes that are resolved by an arrest or other, exceptional means (e.g., death of the offender, unwillingness of the victim to cooperate). A single arrest may result in many clearances if the arrestee committed several crimes. Or multiple arrests may result in a single clearance if the crime was committed by a group of offenders. The FBI reports information on the proportion of clearances that involved offenders under age 18. This statistic is a better indicator of the proportion of crime committed by this age group than is the arrest proportion, although there are some concerns that even the clearance statistic overestimates the juvenile proportion of crimes. Nevertheless, trends in clearance proportions are reasonable indicators of changes in the relative involvement of juveniles in various crimes.

The juvenile share of violent crime returned to levels of the late 1980s

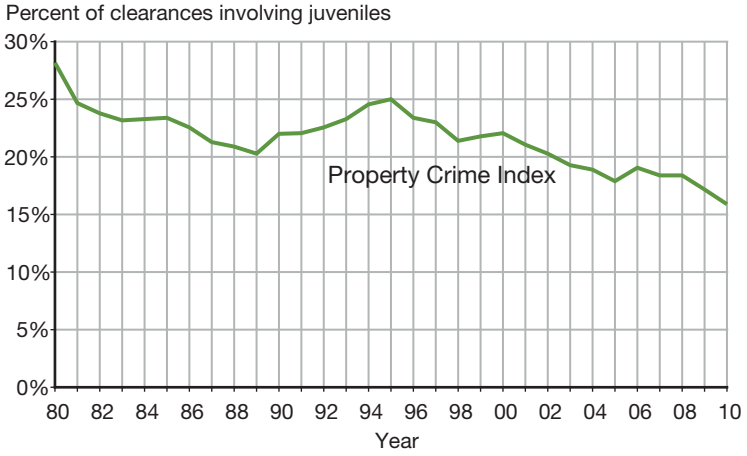
The FBI's *Crime in the United States* series shows that the proportion of violent crimes attributed to juveniles declined somewhat in recent years—returning in 2010 to a level last seen in 1989. The juvenile proportion of Violent Crime Index offenses cleared by arrest (or exceptional means) grew from an average of 9% in the 1980s to 14% in 1994, then fell to 12% in 1997, where it remained through most of the 2000s and then dropped to 10% by 2010. Based on these data, it is fair to say a juvenile committed 1 in 10 violent crimes known to law enforcement in 2010.

Each of the four Violent Crime Index offenses showed an increase in juvenile clearances between 1980 and the mid-1990s. The juvenile proportion of murder clearances peaked in 1994 at 10% and then fell. Between 2001 and 2010, the proportion has stayed within a limited range, averaging 5% over the past 10 years. The juvenile proportion of cleared forcible rapes peaked in 1995 (15%). While the proportion has remained relatively constant since 1996 (between 11% and 12%), the 2010 proportion (11%) was still above the levels of the 1980s (9%). The juvenile proportion of robbery clearances also peaked in 1995 (20%); it fell substantially through the mid-2000s, and ended the decade at 14%—above the average level of the 1980s (12%). After reaching a peak (13%) in 1994, the

The juvenile proportion of violent crimes cleared by arrest or exceptional means in 2010 was at its lowest level in more than 20 years



The juvenile share of property crime has fallen substantially since 1980



Source: Authors' analysis of the FBI's *Crime in the United States* reports for the years 1980 through 2010.

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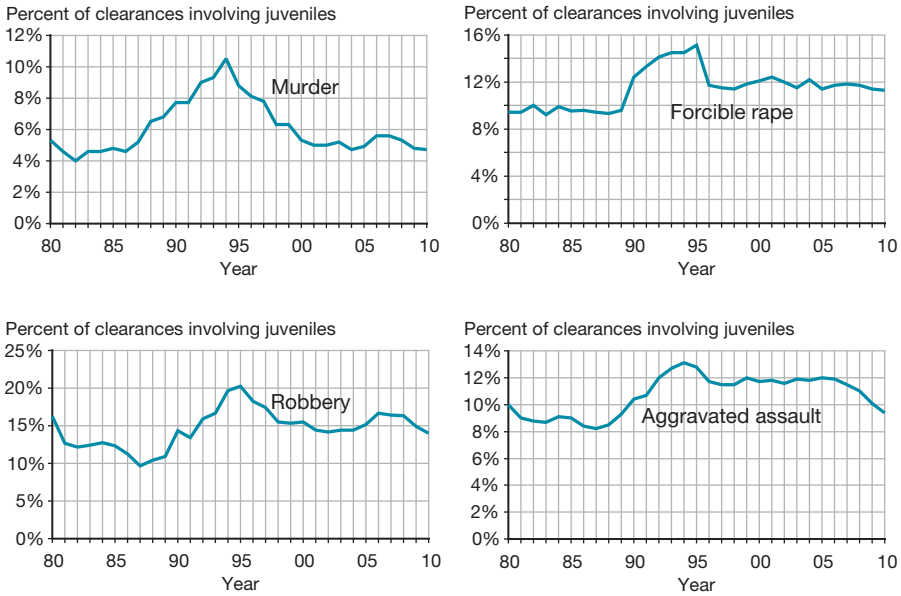
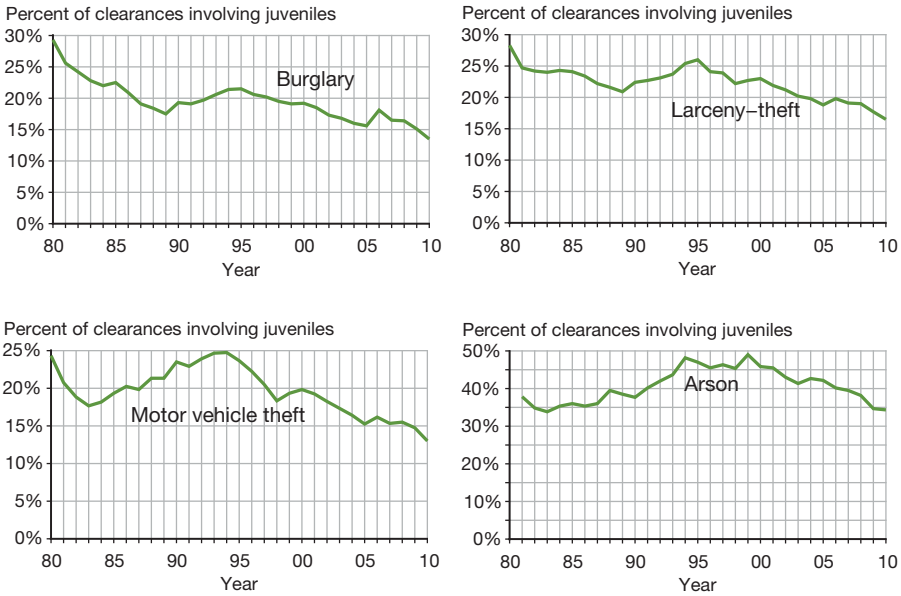
Clearance statistics imply that juvenile involvement in robbery and aggravated assault have declined since 2006



In 2010, the juvenile shares of clearances for burglary, larceny-theft, and motor vehicle theft were at their lowest points in more than 30 years



Note: Arson clearance data were first reported in 1981.

Source: Authors' analysis of the FBI's *Crime in the United States* reports for the years 1980 through 2010.

juvenile proportion of aggravated assault clearances was relatively constant through the mid-2000s, resting in 2010 (9%) at the same level of the 1980s.

In 2010, a juvenile committed roughly 1 in 6 property crimes known to law enforcement

In the 1980s, the juvenile proportion of cleared Property Crime Index offenses decreased from 28% to 20%. This proportion then increased in the early 1990s, peaking in 1995 at 25%. After 1995, the juvenile proportion of clearances for Property Crime Index offenses fell, so that by 2010 it was at its lowest level since at least 1980 (16%).

By 2010, juvenile clearance proportions for the crimes of burglary, larceny-theft, and motor vehicle theft were at their lowest levels since 1980 (14%, 17%, and 13%, respectively). For arson, the juvenile proportion of clearances in 2010 was at its lowest level since the early 1980s.

The juvenile proportion of crimes cleared varied with community size

In 2010, cities with populations over 1 million had the lowest proportion of clearances attributed to juvenile arrest for both Violent Crime Index and Property Crime Index offenses.

Percent of clearances involving juveniles, 2010:

Population served by reporting agencies	Violent Crime Index	Property Crime Index
All agencies	10.2%	15.9%
1 million or more	7.9	12.5
500,000 to 999,999	9.2	15.4
250,000 to 499,999	10.3	17.4
100,000 to 249,000	11.0	19.2
50,000 to 99,999	11.2	18.4
25,000 to 49,999	11.1	16.8
10,000 to 24,999	11.0	15.4
under 10,000	11.8	13.8

Source: Authors' analysis of the FBI's *Crime in the United States 2010*.

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In 2010, more than one-fourth of states had a juvenile violent crime arrest rate above the national average

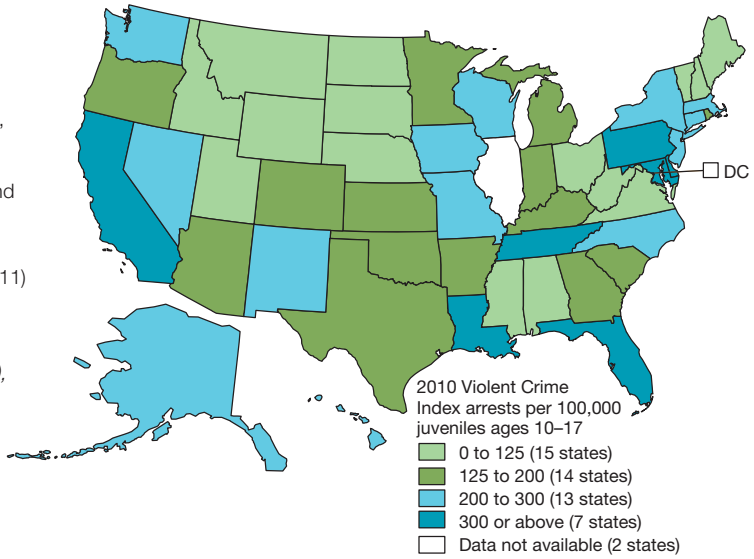
Among states with at least minimally adequate reporting, those with high juvenile violent crime arrest rates in 2010 were California, Delaware, Florida, Louisiana, Maryland, Pennsylvania, and Tennessee

State of offense	Reporting population coverage	Arrests of juveniles under age 18 per 100,000 juveniles ages 10–17: Violent Crime Index	Robbery	Aggrav. assault	Other assault	Weapon
U.S. total	84%	225	81	132	619	92
Alabama	72%	80	27	48	229	19
Alaska	99%	248	50	192	539	35
Arizona	90%	182	41	133	635	49
Arkansas	74%	130	23	96	612	49
California	96%	304	123	172	417	162
Colorado	89%	156	31	111	409	90
Connecticut	95%	212	75	126	1,007	66
Delaware	100%	368	117	230	1,287	127
Dist. of Columbia	0%	NA	NA	NA	NA	NA
Florida	100%	343	110	218	759	67
Georgia	81%	192	65	117	618	104
Hawaii	89%	217	108	96	778	18
Idaho	94%	93	10	72	628	77
Illinois	23%	815	379	411	1,247	275
Indiana	59%	143	32	105	607	50
Iowa	88%	203	23	171	785	40
Kansas	69%	149	20	115	541	37
Kentucky	70%	125	62	53	326	33
Louisiana	58%	503	72	408	1,105	82
Maine	100%	55	15	34	688	44
Maryland	83%	522	261	249	1,303	185
Massachusetts	94%	259	52	200	384	35
Michigan	94%	179	63	104	387	63
Minnesota	100%	160	54	104	574	92
Mississippi	53%	119	71	34	748	125
Missouri	93%	222	68	142	901	70
Montana	87%	120	16	97	647	23
Nebraska	90%	109	42	50	1,081	86
Nevada	89%	300	112	180	944	105
New Hampshire	87%	93	23	62	940	17
New Jersey	98%	243	114	119	326	118
New Mexico	88%	240	22	200	854	120
New York	50%	221	90	121	494	58
North Carolina	83%	211	73	122	850	172
North Dakota	90%	92	9	58	636	22
Ohio	74%	111	60	41	669	54
Oklahoma	99%	149	34	104	293	65
Oregon	87%	147	47	93	469	55
Pennsylvania	97%	355	135	202	619	99
Rhode Island	99%	198	69	110	684	145
South Carolina	95%	186	48	124	692	114
South Dakota	78%	109	10	90	679	97
Tennessee	78%	383	100	268	1,052	120
Texas	99%	146	46	90	737	40
Utah	97%	90	18	56	609	99
Vermont	87%	66	0	40	340	9
Virginia	98%	112	47	58	622	53
Washington	78%	211	77	118	681	92
West Virginia	80%	59	11	44	248	8
Wisconsin	89%	237	103	106	502	153
Wyoming	99%	96	16	77	1,080	82

NA = Arrest counts were not available for the District of Columbia in the FBI's *Crime in the United States 2010*.

Notes: Arrest rates for jurisdictions with less than complete reporting may not be representative of the entire state. In the map, rates were classified as "Data not available" when agencies with jurisdiction over more than 50% of their state's population did not report. Readers should consult the related technical note at the end of this chapter. Detail may not add to totals because of rounding.

Source: Authors' analysis of arrest data from *Crime in the United States 2010* (Washington, DC: Federal Bureau of Investigation, 2011) tables 5 and 69, and population data from the National Center for Health Statistics' *Postcensal Estimates of the Resident Population of the United States for July 1, 2010–July 1, 2011, by Year, County, Single-Year of Age (0, 1, 2, . . . , 85 Years and Over), Bridged Race, Hispanic Origin, and Sex (Vintage 2011)* [machine-readable data files available online at www.cdc.gov/nchs/nvss/bridged_race.htm, as of 7/18/12].



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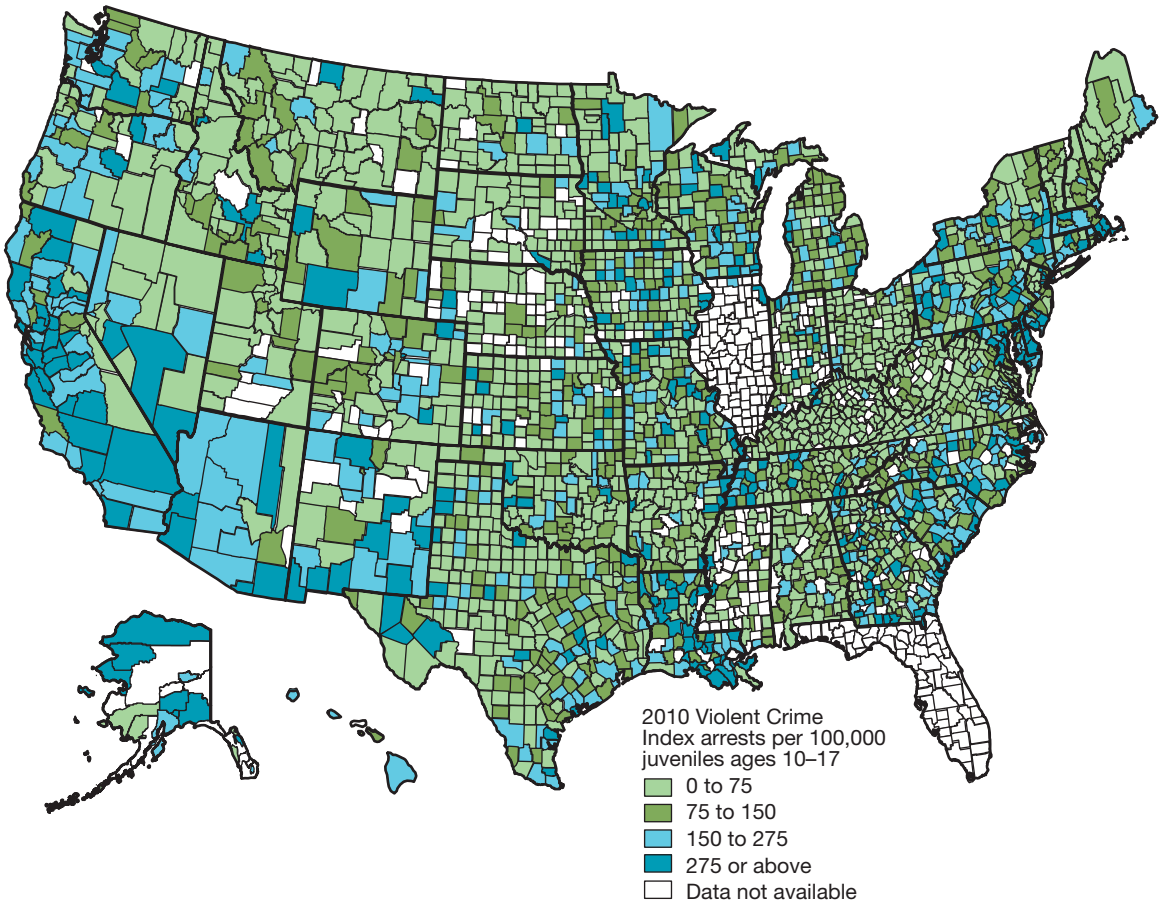
High violent crime arrest rates are found in a relatively small proportion of counties



- Of the jurisdictions with at least 50% reporting coverage (2,716 counties of the 3,143 counties in the U.S.), just 17% had a juvenile violent crime arrest rate greater than the U.S. average of 225 arrests per 100,000 juveniles ages 10-17.
- Of the reporting counties, 39% had Violent Crime Index arrest rates less than half the U.S. average, half the counties had rates less than 74 (making that the median rate), and 31% reported no juvenile violent crime arrests at all for the year.

Note: Rates were classified as "Data not available" when agencies with jurisdiction over more than 50% of the county's population did not report.

Technical note: Although juvenile arrest rates may largely reflect juvenile behavior, many other factors can affect the magnitude of these rates. Arrest rates are calculated by dividing the number of youth arrests made in the year by the number of youth living in the jurisdiction. Therefore, jurisdictions that arrest a relatively large number of nonresident juveniles would have a higher arrest rate than jurisdictions where resident youth behave similarly. Jurisdictions (especially small ones) that are vacation destinations or that are centers for economic activity in a region may have arrest rates that reflect the behavior of nonresident youth more than that of resident youth. Other factors that influence arrest rates in a given area include the attitudes of citizens toward crime, the policies of local law enforcement agencies, and the policies of other components of the justice system. In many areas, not all law enforcement agencies report their arrest data to the FBI. Rates for such areas are necessarily based on partial information and may not be accurate. Comparisons of juvenile arrest rates across jurisdictions can be informative. Because of factors noted, however, comparisons should be made with caution.

Source: Authors' analysis of arrest data from the Inter-university Consortium for Political and Social Research's *Uniform Crime Reporting Program Data: County-level Detailed Arrest and Offense Data, 2010* [machine-readable data file]; and population data from the National Center for Health Statistics' *Postcensal Estimates of the Resident Population of the United States for July 1, 2010–July 1, 2011, by Year, County, Single-Year of Age (0, 1, 2, . . . , 85 Years and Over), Bridged Race, Hispanic Origin, and Sex (Vintage 2011)* [machine-readable data files available online at www.cdc.gov/nchs/nvss/bridged_race.htm, as of 7/18/12].

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High juvenile property crime arrest rates in 2010 did not necessarily mean high violent crime arrest rates

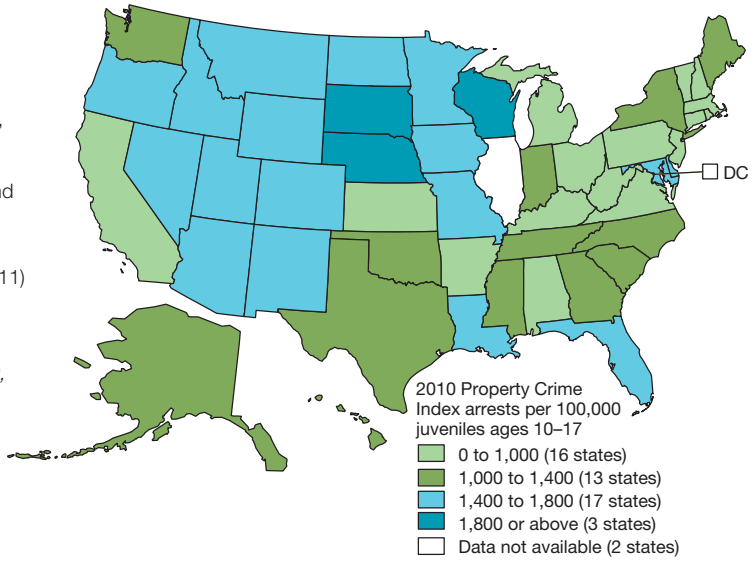
Among states with at least minimally adequate reporting, those with high juvenile property crime arrest rates in 2010 were Nebraska, South Dakota, and Wisconsin

State of offense	Reporting population coverage	Arrests of juveniles under age 18 per 100,000 juveniles ages 10–17: Property Crime Index	Burglary	Larceny-theft	Motor vehicle theft	Vandalism
U.S. total	84%	1,084	192	832	47	13
Alabama	72%	495	69	412	12	2
Alaska	99%	1,329	170	1,063	72	24
Arizona	90%	1,426	190	1,176	44	17
Arkansas	74%	984	174	790	14	6
California	96%	922	293	560	56	13
Colorado	89%	1,424	121	1,228	52	24
Connecticut	95%	849	131	663	40	15
Delaware	100%	1,452	299	1,098	44	12
Dist. of Columbia	0%	NA	NA	NA	NA	NA
Florida	100%	1,530	426	1,023	74	8
Georgia	81%	1,200	244	891	56	9
Hawaii	89%	1,284	87	1,129	55	13
Idaho	94%	1,456	198	1,197	38	23
Illinois	23%	1,449	307	808	330	5
Indiana	59%	1,198	138	1,013	40	7
Iowa	88%	1,616	241	1,305	47	23
Kansas	69%	976	110	807	44	15
Kentucky	70%	754	162	565	20	7
Louisiana	58%	1,517	299	1,156	51	11
Maine	100%	1,346	267	991	54	34
Maryland	83%	1,697	287	1,251	127	32
Massachusetts	94%	449	98	319	21	11
Michigan	94%	880	151	662	54	13
Minnesota	100%	1,507	137	1,312	40	17
Mississippi	53%	1,350	367	941	36	7
Missouri	93%	1,537	219	1,254	53	12
Montana	87%	1,570	90	1,374	84	22
Nebraska	90%	1,920	146	1,700	57	17
Nevada	89%	1,492	215	1,235	28	14
New Hampshire	87%	825	97	691	21	17
New Jersey	98%	736	119	585	16	16
New Mexico	88%	1,488	169	1,241	56	23
New York	50%	1,084	194	833	47	10
North Carolina	83%	1,177	321	818	25	14
North Dakota	90%	1,693	116	1,490	80	7
Ohio	74%	771	138	595	29	9
Oklahoma	99%	1,167	190	924	23	29
Oregon	87%	1,635	157	1,387	48	42
Pennsylvania	97%	874	135	671	49	19
Rhode Island	99%	901	217	617	37	30
South Carolina	95%	1,110	212	865	29	4
South Dakota	78%	1,818	110	1,646	53	9
Tennessee	78%	1,352	276	995	63	18
Texas	99%	1,049	161	854	28	6
Utah	97%	1,748	96	1,610	31	11
Vermont	87%	469	107	312	33	17
Virginia	98%	763	101	621	26	14
Washington	78%	1,201	202	934	49	16
West Virginia	80%	346	39	288	15	4
Wisconsin	89%	1,904	222	1,607	63	12
Wyoming	99%	1,636	197	1,378	47	14

NA = Arrest counts were not available for the District of Columbia in the FBI's *Crime in the United States 2010*.

Notes: Arrest rates for jurisdictions with less than complete reporting may not be representative of the entire state. In the map, rates were classified as "Data not available" when agencies with jurisdiction over more than 50% of their state's population did not report. Readers should consult the related technical note at the end of this chapter. Detail may not add to totals because of rounding.

Source: Authors' analysis of arrest data from *Crime in the United States 2010* (Washington, DC: Federal Bureau of Investigation, 2011) tables 5 and 69, and population data from the National Center for Health Statistics' *Postcensal Estimates of the Resident Population of the United States for July 1, 2010–July 1, 2011, by Year, County, Single-Year of Age (0, 1, 2, . . . , 85 Years and Over), Bridged Race, Hispanic Origin, and Sex (Vintage 2011)* [machine-readable data files available online at www.cdc.gov/nchs/nvss/bridged_race.htm, as of 7/18/12].



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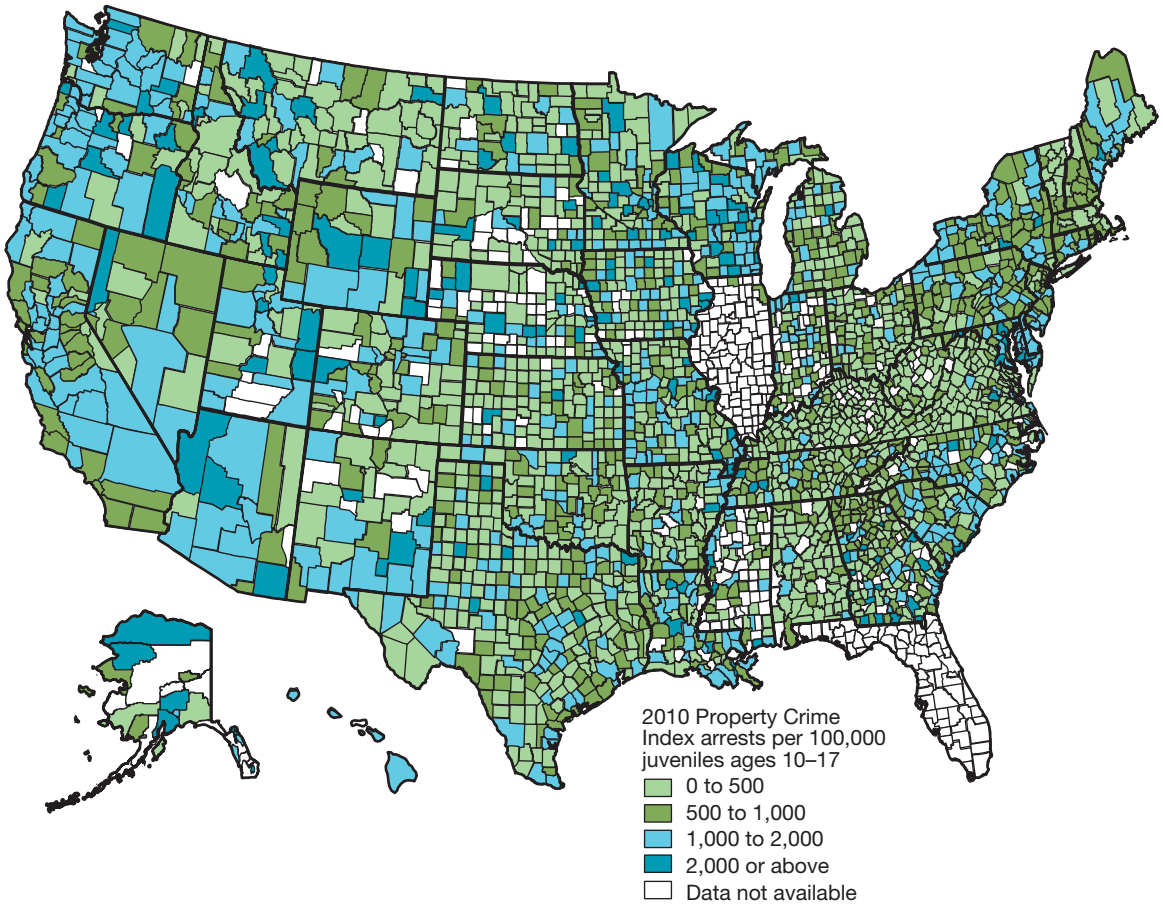
Property Crime Index arrest rates are a barometer of the flow of youth into the juvenile justice sytem



- In 2010, the national juvenile Property Crime Index arrest rate was 1,084. More than 7 in 10 reporting counties had rates below the national average. Half of all reporting counties had rates below 571 (i.e., the median rate).
- The Property Crime Index is dominated by the high-volume crime of larceny-theft, and for juveniles, shoplifting is the most common offense in this category. However, the Property Crime Index also includes offenses such as burglary, motor vehicle theft, and arson, which are considered more serious. Therefore, it is important to consider the various offense categories individually.

Note: Rates were classified as "Data not available" when agencies with jurisdiction over more than 50% of the county's population did not report.

Technical note: Although juvenile arrest rates may largely reflect juvenile behavior, many other factors can affect the magnitude of these rates. Arrest rates are calculated by dividing the number of youth arrests made in the year by the number of youth living in the jurisdiction. Therefore, jurisdictions that arrest a relatively large number of nonresident juveniles would have a higher arrest rate than jurisdictions where resident youth behave similarly. Jurisdictions (especially small ones) that are vacation destinations or that are centers for economic activity in a region may have arrest rates that reflect the behavior of nonresident youth more than that of resident youth. Other factors that influence arrest rates in a given area include the attitudes of citizens toward crime, the policies of local law enforcement agencies, and the policies of other components of the justice system. In many areas, not all law enforcement agencies report their arrest data to the FBI. Rates for such areas are necessarily based on partial information and may not be accurate. Comparisons of juvenile arrest rates across jurisdictions can be informative. Because of factors noted, however, comparisons should be made with caution.

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What do police do with juveniles they arrest?

Many large law enforcement agencies have specialized units that concentrate on juvenile justice issues

The Bureau of Justice Statistics' *Local Police Departments, 2007* report, part of the Law Enforcement Management and Administrative Statistics (LEMAS) data collection series, provides detailed characteristics of an estimated 12,575 local police departments throughout the U.S. In 2007, these local departments employed more than 600,000 full-time persons, and approximately 463,000 of these employees were sworn personnel with full arrest powers.

The 2007 survey included items about policies and procedures for responding to special populations and situations. Local law enforcement agencies include various provisions for responding to youth and family problems. For example, 90% of local law enforcement agencies (i.e., county police departments and municipal police departments) had specific policies and procedures for dealing with juveniles, and 91% had provisions in place for responding to domestic disputes. A smaller proportion of local departments (67%) had a written racial profiling policy or provisions for dealing with mentally ill persons (69%).

About one-third (35%) of local police departments had officers assigned to a drug task force in 2007, while 12% of local departments had officers assigned to a gang task force. A small proportion of local departments (2%) had officers assigned to a human trafficking task force. However, participation in each of these three task forces was common among larger local police departments (i.e., those serving a population of one million or more).

Many local police departments employ sworn officers as school resource officers. School resource officers not only provide law enforcement services but can also function as counselors. In 2007, more than one-third (38%) of local police departments employed 13,000 school resource officers.

Most arrested juveniles were referred to court

In 13 states, statutes define some persons younger than age 18 as adults for prosecution purposes. These persons are not under the original jurisdiction of the juvenile justice system; they are under the jurisdiction of the criminal justice system. For arrested youth who are younger than 18 and under the original jurisdiction of their state's juvenile justice system, the FBI's UCR Program monitors what happens as a result of the arrest. This is the only aspect of the UCR data collection that is sensitive to state variations in the legal definition of a juvenile.

In 2010, 23% of arrests involving youth eligible in their state for processing in the juvenile justice system were handled within law enforcement agencies, 68% were referred to juvenile court, and 8% were referred directly to criminal court. The others were referred to a welfare agency or to another police agency. The proportion of juvenile arrests referred to juvenile court increased from 58% in 1980 to 68% in 2010.

In 2010, juvenile arrests were less likely to result in referral to juvenile court in large cities (population over 250,000) than in moderate-size cities (population 100,000–250,000) or small cities (population less than 100,000). In large cities, 64% of juvenile arrests resulted in referral to juvenile court, compared with 74% in moderate-size cities and 68% in small cities.

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Arrest rate data source

Authors' analysis of arrest data from Snyder and Mulako-Wantota's *Arrest Data Analysis Tool* [available online]; population data for 1980–1989 from the U.S. Census Bureau's *U.S. Population Estimates by Age, Sex, Race, and Hispanic Origin: 1980 to 1999* [machine-readable data files available online]; population data for 1990–1999 from the National Center for Health Statistics' *Bridged-Race Intercensal Estimates of the July 1, 1990–July 1, 1999, United States Resident Population by County, Single-Year of Age, Sex, Race, and Hispanic Origin* [machine-readable data files available online]; population data for 2000–2009 from the National Center for Health Statistics' *Intercensal Estimates of the Resident Population of the United States for July 1, 2000–July 1, 2009, by Year, County, Single-Year of Age (0, 1, 2, . . . , 85 Years and Over), Bridged Race, Hispanic Origin, and Sex* [machine-readable data files available online]; and population data for 2010 from the National Center for Health Statistics' *Postcensal Estimates of the Resident Population of the United States for July 1, 2010–July 1, 2011, by Year, County, Single-Year of Age (0, 1, 2, . . . , 85 Years and Over), Bridged Race, Hispanic Origin, and Sex (Vintage 2011)* [machine-readable data files available online].

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Chapter 6

Juvenile offenders in court

Law enforcement agencies refer approximately two-thirds of all arrested youth to a court with juvenile jurisdiction for further processing. As with law enforcement, the court may decide to divert some juveniles away from the formal justice system to other agencies for service. Prosecutors may file some juvenile cases directly to criminal (adult) court. The net result is that juvenile courts formally process more than 1 million delinquency and status offense cases annually. Juvenile courts adjudicate these cases and may order probation or residential placement or they may waive jurisdiction and transfer certain cases from juvenile court to criminal court. While their cases are being processed, juveniles may be held in secure detention.

This chapter quantifies the flow of cases through the juvenile court system. It documents the nature of, and trends in, cases received and the court's response, and examines gender and race differences. (Chapter 4, on juvenile justice system structure and process, describes the juvenile court process in general, the history of juvenile courts in the U.S., and state variations in current laws. Chapter 2, on victims, discusses the handling of child maltreatment matters.) The chapter also discusses the measurement of racial disproportionality in the juvenile justice system—known as disproportionate minority contact (DMC)—and presents trends in certain DMC indicators since 1990.

The information presented in this chapter is drawn from the National Juvenile Court Data Archive, which is funded by OJJDP, and the Archive's primary publication, *Juvenile Court Statistics.*

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

Juvenile Court Statistics reports have provided data on court activity since the late 1920s

The *Juvenile Court Statistics* series is the primary source of information on the activities of the nation's juvenile courts. The first *Juvenile Court Statistics* report, published in 1929 by the Children's Bureau of the U.S. Department of Labor, described cases handled in 1927 by 42 courts. In 1974, the 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 data collection effort through the National Juvenile Court Data Archive project. The project not only produces the *Juvenile Court Statistics* reports but also conducts research and archives data for use by other researchers.

Throughout its history, the *Juvenile Court Statistics* series has depended on the voluntary support of courts with juvenile jurisdiction. Courts contribute data originally compiled to meet their own information needs. The data NCJJ receives are not uniform but reflect the natural variation that exists across court information systems. To develop national estimates, NCJJ restructures compatible data into a common format. In 2010, 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 2010 were based on data from more than 2,300 jurisdictions containing nearly 83% of the nation's juvenile population (i.e., youth age 10 through the upper age of original juvenile court jurisdiction in each state).

Juvenile Court Statistics documents the number of cases courts handled

Just as the FBI's Uniform Crime Reporting Program counts arrests made by law enforcement (i.e., a workload measure, not a crime measure), the *Juvenile Court Statistics* series counts delinquency and status offense cases handled by courts with juvenile jurisdiction during the year. Each case represents the initial disposition of a new referral to juvenile court for one or more offenses. A youth may be involved in more than one case in a year. Therefore, the *Juvenile Court Statistics* series does not provide a count of individual juveniles brought before juvenile courts.

Cases involving multiple charges are categorized by their most serious offense

In a single case where a juvenile is charged with robbery, simple assault, and a weapons law violation, the case is counted as a robbery case (similar to the FBI Uniform Crime Reporting Program's hierarchy rule). Thus, the *Juvenile Court Statistics* series does not provide a count of the number of crimes committed by juveniles. In addition, given that only the most serious offense is used to classify the case, counts of—and trends for—less serious offenses must be interpreted cautiously.

Similarly, cases are categorized by their most severe or restrictive disposition. For example, a case in which the judge orders the youth to a training school and to pay restitution to the victim would be characterized as a case in which the juvenile was placed in a residential facility.

Juvenile Court Statistics describes delinquency and status offense caseloads

The *Juvenile Court Statistics* series describes delinquency and status offense cases handled by juvenile courts. The reports provide demographic profiles of the youth referred and the reasons for the referrals (offenses). The series documents the juvenile courts' differential use of petition, detention, adjudication, and disposition alternatives by case type. The series also can identify trends in the volume and characteristics of court activity. However, care should be exercised when interpreting gender, age, or racial differences in the analysis of juvenile delinquency or status offense cases because reported statistics do not control for the seriousness of the behavior leading to each charge or the extent of a youth's court history.

The *Juvenile Court Statistics* series does not provide national estimates of the number of youth referred to court, their prior court histories, or their future recidivism. Nor does it provide data on criminal court processing of juvenile cases. Criminal court cases involving youth younger than age 18 who are defined as adults in their state are not included. The series was designed to produce national estimates of juvenile court activity, not to describe the law-violating careers of juveniles.

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Juvenile courts handled 1.4 million delinquency cases in 2010—up from 1.1 million in 1985

Juvenile court caseloads have grown and changed

In 2010, U.S. courts with juvenile jurisdiction handled an estimated 1.4 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 3,700 delinquency cases per day in 2010. In comparison, approximately 1,100 delinquency cases were processed daily in 1960.

After a substantial increase between 1985 and the peak in 1997 (61%), the volume of delinquency cases handled by juvenile courts decreased 27% through 2010. This is in line with the decrease in the number of juvenile arrests made between 1997 and 2010.

Law enforcement refers most delinquency cases to court

Delinquency and status offense cases are referred to juvenile courts by a number of different sources, including law enforcement agencies, social services agencies, victims, probation officers, schools, or parents.

Percent of cases referred by law enforcement agencies:

Offense	2010
Delinquency	83%
Person	88
Property	90
Drugs	91
Public order	65
Status offense (formal cases)	
Runaway	62
Truancy	33
Curfew	96
Ungovernability	35
Liquor	90

In 2010, 83% of delinquency cases were referred by law enforcement agencies. This proportion has changed little over the past two decades. Law enforcement agencies are generally much less likely to be the source of referral for formally handled status offense cases (involving offenses that are not crimes for adults) than delinquency cases. The exception is status liquor law violations (underage drinking and possession of alcohol).

Youth were charged with a person offense in one-quarter of the delinquency cases handled by juvenile courts in 2010

Most serious offense	Number of cases	Percent of total cases	Percent change 1985–2010	Percent change 2001–2010
Total delinquency	**1,368,200**	**100%**	**17%**	**–19%**
Person offense	**346,800**	**25**	**87**	**–15**
Violent Crime Index	71,000	5	10	–9
Criminal homicide	1,000	0	–18	–23
Forcible rape	3,900	0	17	–15
Robbery	26,300	2	4	22
Aggravated assault	39,900	3	16	–21
Simple assault	237,100	17	133	–17
Other violent sex offense	12,700	1	54	–2
Other person offense	26,000	2	141	–19
Property offense	**502,400**	**37**	**–29**	**–24**
Property Crime Index	355,500	26	–32	–23
Burglary	90,100	7	–38	–21
Larceny-theft	243,800	18	–27	–19
Motor vehicle theft	16,100	1	–58	–58
Arson	5,500	0	–18	–41
Vandalism	79,400	6	–8	–19
Trespassing	42,500	3	–21	–21
Stolen property offense	14,000	1	–50	–42
Other property offense	11,100	1	–39	–55
Drug law violation	**164,100**	**12**	**111**	**–15**
Public order offense	**354,800**	**26**	**80**	**–16**
Obstruction of justice	166,200	12	150	–20
Disorderly conduct	101,200	7	124	–6
Weapons offense	29,700	2	48	–12
Liquor law violation	16,400	1	–16	3
Nonviolent sex offense	11,200	1	–12	–21
Other public order offense	30,000	2	–8	–26

- Property crimes accounted for 37% of delinquency cases in 2010.
- Although juvenile court referrals increased between 1985 and 2010, the recent trend (2001–2010) is one of decline.

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

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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The long-term growth trend for juvenile court caseloads has been tempered by recent declines

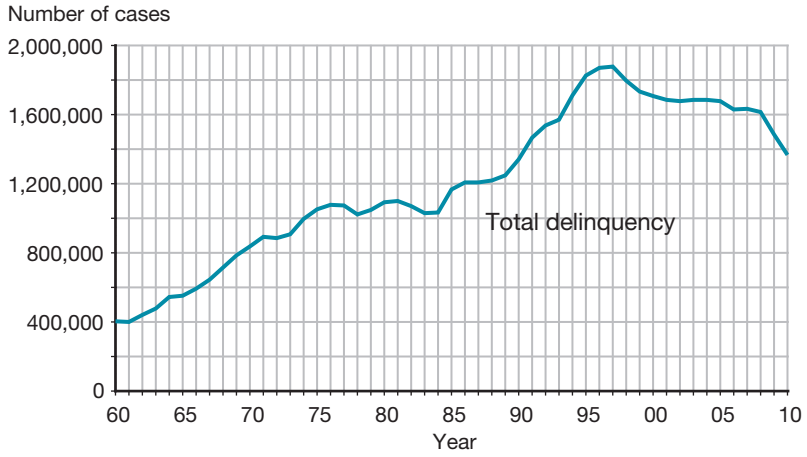
In most offense categories, juvenile court cases have decreased in recent years

Compared with 2001, juvenile court cases involving offenses in the FBI's Violent Crime Index were down 9% in 2010. More specifically, criminal homicide was down 23%, forcible rape 15%, and aggravated assault 21%. In contrast, robbery cases increased 22% during the period.

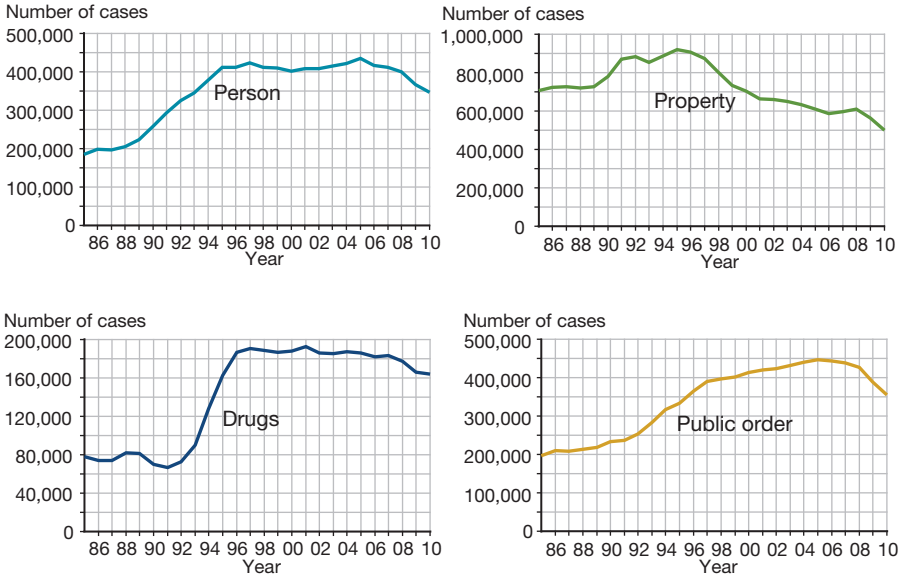
There were also large declines in cases involving property offenses. Motor vehicle theft, arson, and stolen property offenses had declines greater than 40%; larceny-theft and vandalism were both down 19%; and burglary and trespassing were down 21% each. Declines in drug and public order offenses were similar (16% each).

Trends in juvenile court cases largely parallel trends in arrests of persons younger than 18. FBI data show that arrest rates for persons younger than 18 charged with Violent Crime Index offenses and Property Crime Index offenses have dropped substantially since their peaks in the mid-1990s. Drug offenses are a noticeable exception—the FBI data show juvenile drug arrest rates peaking in 2006 and falling 13% through 2010. The court data show a similar pattern in that the number of cases involving drug offenses peaked in 2001 and then declined 15% through 2010.

Juvenile courts handled 3 times as many delinquency cases in 2010 as in 1960



Delinquency cases, by offense category



- Between 1985 and 2010, the volume of delinquency cases handled by juvenile courts nationwide increased 17%. Delinquency cases dropped 27% from their 1997 peak to 2010.
- Between 1985 and 2010, caseloads increased in three of the four general offense categories. Person offense cases rose 87%, public order offense cases 80%, and drug cases 111%. In contrast, property offense cases dropped 29%.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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An offense classification may encompass situations with a wide range of seriousness

The four general offense categories—person, property, drugs, and public order—are each very broad in terms of the seriousness of the offenses they comprise. Within these general categories, individual offenses (e.g., aggravated assault, robbery) may also encompass a wide range of seriousness. For example:

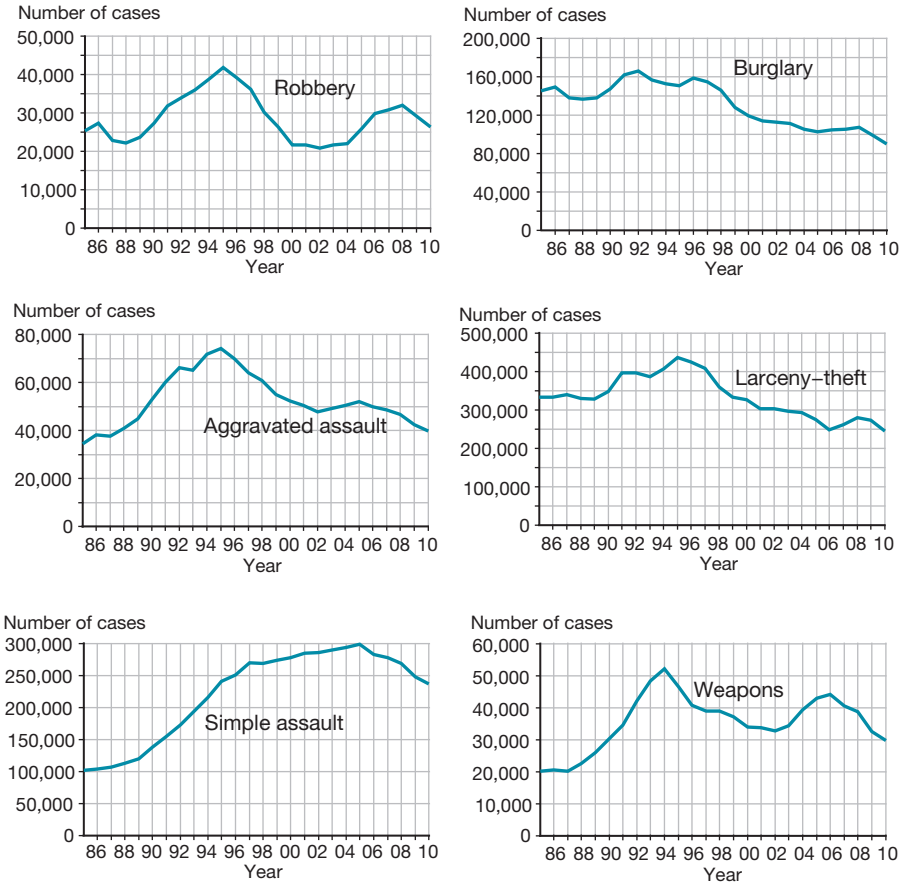
Aggravated assault is the unlawful intentional infliction of serious bodily injury or unlawful threat or attempt to inflict bodily injury or death by means of a deadly or dangerous weapon with or without actual infliction of injury. The following situations are examples of aggravated assault:

- 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. The following situations are examples of robbery:

- Masked gunmen with automatic weapons demand cash from a bank.
- A gang of young men beat up a tourist and steal his wallet and valuables.
- A school bully says to another student, "Give me your lunch money, or I'll punch you."

Trend patterns for juvenile court caseloads from 1985 through 2010 varied substantially across offenses



- Robbery cases peaked in 1995, near 42,000, fell through 2002, and increased again by 2010.
- Aggravated assault cases peaked in 1995, at 74,100 and then fell off sharply. In contrast, simple assault cases climbed steadily through 2005, then decreased through 2010.
- Burglary and larceny-theft caseloads peaked in the 1990s and steadily decreased to their lowest levels since at least 1985.
- After a steady decline following the peak in 1994, weapons offense cases increased through the mid 2000s before decreasing again through 2010.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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Cases increased for males and females through the mid-1990s; since then, cases have declined for males

Females account for a relatively small share of delinquency cases

In 2010, juvenile courts handled more than 381,000 delinquency cases involving female juveniles—just over one-quarter of all delinquency cases handled in 2010. Females made up a fairly large share of cases in some offense categories—larceny-theft (45%), simple assault (36%), disorderly conduct (35%), and liquor law cases (32%). For other offense categories, the female share of the caseload was relatively small—violent sex offenses other than rape (7%), robbery and burglary (10% each), weapons offenses (12%), and criminal homicide (13%).

Most serious offense	Female proportion
Total delinquency	28%
Person offense	31
Violent Crime Index	19
Criminal homicide	13
Forcible rape	3
Robbery	10
Aggravated assault	26
Simple assault	36
Other violent sex offense	7
Other person offense	29
Property offense	29
Property Crime Index	34
Burglary	10
Larceny-theft	45
Motor vehicle theft	21
Arson	14
Vandalism	15
Trespassing	19
Stolen property offense	15
Other property offense	29
Drug law violation	18
Public order offense	28
Obstruction of justice	26
Disorderly conduct	35
Weapons offense	12
Liquor law violation	32
Nonviolent sex offense	21
Other public order offense	25

For most offenses, female caseloads have grown more or decreased less than male caseloads

	Percent change			
	1985–2010		2001–2010	
Most serious offense	Male	Female	Male	Female
Total delinquency	**5%**	**69%**	**–21%**	**–13%**
Person offense	**62**	**190**	**–18**	**–8**
Violent Crime Index	3	58	–8	–13
Criminal homicide	–18	–17	–21	–38
Forcible rape	15	85	–15	–18
Robbery	0	58	21	32
Aggravated assault	6	59	–22	–20
Simple assault	102	222	–21	–8
Other violent sex offense	51	118	–4	50
Other person offense	102	359	–24	–3
Property offense	**–39**	**12**	**–28**	**–15**
Property Crime Index	–44	14	–28	–12
Burglary	–40	–15	–21	–21
Larceny-theft	–44	21	–27	–7
Motor vehicle theft	–61	–41	–57	–61
Arson	–21	8	–42	–29
Vandalism	–14	41	–20	–16
Trespassing	–24	–3	–22	–21
Stolen property offense	–52	–30	–42	–42
Other property offense	–43	–28	–53	–59
Drug law violation	**110**	**117**	**–15**	**–11**
Public order offense	**68**	**126**	**–16**	**–14**
Obstruction of justice	147	158	–18	–25
Disorderly conduct	89	236	–11	2
Weapons offense	43	115	–11	–17
Liquor law violation	–26	19	–1	12
Nonviolent sex offense	–15	1	–26	5
Other public order offense	–10	–1	–26	–27

- Between 1985 and 2010, the overall delinquency caseload for females increased 69%, compared with a 5% increase for males.
- Among females, the number of aggravated assault cases rose substantially (up 59%) from 1985 to 2010. In comparison, among males, aggravated assault cases were up 6%.
- Between 2001 and 2010, the number of aggravated assault cases dropped for both males and females, but the decline for males (22%) was slightly greater than the decline for females (20%).

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

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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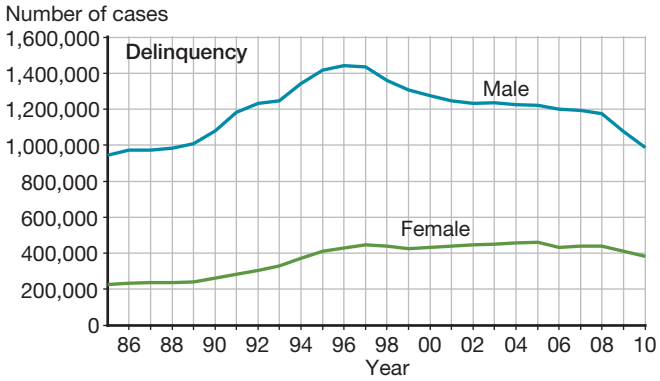
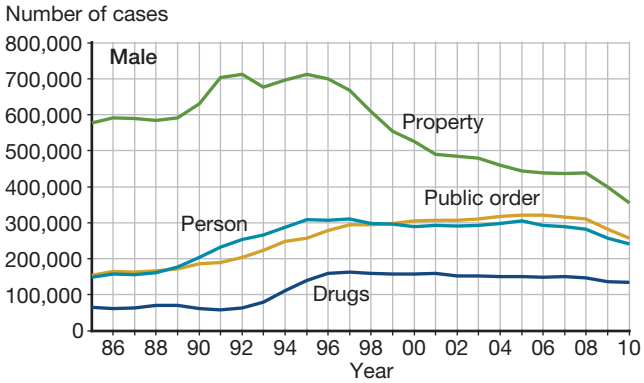
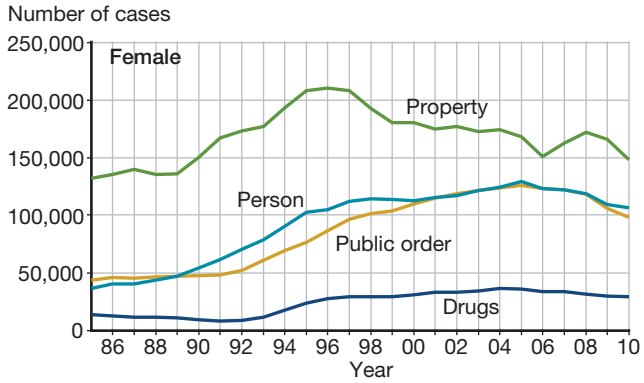
Juvenile court caseload trends were different for males and females, and the differences varied by offense category





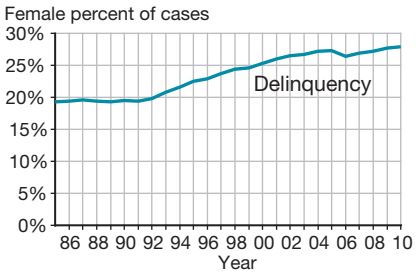


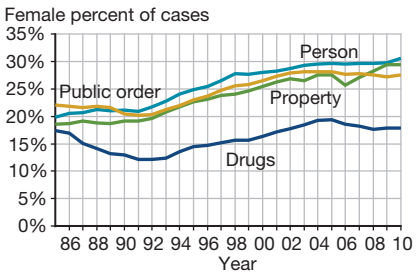
- Male delinquency caseloads have been on the decline since the mid-1990s. Female caseloads have not shown a similar decline, although they seem to have leveled off in recent years.
- The decline in male caseloads has been driven by a sharp reduction in the volume of property cases—down 50% from the 1995 peak to 2010.
- For females, the largest 1985–2010 increase was in person offense cases (190%). Drug and public order cases also rose substantially (117% and 126%, respectively).

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

The female share of delinquency cases increased steadily through 2002 and then leveled off

The proportion of delinquency cases that involved females was 19% in 1985; by 2002, it had increased 8 percentage points to 27% and remained close to this level through 2010. The female share of person offense cases rose 12 percentage points between 1985 and 2010 to 31%. The female proportion of property cases went from 19% in 1985 to 29% in 2010, an increase of 10 points. The female proportion of public order cases increased 6 percentage points from 1985 to 2010, up to 28%. Drug offense cases remained fairly level during the same time period—up 1 percentage point to 18%.





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In 2010, male and female offense profiles were similar

For both males and females, 2010 caseloads were similar to 2001 caseloads

Compared with offense profiles in 2001, both male and female delinquency caseloads had somewhat greater proportions of person offense cases in 2010.

Offense profile by gender:

Offense	Male	Female
2010		
Delinquency	100%	100%
Person	24	28
Property	36	39
Drugs	14	8
Public order	26	26
2001		
Delinquency	100%	100%
Person	23	26
Property	39	40
Drugs	13	8
Public order	25	26

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

Despite a reduction in the property crime share of delinquency cases, property cases were still the most common type of case for both males and females in 2010.

In 2010, the male caseload contained a greater proportion of drug offenses than the female caseload. The male and female caseloads contained similar proportions of person, property, and public order offenses in 2010.

Although males accounted for more than twice as many delinquency cases as females in 2010, their offense profiles were similar

	Male		Female	
Most serious offense	Number of cases	Percent of cases	Number of cases	Percent of cases
Total delinquency	**986,700**	**100%**	**381,500**	**100%**
Person offense	**240,600**	**24**	**106,200**	**28**
Violent Crime Index	57,900	6	13,200	3
Criminal homicide	900	0	100	0
Forcible rape	3,800	0	100	0
Robbery	23,600	2	2,700	1
Aggravated assault	29,700	3	10,200	3
Simple assault	152,400	15	84,700	22
Other violent sex offense	11,900	1	800	0
Other person offense	18,500	2	7,500	2
Property offense	**354,600**	**36**	**147,800**	**39**
Property Crime Index	233,300	24	122,200	32
Burglary	80,700	8	9,400	2
Larceny-theft	135,200	14	108,700	28
Motor vehicle theft	12,700	1	3,400	1
Arson	4,700	0	800	0
Vandalism	67,300	7	12,100	3
Trespassing	34,300	3	8,100	2
Stolen property offense	11,900	1	2,000	1
Other property offense	7,800	1	3,300	1
Drug law violation	**134,700**	**14**	**29,400**	**8**
Public order offense	**256,700**	**26**	**98,100**	**26**
Obstruction of justice	122,200	12	44,000	12
Disorderly conduct	65,700	7	35,600	9
Weapons offense	26,300	3	3,400	1
Liquor law violation	11,200	1	5,200	1
Nonviolent sex offense	8,900	1	2,300	1
Other public order offense	22,400	2	7,600	2

- Compared with males, the female juvenile court caseload had a greater proportion of simple assault, larceny-theft, and disorderly conduct cases and a smaller proportion of robbery, burglary, vandalism, and drug cases.

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

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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A disproportionate number of delinquency cases involved black juveniles

In 2010, blacks constituted 16% of the juvenile population but 33% of the delinquency caseload

Although a majority of delinquency cases handled in 2010 involved white youth (876,400 or 64%), a disproportionate number of cases involved blacks (451,100 or 33%), given their proportion of the juvenile population. In 2010, white youth made up 76% of the juvenile population (youth ages 10 through the upper age of juvenile court jurisdiction in each state), black youth 16%, American Indian youth 2%, and Asian youth 5%.*

Racial profile of delinquency cases:

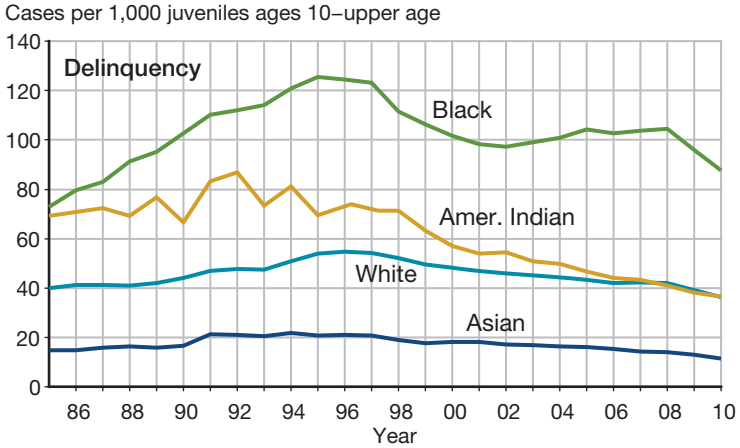
Offense	White	Black	Amer. Indian	Asian
2010				
Delinquency	64%	33%	2%	1%
Person	57	40	1	1
Property	66	31	2	2
Drugs	76	21	2	1
Public order	63	34	2	1
2001				
Delinquency	68%	29%	2%	1%
Person	62	35	1	1
Property	70	27	2	2
Drugs	76	22	1	1
Public order	67	31	1	1

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

The racial profile of delinquency cases overall had a greater proportion of cases involving black juveniles in 2010 (33%) than in 2001 (29%) and, conversely, a smaller proportion of cases involving white youth. This change was evident in the person, property, and public order offense categories, but not in drugs.

* Throughout this chapter, juveniles of Hispanic ethnicity can be any race; however, most are included in the white racial category. The racial classification American Indian (usually abbreviated as Amer. Indian) includes American Indian and Alaska Native. The racial classification Asian includes Asian, Native Hawaiian, and Other Pacific Islander.

Between 1997 (the year with the greatest number of delinquency cases) and 2010, delinquency case rates declined for youth of all racial groups



- The delinquency case rate for white juveniles peaked in 1996 (54.8) and then fell 34% by 2010; for black juveniles, the rate in 2010 was down 30% from its 1995 peak (125.5). The delinquency case rate for American Indian youth peaked in 1992 (87.0) and then declined 58% by 2010; for Asian youth, the peak occurred in 1994 (21.9) and fell 47% by 2010.
- In 2010, the total delinquency case rate for black juveniles (87.6) was more than double the rate for white juveniles (36.4) and for American Indian juveniles (36.6); the delinquency case rate for Asian juveniles was 11.6.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

Offense profiles for white youth and black youth differed

Delinquency caseloads for black juveniles contained a greater proportion of person offenses than did caseloads for white juveniles and those of other races. For all racial groups, property offenses accounted for the largest proportion of cases, and drug offenses the smallest proportion. Person offenses made up a slightly larger share of delinquency cases in 2010 than in 2001 for all racial groups except Asians.

Offense profile of delinquency cases:

Offense	White	Black	Amer. Indian	Asian
2010				
Delinquency	100%	100%	100%	100%
Person	23	31	23	20
Property	38	35	39	44
Drugs	14	8	13	11
Public order	25	27	26	25
2001				
Delinquency	100%	100%	100%	100%
Person	22	29	21	21
Property	41	36	46	49
Drugs	13	9	10	8
Public order	25	26	22	21

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

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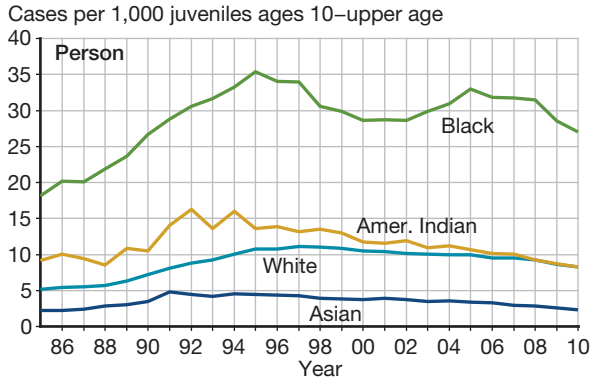
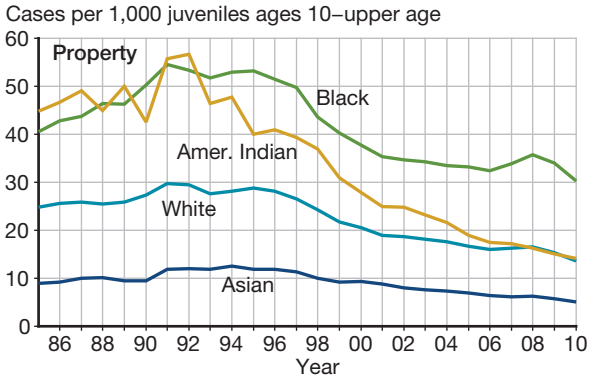
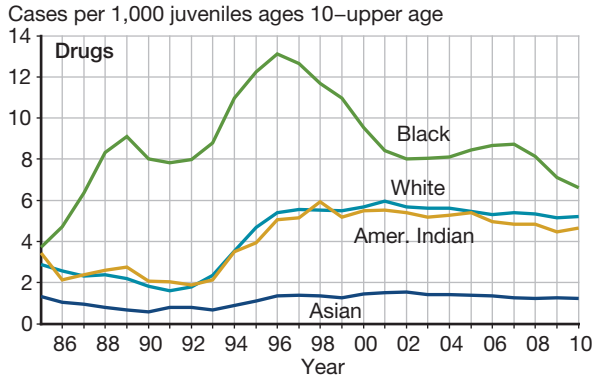
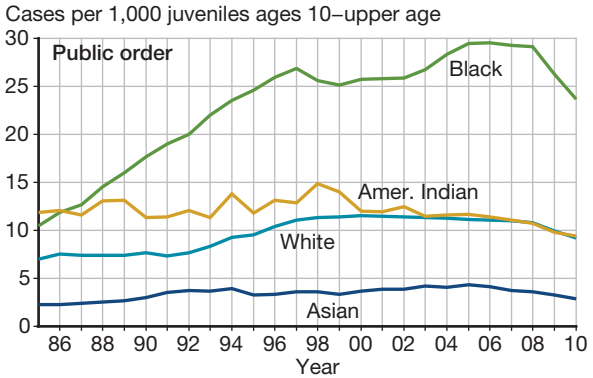
Case rate trends varied across race and offense but, in all offense categories and in nearly all years from 1985 through 2010, the rates for black youth were substantially higher than the rates for other youth









- Compared with 1985, 2010 person offense case rates were higher for most racial groups—up 60% for whites, 49% for blacks, and 4% for Asian youth. The person offense case rate for American Indian youth decreased 9% during the period. All racial groups experienced recent declines in person offense case rates—down 25% from the 1997 peak for whites, down 24% from the 1995 peak for blacks, down 49% from the 1992 peak for American Indians, and down 52% from the 1991 peak for Asians.

- Property case rates dropped for all races between 1985 and 2010—down 45% for whites, 25% for blacks, 68% for American Indians, and 43% for Asians. Property case rates for both white and black youth peaked in 1991 and then decreased substantially (54% and 44%, respectively). The rate for American Indian youth peaked in 1992 and fell by 75% in 2010, while the rate for Asian youth peaked in 1994 and fell by 59% in 2010.

- Case rates for drug offenses more than doubled from 1985 to the peak in 2001 for white youth (108%) and more than tripled from 1985 to the peak in 1996 for black youth (252%). Since the peak years, rates have decreased 13% for white youth and 50% for black youth. While the drug offense case rate increased 35% for American Indian youth between 1985 and 2010, the rate remained relatively stable for Asian youth, decreasing 6% during the period.

- For white youth, the public order case rate increased 64% between 1985 and the peak in 2000 before declining 20% in 2010. For blacks, the case rate was highest in 2006 and dropped 20% by 2010. Nevertheless, the 2010 rate was 126% above the 1985 rate. The American Indian public order case rate decreased 21% between 1985 and 2010, while the Asian case rate increased 24% during the same period.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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In 2010, the disparity between rates for black youth and white youth was lowest for drug cases

In 2010, case rates for black juveniles were substantially higher than rates for other juveniles in all offense categories, but the degree of disparity varied. The person offense case rate for black juveniles (27.0 per 1,000) was more than 3 times the rate for white juveniles (8.3), and the public order case rate for black juveniles (23.7) was more than 2 times the rate for white juveniles (9.2), as was the property case rate (30.3 for black juveniles vs. 13.7 for white juveniles).

In comparison, in 2010, the drug offense case rate for black juveniles (6.6) was less than 1.3 times the rate for white juveniles (5.2). Although the disparity between black and white drug case rates was relatively small in 2010, that was not always true. In fact, in 1991, the drug offense case rate for black juveniles was nearly 5 times the rate for white juveniles. No other offense reached this extent of disparity between black and white case rates.

The racial profile for delinquency cases was similar for males and females in 2010

Among females referred to juvenile court in 2010 for person offenses, blacks accounted for 41% of cases—the greatest overrepresentation among black juveniles. The black proportion among males referred for person offenses was just slightly smaller at 40%.

Racial profile of delinquency cases by gender, 2010:

Offense	White	Black	Amer. Indian	Asian
Male				
Delinquency	64%	33%	1%	1%
Person	58	40	1	1
Property	65	32	2	2
Drugs	74	23	2	1
Public order	64	34	1	1
Female				
Delinquency	64%	33%	2%	1%
Person	57	41	2	1
Property	66	30	2	2
Drugs	86	11	3	1
Public order	61	36	2	1

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

Among females referred for drug offenses, blacks were underrepresented. Although they account for 14% of the population of juvenile females, blacks made up just 11% of drug cases involving females in 2010.

In 2010, American Indian and Asian youth made up 7% of the juvenile population; however, they accounted for less than 4% of cases across all gender and offense groups.

Offense profiles for both males and females varied somewhat across racial groups

Among males in 2010, blacks had a greater proportion of person offense cases than whites, American Indians, or Asians. In addition, black males had a smaller proportion of property and drug cases than white, American Indian, or Asian males.

Offense profile of delinquency cases by gender, 2010:

Offense	White	Black	Amer. Indian	Asian
Male				
Delinquency	100%	100%	100%	100%
Person	22	30	22	22
Property	37	34	39	41
Drugs	16	10	14	12
Public order	26	27	25	26
Female				
Delinquency	100%	100%	100%	100%
Person	25	34	24	17
Property	40	35	39	53
Drugs	10	3	10	7
Public order	25	28	27	23

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

Among females, person offenses accounted for 34% of the cases involving blacks, compared with 25% of the cases involving whites, 24% involving American Indians, and 17% of Asians. As with males, black females had smaller proportions of property and drug cases than all other race groups.

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Although older teens dominated delinquency caseloads, trends were similar for all age groups

For all ages, 2010 delinquency case rates were lower than rates in the mid- to late 1990s

In 2010, juvenile courts handled 43.4 delinquency cases for every 1,000 juveniles (youth subject to original juvenile court jurisdiction) in the U.S. population. The overall delinquency case rate peaked in 1996, 45% above the 1985 rate, and then declined 32% to the 2010 level. For all ages, delinquency case rates showed similar trend patterns, although the peak years varied from one age to another. Case rates for older juveniles peaked in 1996 or 1997 and rates for younger juveniles tended to peak earlier in the 1990s. Case rate declines were smaller for juveniles younger than 15 than for older teens.

Most delinquency cases involved older teens

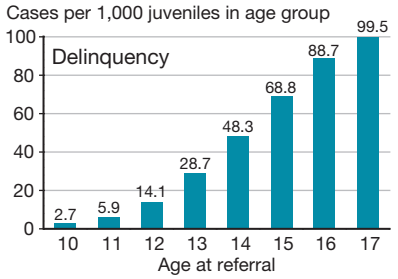
High school-age juveniles (ages 14 and older) made up 83% of the delinquency caseload in 2010; older teens (ages 16 and older) accounted for 48%. In comparison, middle school-age juveniles (ages 12 and 13) were involved in 13% of delinquency cases, while juveniles younger than 12 accounted for 4%. The 2010 age profile of delinquency cases was similar to the 2001 profile.

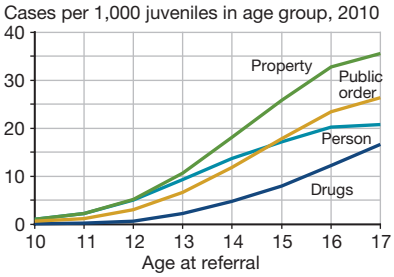
Age profile of delinquency cases:

Age	2001	2010
Total	100%	100%
Under 12	5	4
12	6	4
13	10	9
14	16	15
15	21	21
16	23	25
17	17	19
Over 17	2	3

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

Trend patterns for juvenile court caseloads from 1985 through 2010 varied substantially across offense categories





- In 2010, the delinquency case rate for 16-year-olds was 1.8 times the rate for 14-year-olds, and the rate for 14-year-olds was 3.4 times the rate for 12-year-olds.
- Age-specific case rates increased steadily through age 17 for all offense types. The case rate for 17-year-olds more than doubled the case rate for 13-year-olds for person and property offenses and more than quadrupled for public order offenses.
- The increase in rates between age 13 and age 17 was sharpest for drug offenses; the rate for drug offenses for 17-year-old juveniles was 7.5 times the rate for 13-year-olds.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

Age profiles varied somewhat across offenses but have not changed substantially since 2001.

Age profile of delinquency cases, 2010:

Age	Person	Property	Drugs	Public order
Total	100%	100%	100%	100%
Under 12	5	4	1	3
12	6	4	2	4
13	11	9	6	8
14	16	15	12	14
15	21	22	21	21
16	23	26	29	26
17	16	19	27	20
Over 17	2	2	3	5

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

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 2010, the number of juvenile court cases involving 17-year-olds (266,100) was lower than the number involving 16-year-olds (347,700). The explanation lies primarily in the fact that 13 states exclude 17-year-olds from the original jurisdiction of the juvenile court (see Chapter 4). In these states, all 17-year-olds are legally adults and are referred to criminal court rather than to juvenile court. Thus, far fewer 17-year-olds than 16-year-olds are subject to original juvenile court jurisdiction. Of the more than 31 million youth under juvenile court jurisdiction in 2010, youth ages 10 through 15 accounted for 79%, 12% were age 16, and 8% were age 17.

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In 2010, offense profiles of younger and older youth differed

Compared with the delinquency caseload involving older juveniles, the caseload of youth age 15 or younger in 2010 included larger proportions of person and property offense cases and smaller proportions of drug and public order offense cases.

Compared with 2001, the caseload in 2010 of younger juveniles involved greater proportions of person and drug offense cases, the same proportion of public order offense cases, but a smaller proportion of property offense cases. The 2010 caseload of older juveniles involved a greater proportion of person and public order offense cases, and smaller proportions of property and drug offense cases.

Offense profile of delinquency cases by age:

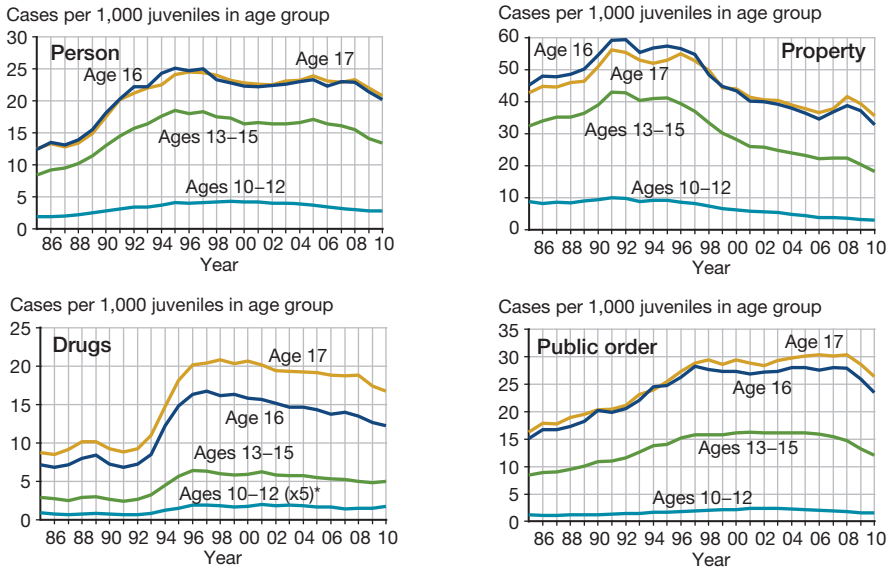
Offense	Age 15 or younger	Age 16 or older
2010		
Delinquency	100%	100%
Person	29	22
Property	37	36
Drugs	9	15
Public order	24	28
2001		
Delinquency	100%	100%
Person	27	20
Property	41	37
Drugs	8	16
Public order	24	27

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

The age profile of delinquency cases did not differ substantially by gender or race in 2010

At each age, the proportion of cases was not more than 2 percentage points different for males compared to females. For both males and females, the largest proportion of delinquency cases involved 16-year-olds. Age profiles across racial groups were also similar.

Between 1985 and 2010, trends in case rates were generally similar across age groups



- With the exception of 10- to 12-year-olds, person offense case rates increased from 1985 through the mid-1990s and then declined through 2010.
- Property offense case rates peaked in the early 1990s for all age groups, then declined through 2010 for ages 10–12 and 13–15 and through 2006 for ages 16 and 17.
- Drug offense case rates were relatively flat for all age groups from the mid-1980s to the mid-1990s, when they began to rise sharply. Rates flattened out or decreased again for all ages.
- Public order offense case rates nearly doubled for each age group between 1985 and 2004.

* Because of the relatively low volume of drug cases involving youth ages 10–12, their case rates have been inflated by a factor of 5 to display the trend over time.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

Age profile of delinquency cases by gender, 2010:

Age	Male	Female
Total	100%	100%
Under 12	4	3
12	4	5
13	8	10
14	14	16
15	21	22
16	26	25
17	20	18
Over 17	3	2

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

Age profile of delinquency cases by race, 2010:

Age	White	Black	Amer. Indian	Asian
Total	100%	100%	100%	100%
Under 12	3	4	4	2
12	4	5	5	3
13	8	9	10	8
14	14	15	15	14
15	21	22	21	21
16	25	26	22	26
17	20	18	20	22
Over 17	3	2	2	5

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

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In 1 in 5 delinquency cases, the youth is detained between referral to court and case disposition

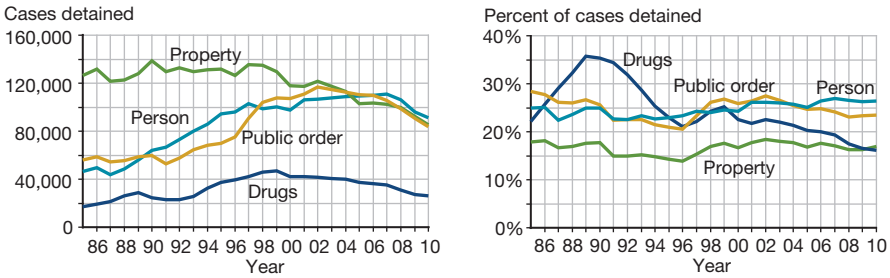
When is secure detention used?

A youth may be placed in a secure juvenile detention facility at various points during the processing of a case. Although detention practices vary from jurisdiction to jurisdiction, a general model of detention practices is useful.

When a case is referred to juvenile court, intake staff may decide to hold the youth in a detention facility while the case is being processed. In general, detention is used if there is reason to believe the youth is a threat to the community, will be at risk if returned to the community, or may fail to appear at an upcoming hearing. The youth may also be detained for diagnostic evaluation purposes. In most delinquency cases, however, the youth is not detained.

In all states, law requires that a detention hearing be held within a few days (generally within 24 hours). At that time, a judge reviews the decision to detain the youth and either orders the youth released or continues the detention. National juvenile court statistics count the number of cases that involve detention during a calendar year. As a case is processed, the youth may be detained and released more than once between referral and disposition. Juvenile court data do not count individual detentions, nor do they count the number of youth detained. In addition, although in a few states juveniles may be committed to a detention facility as part of a disposition order, the court data do not include such placements in the count of cases involving detention.

The number of cases involving detention was higher in 2010 than in 1985 for all but property cases



- The number of delinquency cases involving detention increased 17% between 1985 and 2010, from 245,900 to 286,900. The largest relative increase was for person offense cases (98%), followed by drug offense cases (53%) and public order cases (49%). In contrast, the number of detained property offense cases declined 32% during this period.
- Despite the growth in the volume of delinquency cases involving detention, the proportion of cases detained was about the same in 2010 as in 1985 (21%). The percent of cases detained was highest in 2003 (23%) and lowest in 1995 and 1996 (18%).
- Drug offense cases were the least likely to involve detention—youth were detained in 16% of drug offense cases in 2010. In comparison, youth were detained in 17% of property cases, 24% of public order cases, and 26% of person cases.
- In 1989, youth were detained in 36% of drug cases—the highest proportion of cases detained for any offense during the 1985–2010 period. In fact, no other offense category ever had more than 28% of cases detained.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

The proportion of detained cases involving person offenses has increased

Compared with 2001, the offense characteristics of the 2010 detention caseload changed, involving a greater proportion of person cases and smaller proportions of property and drug cases. The proportion of public order offense cases remained the same.

Person offense cases represented 32% of all detained delinquency cases in 2010, while property offenses accounted for 30% and public order offenses accounted for 29%. Drug offense cases made up the smallest share of detained cases at 9%.

Offense profile of delinquency cases:

	All cases		Detained cases	
Offense	2001	2010	2001	2010
Delinquency	100%	100%	100%	100%
Person	24	25	28	32
Property	39	37	31	30
Drugs	11	12	11	9
Public order	25	26	29	29

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

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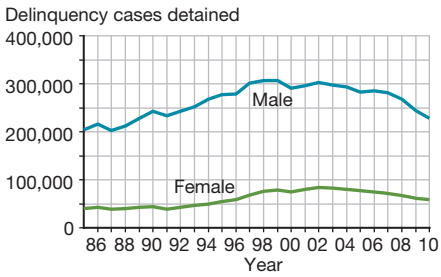
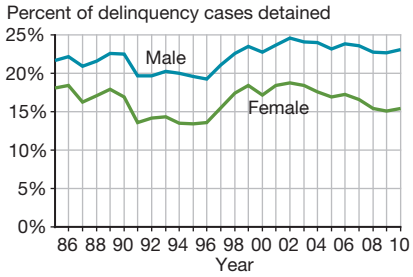
Use of detention varied not only by offense but also by gender, race, and age

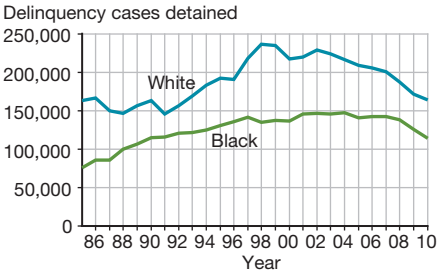
Males accounted for most delinquency cases involving detention and were consistently more likely than females to be detained

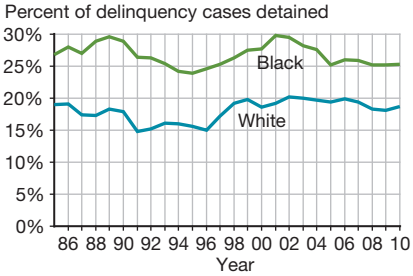




- The number of male cases detained rose 50% from 1985 to 1998 and then dropped 26% through 2010 for an overall increase of 11%. The female trend in cases detained followed a similar pattern, though the change was more substantial; female cases detained doubled (104%) between 1985 and 2002 and then dropped 30% through 2010. The number of female cases detained increased 43% between 1985 and 2010.
- The likelihood of detention was higher for males than for females, but the 1985–2010 trend lines for the percent of cases detained ran in tandem.

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





- The number of delinquency cases involving white youth who were detained rose 45% from 1985 to its peak in 1998 and then dropped 31%, bringing the level back to a similar level as reported in 1985. For black youth, the number of cases detained nearly doubled (94%) between 1985 and the 2004 peak and then dropped 23% for an overall increase of 50%.
- The likelihood of detention was fairly stable for white youth between 1985 and 2010. The proportion of cases involving detention remained lower for white youth than all other races for most years during the period. While fluctuations occurred in the use of detention for black, American Indian, and Asian youth, the proportion of cases involving detention in 2010 rested at levels equal to, or lower than in 1985 for all race groups.

Note: The number of detained cases involving American Indian and Asian youth are too small to display and result in unreliable trends in the proportion of cases detained.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

In 2010, the gender disparity in the likelihood of detention was least for drug cases

In 2010, the likelihood of detention in delinquency cases for males was 1.5 times the likelihood for females (23% vs. 15%). Males were more likely than females to be detained in each of the four general offense categories: 2 times more likely for property offenses, 1.4 each for person offenses and public order offenses, and 1.3 for drug offenses.

Percent of cases detained, 2010:

Offense	Male	Female
Delinquency	23%	15%
Person	29	21
Property	20	10
Drugs	17	13
Public order	25	19

Delinquency cases involving youth age 16 or older were more likely to be detained than were cases involving youth age 15 or younger. Person offense cases for both age groups were more likely to involve detention than were other offenses.

Percent of cases detained, 2010:

Offense	Age 15 or younger	Age 16 or older
Delinquency	19%	23%
Person	24	30
Property	16	18
Drugs	14	18
Public order	21	26

The degree of racial disparity in the likelihood of detention varied across offenses

In 2010, the likelihood of detention was greatest for black youth for all but public order offenses—American Indian and Asian youth had slightly greater proportions of public order cases detained (30% and 29%, respectively) than black youth (26%). The overall percent of cases detained for blacks was

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1.4 times that for whites, 1.2 times that for Asians, and 1.1 times that for American Indians. The greatest disparity between blacks and other races was in the likelihood of detention in drug cases—the proportion for blacks was nearly 2 times that for whites, 1.5 times that for American Indian youth, and 1.3 times that for Asians.

Percent of cases detained, 2010:

Offense	White	Black	Amer. Indian	Asian
Delinquency	19%	25%	24%	21%
Person	24	29	29	27
Property	15	22	19	15
Drugs	14	25	17	19
Public order	22	26	30	29

The racial profile for detained delinquency cases was similar for males and females in 2010

In 2010, the black proportion of detained delinquency cases (40%) was substantially greater than the black proportion of the juvenile population (16%) and also greater than the black proportion of delinquency cases handled during the year (33%). The overrepresentation of black juveniles in the detention caseload was greater among person offenses (45%) than other offenses. The black proportion of detained person offense cases was similar among males (45%) and females (43%). Across offenses, for males and females, the black proportion of detained cases was in the 30%–40% range. The one exception was among detained females referred for drug offenses. Blacks accounted for just 16% of this group—close to their representation in the juvenile population (16%).

Racial profile of detained cases by gender, 2010:

Offense	White	Black	Amer. Indian	Asian
Total				
Delinquency	57%	40%	2%	2%
Person	53	45	2	1
Property	58	39	2	2
Drugs	65	32	2	2
Public order	59	37	2	2
Male				
Delinquency	57%	40%	2%	2%
Person	52	45	1	1
Property	57	40	2	2
Drugs	62	35	2	2
Public order	59	38	2	2
Female				
Delinquency	59%	37%	3%	1%
Person	55	43	2	1
Property	60	37	3	1
Drugs	80	16	3	1
Public order	59	36	3	1

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

The offense profile of detained cases varied by race and by gender in 2010

For males, the person offense share of delinquency cases was greater among detained cases involving black youth (34%) than among detained cases involving white youth (28%), American Indian youth (27%), or Asian youth (26%). For black male youth, drug offense cases accounted for 9% of detained cases, compared with 11% for white males and 10% each for American Indian and Asian males.

Among females, blacks had a higher proportion of person offenses in the detention caseload (43%) than did whites (35%), American Indians (32%), or Asians (27%). For white females, drug offense cases accounted for 9% of detained cases, compared with 3% for black females, 7% for American Indian females, and 6% for Asian females.

Offense profile of detained cases by race and gender, 2010:

Offense	White	Black	Amer. Indian	Asian
Total				
Delinquency	100%	100%	100%	100%
Person	29	36	28	26
Property	30	30	31	31
Drugs	10	7	9	9
Public order	30	27	32	34
Male				
Delinquency	100%	100%	100%	100%
Person	28	34	27	26
Property	31	31	33	31
Drugs	11	9	10	10
Public order	30	27	31	33
Female				
Delinquency	100%	100%	100%	100%
Person	35	43	32	27
Property	25	24	25	27
Drugs	9	3	7	6
Public order	31	30	37	40

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

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The petitioned caseload increased 38% from 1985 to 2010 as formal case handling became more likely

In a formally processed case, petitioners ask the court to order sanctions

Formal case handling involves the filing of a petition requesting that the court hold an adjudicatory or waiver hearing. Decisionmakers (police, probation, intake, prosecutor, or other screening officer) may consider informal case handling if they believe that accountability and rehabilitation can be achieved without formal court intervention. Compared with informally handled (nonpetitioned) cases, formally processed (petitioned) delinquency cases tend to involve more serious offenses, older juveniles, and juveniles with longer court histories.

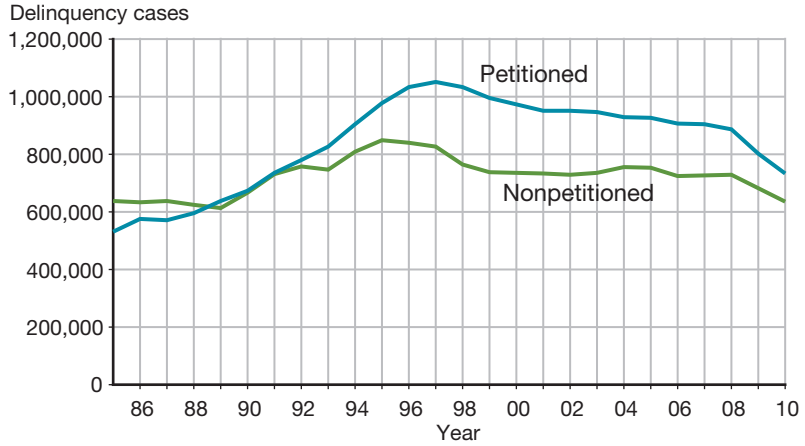
If the court decides to handle the matter informally, the offender agrees to comply with one or more sanctions, such as community service, victim restitution, or voluntary probation supervision. Informal cases are generally held open pending successful completion of the disposition. If the court's conditions are met, the charges are dismissed. If, however, the offender does not fulfill the conditions, the case is likely to be petitioned for formal processing.

The use of formal handling has decreased in recent years

In 2001, juvenile courts formally processed 56% of delinquency cases. By 2010, that proportion had decreased to 54%. Cases in each of the four general offense categories were less likely to be handled formally in 2010 than in 2001.

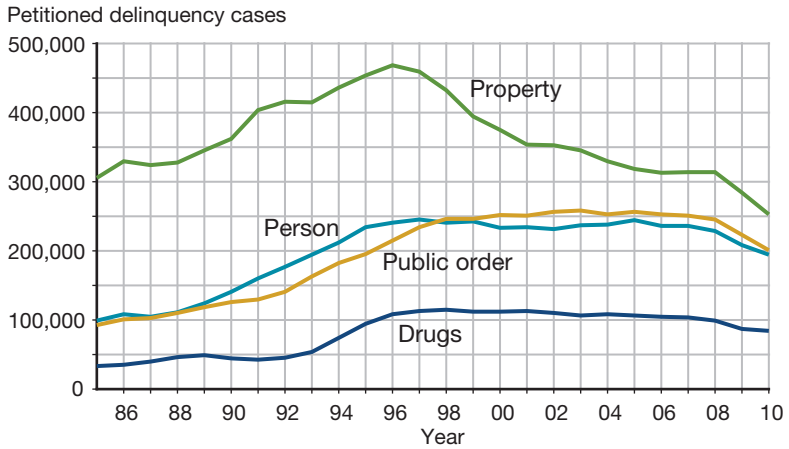
In both 2001 and 2010, property offense cases were the least likely to be petitioned for formal handling, and public order offense cases were the most likely. The likelihood of being petitioned for formal handling decreased the most for drug offense

The number of petitioned delinquency cases increased 98% between 1985 and the peak in 1997 and then declined 30% by 2010



- The number of delinquency cases petitioned in 2010 (733,200) was 38% more than the number petitioned in 1985 (530,100). In comparison, the overall number of delinquency cases referred increased 17% in that time.
- Compared with the trend for the petitioned caseload, the trend for nonpetitioned cases was flatter. The number of nonpetitioned delinquency cases increased 33% between 1985 and the peak in 1995 and then declined 25% by 2010 for an overall decrease of 1%.

Between 1985 and 2010, the petitioned caseload increased for most offense categories



- Between 1985 and 2010, petitioned person offense cases increased 97%, drug offense cases 152%, and public order cases 117%. Property cases decreased 17% during the period.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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cases (8 percentage points) between 2001 and 2010.

Percent of delinquency cases petitioned:

Offense	2001	2010
Delinquency	56%	54%
Person	57	56
Property	53	50
Drugs	59	51
Public order	60	57

The proportion of petitioned cases decreased from 2001 to 2010 for all demographic groups

The likelihood of formal case processing decreased from 2001 to 2010 for both males and females and for all races and ages.

Percent of delinquency cases petitioned:

Offense	2001	2010
Gender		
Male	59%	57%
Female	49	44
Race		
White	54	50
Black	62	59
American Indian	53	60
Asian	60	57
Age		
15 or younger	54	50
16 or older	60	57

In 2010, as in 2001, courts petitioned a larger share of delinquency cases involving males than females. This was true for each of the general offense categories. In 2001, courts petitioned a larger share of delinquency cases involving black youth than youth of all other races. In 2010, however, courts petitioned a larger share of American Indian youth than youth of all other races.

In 2010, juvenile courts petitioned more than 5 in 10 delinquency cases for formal handling, and adjudicated youth delinquent in nearly 6 in 10 of those petitioned cases

Most serious offense	Number of petitioned cases	Percent of delinquency cases petitioned	Number of adjudicated cases	Percent of petitioned cases adjudicated
Total delinquency	**733,200**	**54%**	**428,200**	**58%**
Person offense	**194,800**	**56**	**109,200**	**56**
Violent Crime Index	53,800	76	33,000	61
Criminal homicide	800	80	300	43
Forcible rape	2,900	75	1,700	59
Robbery	22,500	85	14,400	64
Aggravated assault	27,700	69	16,500	60
Simple assault	117,200	49	62,900	54
Other violent sex offense	9,200	72	5,900	65
Other person offense	14,600	56	7,400	50
Property offense	**253,000**	**50**	**147,200**	**58**
Property Crime Index	178,200	50	105,300	59
Burglary	66,600	74	42,200	63
Larceny-theft	96,000	39	53,500	56
Motor vehicle theft	12,300	76	7,700	63
Arson	3,300	60	1,800	54
Vandalism	40,600	51	22,700	56
Trespassing	17,500	41	9,200	52
Stolen property offense	9,800	70	5,900	60
Other property offense	6,900	62	4,200	61
Drug law violation	**84,000**	**51**	**48,900**	**58**
Public order offense	**201,400**	**57**	**122,900**	**61**
Obstruction of justice	120,300	72	76,800	64
Disorderly conduct	40,600	40	22,600	56
Weapons offense	17,000	57	10,200	60
Liquor law violation	4,700	29	3,000	63
Nonviolent sex offense	5,500	49	3,300	60
Other public order offense	13,300	44	7,000	53

- Generally, more serious offenses were more likely to be petitioned for formal processing than were less serious offenses.
- For criminal homicide and robbery, at least 80% of cases were petitioned. The proportion of cases petitioned was lower than 50% for simple assault, larceny-theft, trespassing, disorderly conduct, liquor law violations, and nonviolent sex offenses.
- For most offenses, the youth was adjudicated delinquent in more than 55% of petitioned cases.

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

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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From 1985 to 2010, the number of cases in which the youth was adjudicated delinquent rose 27%

Adjudication was more likely for some types of cases than others

Youth were adjudicated delinquent in a smaller proportion of person offense cases than in cases involving other categories of offenses. This lower rate of adjudication in person offense cases may reflect, in part, reluctance to divert these cases from the formal juvenile justice system without a judge's review.

Adjudication rates also varied by gender, race, and age of the youth. The likelihood of adjudication in 2010 was less for females than for males. This was true across all offense categories. Black youth were less likely to be adjudicated than were youth of other races. Cases involving youth ages 15 or younger were slightly more likely to result in adjudication than cases involving older youth, although older youth had a greater share of cases waived to criminal court.

Percent of petitioned delinquency cases adjudicated:

Offense	2001	2010
Gender		
Male	62%	60%
Female	57	54
Race		
White	63	60
Black	58	55
American Indian	67	69
Asian	60	58
Age		
15 or younger	62	59
16 or older	60	58

Offense profiles for petitioned and adjudicated cases show a shift away from property cases

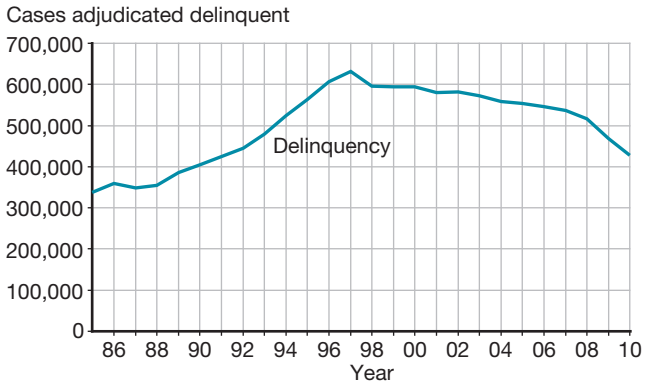
Compared with 2001, both petitioned and adjudicated cases had increased proportions of person and public order offenses in 2010. The 2010 offense profile for adjudicated cases was very similar to the profile for petitioned cases.

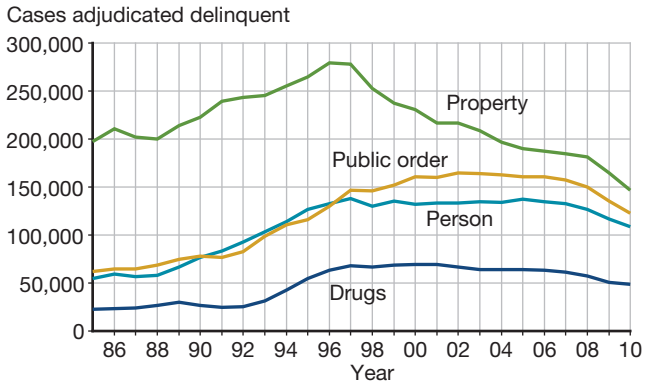
Offense profile of delinquency cases:

Offense	2001	2010
Petitioned cases	100%	100%
Person	25	27
Property	37	35
Drugs	12	11
Public order	26	27
Adjudicated cases	100%	100%
Person	23	26
Property	37	34
Drugs	12	11
Public order	28	29

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

Since 1997, the number of cases adjudicated delinquent decreased for all general offense categories





- The number of cases in which the youth was adjudicated delinquent increased for most offense categories between 1985 and 2010 (person 99%, drugs 114%, and public order 97%). Only property offenses had a decline in the number of adjudicated cases during the period—down 25%.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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Most adjudicated delinquency cases result in residential placement or formal probation

Residential placement and formal probation caseloads saw a shift away from property cases

Compared with 2001, both residential placement and formal probation cases had increased proportions of person and public order offenses in 2010. In 2010, cases ordered to residential placement had a greater share of person and public order cases and a smaller share of property and drug cases than cases ordered to formal probation.

Offense profile of delinquency cases:

Offense	2001	2010
Residential placement	100%	100%
Person	25	28
Property	36	33
Drugs	10	8
Public order	29	31
Formal probation	100%	100%
Person	24	26
Property	39	36
Drugs	14	13
Public order	24	25

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

Residential placement and probation caseloads decreased between 2001 and 2010

The number of delinquency cases in which adjudicated youth were ordered out of the home to some form of residential placement declined 29% between 2001 and 2010, from 157,800 to 112,600. Similarly, the number of delinquency cases receiving formal probation as the most severe initial disposition following adjudication decreased 25% from 2001 to 2010, from 345,700 to 260,300. The decrease in cases ordered to out-of-home placement or formal probation was consistent with the decrease in delinquency cases at referral (19%) and adjudication (26%).

In 2010, residential placement or formal probation was ordered in 87% of cases in which the youth was adjudicated delinquent

	Adjudicated cases			
Most serious offense	Number ordered to placement	Percent ordered to placement	Number ordered to probation	Percent ordered to probation
Total delinquency	**112,600**	**26%**	**260,300**	**61%**
Person offense	**31,300**	**29**	**68,300**	**63**
Violent Crime Index	12,400	38	19,100	58
Criminal homicide	200	53	100	42
Forcible rape	600	37	1,000	57
Robbery	6,500	45	7,500	52
Aggravated assault	5,100	31	10,400	63
Simple assault	15,400	25	40,500	64
Other violent sex offense	1,700	29	3,900	65
Other person offense	1,700	23	4,800	66
Property offense	**36,800**	**25**	**93,000**	**63**
Property Crime Index	27,500	26	66,000	63
Burglary	13,800	33	25,800	61
Larceny-theft	10,200	19	35,000	65
Motor vehicle theft	3,100	40	4,000	52
Arson	400	24	1,200	69
Vandalism	4,600	20	15,300	68
Trespassing	1,600	18	5,700	62
Stolen property offense	1,900	33	3,400	57
Other property offense	1,100	27	2,600	62
Drug law violation	**9,200**	**19**	**33,700**	**69**
Public order offense	**35,300**	**29**	**65,400**	**53**
Obstruction of justice	26,200	34	37,300	49
Disorderly conduct	3,400	15	13,700	60
Weapons offense	3,100	31	6,400	63
Liquor law violation	400	13	2,100	69
Nonviolent sex offense	900	26	2,200	65
Other public order offense	1,400	19	3,800	55

- Cases involving youth adjudicated for serious person offenses, such as homicide or robbery, were the most likely cases to result in residential placement.
- Probation was the most restrictive disposition used in 260,300 cases adjudicated delinquent in 2010—61% of all such cases handled by juvenile courts.
- Obstruction of justice cases had a relatively high residential placement rate, stemming from the inclusion in the category of certain offenses (e.g., escapes from confinement, and violations of probation or parole) that have a high likelihood of placement.

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

Source: Authors' analyses of the National Center for Juvenile Justice's *National Juvenile Court Data Archive: Juvenile court case records 1985–2010* [machine-readable data file].

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The number of adjudicated cases receiving other sanctions (e.g. community service, restitution) as their most severe disposition decreased 29% from 2001 to 2010, from 77,400 to 55,200. However, the majority of cases resulting in other sanctions were handled informally.

Probation was more likely than residential placement

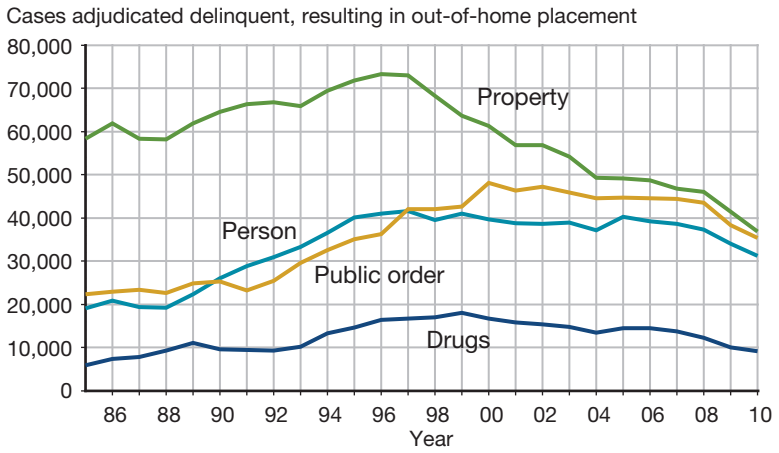
In 26% of adjudicated delinquency cases, the court ordered the youth to residential placement, such as a training school, treatment center, boot camp, drug treatment or private placement facility, or group home. In 61% of adjudicated delinquency cases, probation was the most severe sanction ordered.

Percent of adjudicated delinquency cases, 2010:

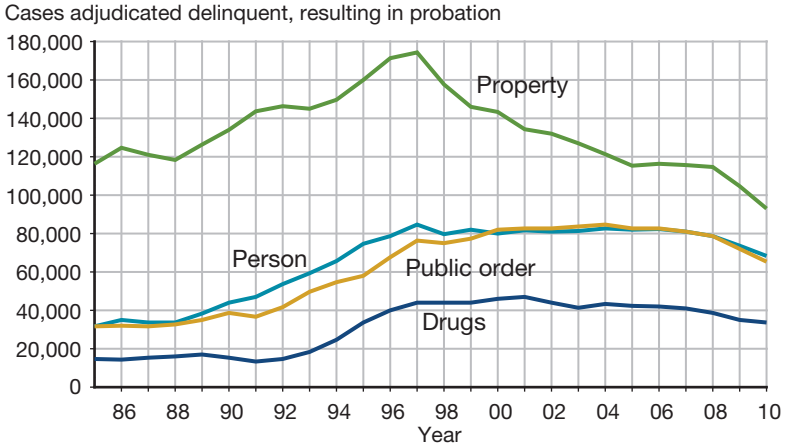
Offense	Residential placement	Formal probation
Total	26%	61%
Gender		
Male	28	60
Female	19	64
Race		
White	24	63
Black	30	57
American Indian	27	62
Asian	22	68
Age		
15 or younger	24	64
16 or older	29	57

Once adjudicated, females were less likely than males, and white youth were less likely than black youth or American Indian youth, to be ordered to residential placement. These demographic patterns in the use of residential placement and probation, however, do not control for criminal histories and other risk factors related to dispositional decisions and increased severity of sanctions

Trends in the number of adjudicated property offense cases ordered to residential placement or probation were different from trends for other offenses



- The number of adjudicated cases in which the youth was ordered to residential placement increased 7% from 1985 to 2010. Residential placement cases rose 64% for person offenses, 59% for public order offenses, and 58% for drug offenses. For property offenses, the number of adjudicated cases resulting in residential placement decreased 37%.



- Between 1985 and 2010, the number of cases in which the youth was adjudicated delinquent and ordered to formal probation increased for most offense categories (person 115%, drugs 130%, and public order 107%). Only property offenses declined during the period—down 20%.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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How were delinquency cases processed in juvenile courts in 2010?

Juvenile courts can impose a range of sanctions

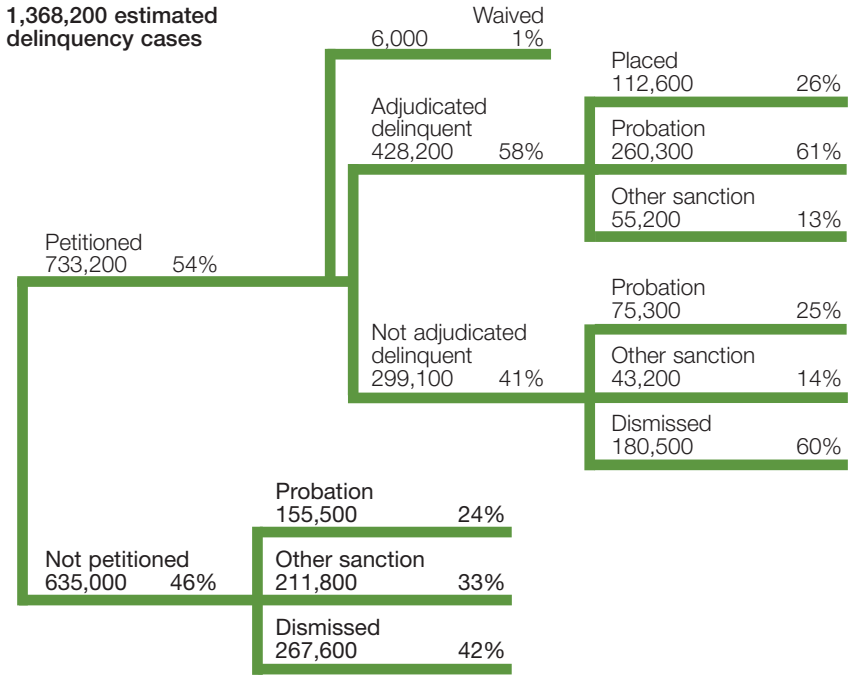
Although juvenile courts handled 46% of delinquency cases without the filing of a petition, more than half of these nonpetitioned cases received some sort of sanction. Juveniles may have agreed to informal probation, restitution, or community service, or the court may have referred them to another agency for services. Although probation staff monitor the juvenile's compliance with the informal agreement, such dispositions generally involve little or no continuing supervision by probation staff.

In 41% of all petitioned delinquency cases, the youth was not adjudicated delinquent. The court dismissed 60% of these cases. The cases dismissed by the court, together with the cases that were dismissed at intake, accounted for 448,200 cases (or 328 of 1,000 cases handled).

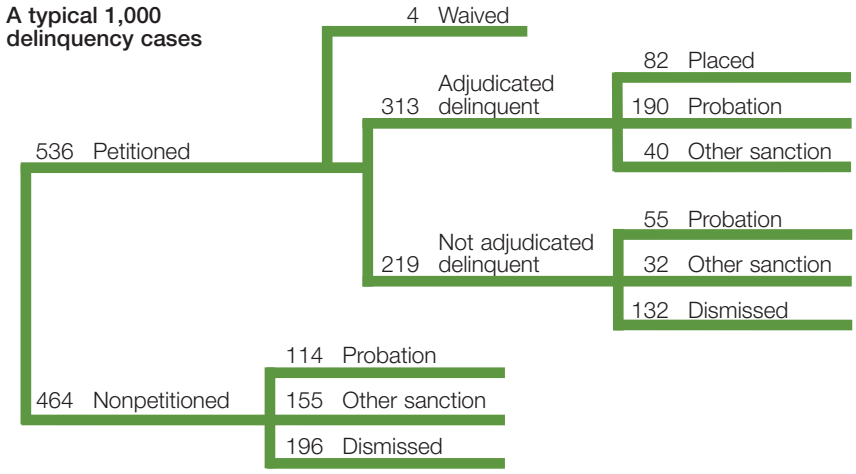
In 59% of all petitioned cases, the courts imposed a formal sanction or waived the case to criminal court. Thus, of every 1,000 delinquency cases handled in 2010, 317 resulted in a court-ordered sanction or waiver.

In 2010, 58% (428,200) of the cases that were handled formally (with the filing of a petition) resulted in a delinquency adjudication. In 61% (260,300) of cases adjudicated delinquent in 2010, formal probation was the most severe sanction ordered by the court. In contrast, 26% (112,600) of cases adjudicated delinquent resulted in placement outside the home in a residential facility.

The most severe sanction ordered in more than 55,000 adjudicated delinquency cases (13%) in 2010 was something other than residential placement or probation, such as restitution or community service



Adjudicated cases receiving sanctions other than residential placement or probation accounted for 40 out of 1,000 delinquency cases processed during the year



Notes: Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding. Annual case processing flow diagrams for 1985 through 2010 are available online at ojjdp.gov/ojstatbb/court/faqs.asp

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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Variations in case processing were more evident between younger and older youth than between males and females in 2010

Offense/ demographic	Number of cases	Intake decision profile (percent of all cases)		Judicial decision profile (percent of petitioned cases)			Judicial disposition profile (percent of adjudicated cases)			Judicial disposition profile (percent of non-adjudicated cases)			Informal disposition profile (percent of non-petitioned cases)		
		Petitioned	Not petitioned	Waived	Adjudicated delinquent	Not adjudicated delinquent	Placed	Probation	Other	Probation	Other	Dismissed	Probation	Other	Dismissed
Delinquency	**1,368,200**	**54%**	**46%**	**0.8%**	**58%**	**41%**	**26%**	**61%**	**13%**	**25%**	**14%**	**60%**	**24%**	**33%**	**42%**
Male	986,700	57	43	1.0	60	39	28	60	12	25	14	60	24	32	44
Female	381,500	44	56	0.3	54	46	19	64	16	26	14	60	25	36	38
15 and younger	716,300	50	50	0.2	59	41	24	64	12	26	14	60	26	34	40
16 and older	651,800	57	43	1.4	58	41	29	57	14	24	15	61	23	32	45
Person	**346,800**	**56**	**44**	**1.5**	**56**	**42**	**29**	**63**	**9**	**25**	**13**	**63**	**20**	**30**	**50**
Male	240,600	60	40	2.0	58	40	31	61	8	24	13	63	20	29	51
Female	106,200	49	51	0.3	51	48	21	68	11	26	12	62	21	32	47
15 and younger	205,800	54	46	0.4	57	43	26	66	8	26	13	62	22	32	46
16 and older	141,000	60	40	3.0	55	42	33	58	9	24	13	64	17	27	56
Property	**502,400**	**50**	**50**	**0.7**	**58**	**41**	**25**	**63**	**12**	**29**	**14**	**57**	**27**	**36**	**37**
Male	354,600	56	44	0.8	60	39	27	62	11	29	14	57	25	34	41
Female	147,800	36	64	0.3	52	48	16	68	16	30	15	55	29	40	31
15 and younger	267,800	48	52	0.1	59	41	23	66	11	29	14	57	28	37	35
16 and older	234,600	53	47	1.3	57	42	27	60	13	29	15	56	25	35	40
Drugs	**164,100**	**51**	**49**	**0.9**	**58**	**41**	**19**	**69**	**12**	**31**	**12**	**57**	**29**	**36**	**35**
Male	134,700	52	48	0.9	59	40	20	68	12	30	12	58	29	36	35
Female	29,400	45	55	0.5	56	44	13	72	14	34	13	53	31	36	32
15 and younger	67,400	46	54	0.1	62	38	17	72	11	33	12	56	33	35	32
16 and older	96,800	54	46	1.3	56	43	20	67	13	30	12	58	26	37	37
Public order	**354,800**	**57**	**43**	**0.2**	**61**	**39**	**29**	**53**	**18**	**18**	**18**	**64**	**23**	**31**	**46**
Male	256,700	59	41	0.3	62	38	31	52	17	18	18	64	23	30	48
Female	98,100	52	48	0.1	58	42	23	56	22	18	16	66	22	35	43
15 and younger	175,400	51	49	0.0	61	39	26	57	17	20	16	64	24	33	43
16 and older	179,400	62	38	0.4	61	39	31	50	19	17	19	65	22	29	50

- Without exception, cases involving males were more likely to receive formal sanctions than cases involving females. For example, in 2010, 61% of all petitioned delinquency cases involving males were adjudicated delinquent or waived to criminal court, compared with 54% of cases involving females.
- Regardless of offense, cases involving youth age 16 and older were more likely to be petitioned and, once petitioned, more likely to be judicially waived to criminal court than cases involving youth age 15 and younger. Although cases involving older youth were less likely to result in a delinquency adjudication than those involving their younger peers, older youth were more likely to receive a disposition of out-of-home placement following adjudication.

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

Source: Authors' analysis of Sickmund et al.'s *Easy Access to Juvenile Court Statistics 2010*.

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Case processing outcomes varied considerably by race in 2010

Offense/ demographic	Number of cases	Intake decision profile (percent of all cases)		Judicial decision profile (percent of petitioned cases)			Judicial disposition profile (percent of adjudicated cases)			Judicial disposition profile (percent of non-adjudicated cases)			Informal disposition profile (percent of non-petitioned cases)		
		Petitioned	Not petitioned	Waived	Adjudicated delinquent	Not adjudicated delinquent	Placed	Probation	Other	Probation	Other	Dismissed	Probation	Other	Dismissed
Delinquency	**1,368,200**	**54%**	**46%**	**0.8%**	**58%**	**41%**	**26%**	**61%**	**13%**	**25%**	**14%**	**60%**	**24%**	**33%**	**42%**
White	876,400	50	50	0.7	60	39	24	63	13	28	14	57	27	33	40
Black	451,100	59	41	1.0	55	44	30	57	13	21	15	65	19	33	47
Amer. Indian	21,100	60	40	1.1	69	30	27	62	11	17	16	67	22	33	45
Asian	19,500	57	43	0.4	58	42	22	68	10	25	15	60	24	36	40
Person	**346,800**	**56**	**44**	**1.5**	**56**	**42**	**29**	**63**	**9**	**25**	**13**	**63**	**20**	**30**	**50**
White	198,900	52	48	1.3	58	40	27	65	9	28	13	59	23	29	48
Black	139,100	62	38	1.8	53	45	31	60	9	21	12	66	15	31	54
Amer. Indian	4,800	60	40	2.5	68	30	34	60	6	17	17	66	19	30	51
Asian	4,000	64	36	1.0	59	40	26	68	6	25	15	60	23	30	47
Property	**502,400**	**50**	**50**	**0.7**	**58**	**41**	**25**	**63**	**12**	**29**	**14**	**57**	**27**	**36**	**37**
White	329,500	48	52	0.7	60	40	23	65	12	32	14	53	28	36	35
Black	156,000	56	44	0.8	55	44	29	59	12	24	14	62	22	36	42
Amer. Indian	8,200	56	44	1.1	68	31	28	62	10	15	16	69	24	34	41
Asian	8,700	48	52	0.3	53	46	19	70	11	28	15	57	26	39	35
Drugs	**164,100**	**51**	**49**	**0.9**	**58**	**41**	**19**	**69**	**12**	**31**	**12**	**57**	**29**	**36**	**35**
White	125,400	48	52	0.8	59	40	16	71	13	34	12	54	31	36	33
Black	34,000	63	37	1.1	56	43	27	62	11	23	11	66	22	34	44
Amer. Indian	2,700	52	48	0.6	72	27	16	75	8	13	12	74	21	36	43
Asian	2,100	54	46	0.4	52	48	17	68	15	27	15	58	27	36	37
Public order	**354,800**	**57**	**43**	**0.2**	**61**	**39**	**29**	**53**	**18**	**18**	**18**	**64**	**23**	**31**	**46**
White	222,600	54	46	0.2	63	36	29	54	17	20	17	64	25	31	45
Black	121,900	60	40	0.3	57	43	30	50	20	16	19	65	19	32	49
Amer. Indian	5,400	69	31	0.2	71	29	24	60	16	20	16	65	19	32	48
Asian	4,800	67	33	0.2	64	36	23	65	12	21	13	66	19	32	50

- Overall, cases involving black (59%) or American Indian (60%) youth were more likely to be formally processed (i.e., petitioned) than cases involving Asian (57%) or white (50%) youth. Once petitioned, cases involving American Indian youth were more likely to receive formal sanctions than cases involving youth of other races. In 2010, 70% of all petitioned cases involving American Indian youth were adjudicated delinquent or waived to criminal court, compared with 61% for white youth, 58% for Asian youth, and 56% for black youth.
- Across most offenses, adjudicated cases involving black youth were more likely to result in a disposition of out-of-home placement than cases involving youth of other races. This was particularly true for drug offense cases, as more than one-fourth (27%) of all adjudicated cases involving black youth resulted in placement, compared with 17% for Asian youth and 16% each for white and American Indian youth.

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

Source: Authors' analysis of Sickmund et al.'s *Easy Access to Juvenile Court Statistics 2010*.

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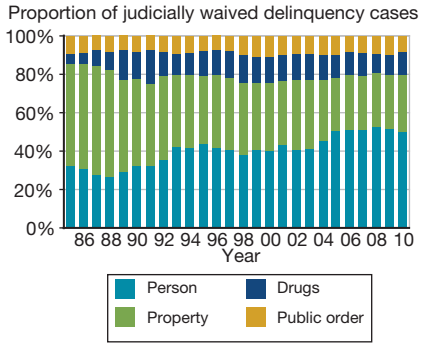
By 2010, the number of cases waived from juvenile court to criminal court had almost returned to the low level of 1985

The profile of waived cases has changed

In the late 1980s, property cases accounted for at least half of all delinquency cases judicially waived from juvenile court to criminal court. In the early 1990s, the property offense share of waived cases diminished as the person offense share grew. By 1993, the waiver caseload had a greater proportion of person offense cases than property cases (42% vs. 38%). Drug and public order cases made up smaller proportions of waived cases across all years. For example, in 2010, 12% of waived cases were drug offenses and 8% were public order cases.



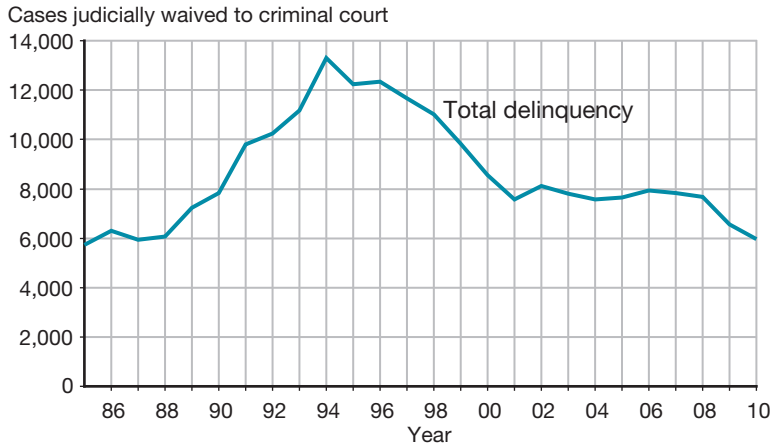
The demographic characteristics of judicially waived cases have changed since the 1990s.

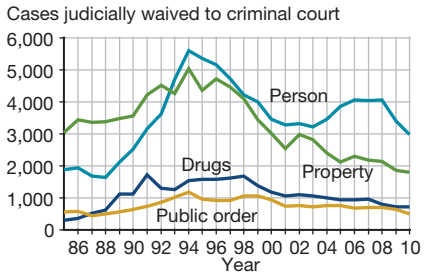
Demographic profiles of judicially waived delinquency cases:

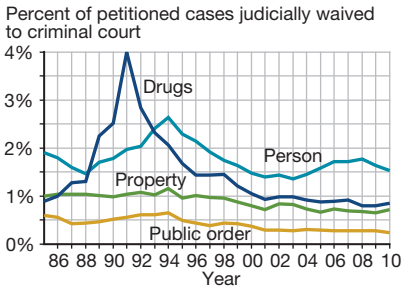
Offense	1994	2001	2010
Gender			
Male	94%	90%	92%
Female	6	10	8
Race			
White	54	63	52
Black	43	33	44
American Indian	2	2	2
Asian	1	1	1
Age			
15 or younger	15	17	11
16 or older	85	83	89

Note: Data for 1994 are displayed because that was the year with the greatest number of total waived cases.

Juvenile courts waived 55% fewer delinquency cases to criminal court in 2010 than in 1994 (the peak year)







- The number of delinquency cases waived to criminal court climbed 132% from 1985 to 1994, from 5,700 cases to 13,300. By 2010, the number of waived cases was 55% below the 1994 peak, an overall increase of 4% since 1985.
- Between 1993 and 2010, person offenses outnumbered property offenses among waived cases. Prior to 1993, property cases outnumbered person offense cases among waivers—sometimes by a ratio of 2 to 1.
- The number of waived person offense cases nearly tripled (198%) from 1985 to 1994 and then declined 47% to 2010, an overall increase of 59% between 1985 and 2010. Over this period, waived property offense cases were down 41%, and waived public order offense cases were down 11%.
- The overall proportion of petitioned delinquency cases that were waived was 1.1% in 1985, reached 1.5% in 1994, and then dropped to 0.8% by 2010.
- For most years between 1985 and 2010, person offense cases were the most likely type of case to be waived to criminal court. The exception was 1989–1992, when drug offense cases were the most likely to be waived.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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The proportions of judicially waived cases involving females and older juveniles increased between 1994 (the year with the greatest number of waived cases) and 2010, while the proportions of judicially waived cases involving males and younger juveniles decreased. Although the proportion of waived cases involving white youth decreased during the same time period (from 54% to 52%), white youth accounted for the largest proportion of these cases in all years.

The likelihood of waiver varied across case characteristics

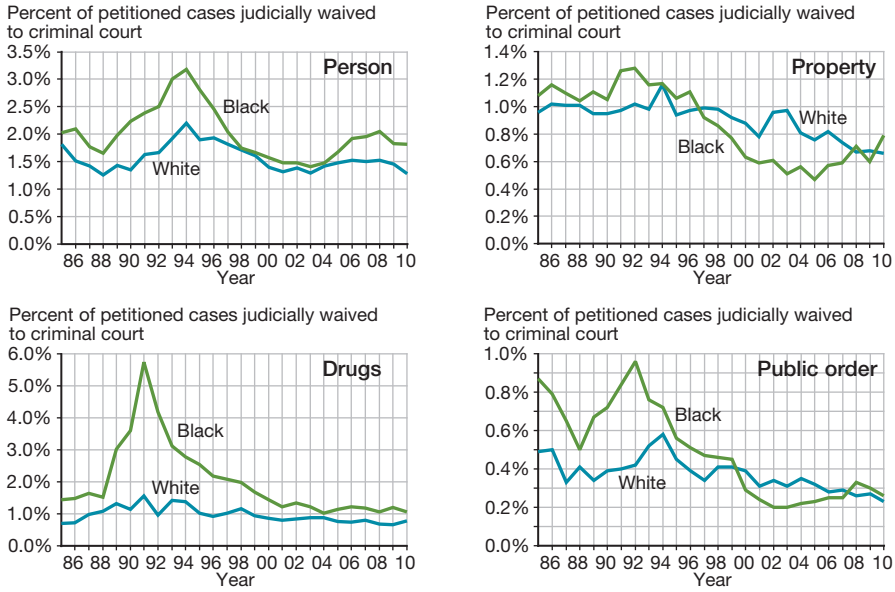
In 2010, the proportion of cases waived was greater for males than for females. This was true in each of the four general offense categories. For example, males charged with person offenses were 6 times as likely as females charged with person offenses to have their cases waived to criminal court. However, this comparison does not control for differences in the seriousness of offenses or a juvenile's offense history.

Percent of petitioned cases judicially waived to criminal court, 2010:

Offense	Male	Female
Delinquency	1.0%	0.3%
Person	2.0	0.3
Property	0.8	0.3
Drugs	0.9	0.5
Public order	0.3	0.1

In 2010, black youth were more likely than other youth to be waived for drug offenses. American Indian youth were more likely than any other racial group to be waived for person offenses. Regardless of race, person offenses were more likely to be waived than cases involving other offenses.

Racial differences in case waivers stemmed primarily from differences in person and drug offense cases



- For most of the period from 1985 to 2010, the likelihood of waiver was greater for black youth than for white youth, regardless of offense category. These data, however, do not control for racial differences in offense seriousness within the general offense categories or differences in the seriousness of juveniles' offense histories.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

Percent of petitioned cases judicially waived to criminal court, 2010:

Offense	White	Black	Amer. Indian	Asian
Delinquency	0.7%	1.0%	1.1%	0.4%
Person	1.3	1.8	2.5	1.0
Property	0.7	0.8	1.1	0.3
Drugs	0.8	1.1	0.6	0.4
Public order	0.2	0.3	0.2	0.2

Cases involving younger juveniles were less likely to be waived than were cases involving older juveniles. This was true for each of the four general offense categories. For example, among person offense cases, youth age 16 or older were 7 times more likely to be waived than youth age 15 or younger.

Percent of petitioned cases judicially waived to criminal court, 2010:

Offense	Age 15 or younger	Age 16 or older
Delinquency	0.2%	1.4%
Person	0.4	3.0
Property	0.1	1.3
Drugs	0.1	1.3
Public order	0.0	0.4

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Identifying racial/ethic disparity in justice system processing helps target efforts to improve fairness

Research finds evidence of disparity in juvenile case processing

The topic of racial and ethnic disparity in the juvenile justice system came to national attention with the 1988 amendments to the Juvenile Justice and Delinquency Prevention Act (JJDPA), which required participating states to address disproportionate minority confinement, known as DMC. Recognizing that disparity is not limited to secure confinement and that it may occur at multiple decision points in the justice system, DMC was expanded in the 2002 amendment to the JJDPA to represent disproportionate minority contact throughout the system. This change required participating states to address juvenile delinquency prevention efforts and systems improvement efforts designed to reduce the disproportionate number of juvenile members of minority groups who come in contact with the juvenile justice system.

Under this new conceptualization, as youth pass through the different stages of the juvenile justice system, they make contact with a series of decisionmakers, each of whom could render a decision that could potentially result in disparity. Measuring the disparity at each decision point gives a better understanding of where disparity is introduced and/or magnified in the handling of cases by the juvenile justice system. Disparity can be calculated and measured at nine decision points where juveniles contact the juvenile justice system: (1) arrest, (2) referral to court, (3) diversion, (4) secure detention, (5) case petitioning, (6) delinquency finding/adjudication, (7) probation, (8) confinement in a secure correctional facility, and (9) judicial waiver to adult criminal court.

Research based on this approach to evaluating fairness and identifying disparity has provided insights. Two of the most important lessons are that:

- In most jurisdictions, disproportionate minority representation is not limited to secure detention and confinement; disparity is evident at nearly all key decision points throughout the juvenile justice system.
- Contributing factors are multiple and complex; reducing disparity requires comprehensive and multipronged strategies with programmatic and systems change efforts.

It is important to understand key terms when discussing issues of racial and ethnic fairness

Disproportionality or overrepresentation refers to a situation in which a larger proportion of a particular group is present at various stages within the juvenile justice system (such as intake, detention, adjudication, and disposition) than would be expected based on its proportion in the general population.

Disparity means that the probability of receiving a particular outcome (e.g., being detained vs. not being detained) differs for different groups. Disparity may in turn lead to overrepresentation.

Discrimination occurs when juvenile justice system decisionmakers treat one group differently from another group based wholly, or in part, on their gender, race, and/or ethnicity.

Minority or minority group is a culturally, ethnically, or racially distinct group that coexists with the dominant cultural group. As the term is used in discussions of racial and ethnic fairness in the juvenile justice system, minority status does not necessarily mean the group represents a smaller share of the population. In fact, there are many places throughout the U.S. where minority groups represent the majority of the population.

Neither overrepresentation nor disparity necessarily implies discrimination, although it is one possible explanation. If racial discrimination is a part of justice system decisionmaking, minority youth can face higher probabilities of being arrested, referred to court intake, held in short-term detention, petitioned for formal processing, adjudicated delinquent, and confined in a secure juvenile facility.

Disparity and overrepresentation, however, can result from behavioral and legal factors rather than discrimination. For example, if minority youth commit proportionately more (and more serious) crimes than white youth, they will be overrepresented in secure facilities, even when there was no discrimination by system decisionmakers.

Research is necessary to reveal the decision points at which disparity occurs and to uncover the dynamics that lead to overrepresentation.

Racial/ethnic disparities often accumulate with deeper system involvement

Research suggests that disparity is most pronounced at arrest, the entry point into the juvenile justice system for most juvenile offenders. As youth proceed through the system, disparate treatment at later stages builds upon disparity at early stages—disparity at detention builds upon disparity at referral to court, which builds upon disparity at arrest. The presence of disparity does not always signify the presence of discrimination. Disproportionality may be the result of cultural and behavioral influences, policing practices,

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implicit or explicit bias in the justice system or, most likely, a combination of all of these factors.

Jurisdictions differ in the nature and extent of disproportionality in their system. Before a jurisdiction can address disproportionality, they must be able to describe the extent to which it exists. The collection and examination of data at various points of system processing can assist jurisdictions in identifying the existence of disproportionality and, if it exists, determining how it varies across stages, geographic locations, or racial and ethnic groups.

One factor to consider in understanding overrepresentation is that outcomes often depend on the jurisdiction in which the youth is processed. For example, juvenile court cases in urban jurisdictions are more likely to receive severe outcomes (e.g., detention prior to adjudication, residential placement following adjudication) than are cases in nonurban areas. Because minority populations are concentrated in urban areas, this geographical effect may work to overrepresent minority youth at each stage of processing when case statistics are summarized at the state level—even when there is no disparity at the local level.

The Relative Rate Index is the preferred method of measuring disparity in the justice system

OJJDP developed the Relative Rate Index (RRI) as a tool to identify and measure disparities across the stages of the juvenile justice system by comparing rates of juvenile justice contact experienced by different groups of youth. The RRI takes the relative size of the white and minority populations at each stage of the process and compares it to the immediately preceding stage. The key idea behind the RRI is to quantify the nature of the decisions at each decision point for each racial group and then compare these decisions to identify the unique contributions to disparity made by each decision point.

For example, after arrest, law enforcement must decide if the youth should be referred to juvenile court intake. The RRI compares the proportions (or rates) of white and minority arrests that are referred to court intake. If the rate of referrals relative to arrests for minority youth is greater than the rate for white youth, then there is disparity. If the rates are similar, then there is no disparity. To simplify the comparison of the rates, the resulting minority rate is divided by the white rate to arrive at a ratio (i.e., the Relative Rate Index). If this RRI is near or equal to 1.0, then there is no evidence of disparity. If the ratio is greater than 1.0 (i.e., the minority rate is larger than the white rate) for decisions that result in youth penetrating the system farther, there is evidence of disparity and this decision process needs further study to understand why. (For diversion and probation decisions, RRIs *less* than 1.0 indicate that disparity exists.) An RRI of 2.0 would indicate a minority rate double the white rate; an RRI of 0.5 would indicate a minority rate of half the white rate.

The RRI can be applied to any subset of the justice system population. For example, the RRI can be used to assess disparity by gender or age, or to assess disparity by certain offenses.

Although it has been more than a decade since the RRI was introduced, some states still have difficulty gathering the data necessary to calculate RRIs at all nine stages for all minority

National RRI data show that there is more disparity for black youth at arrest, detention, and waiver to criminal court than at other stages

	Relative Rate Index for delinquency offenses, 2010		
Processing stage	Black	American Indian	Asian
Arrest	2.1	0.8	0.3
Referral	1.1	1.3	1.1
Diversion	0.7	0.7	0.9
Detention	1.4	1.3	1.1
Petition	1.2	1.2	1.1
Adjudication	0.9	1.1	1.0
Probation	0.9	1.0	1.1
Placement	1.2	1.1	0.9
Waiver	1.4	1.6	0.6

- Black youth were arrested for delinquency offenses at more than twice the rate for white youth.
- The diversion rate for black and other racial minority youth was less than the diversion rate for white youth.
- Black youth were detained at a rate 1.4 times the rate for their white counterparts. The RRI for black vs. white waiver rates was also 1.4.
- Although black youth were petitioned to court at a rate 1.2 times higher than white youth, they were adjudicated delinquent at a lower rate (an RRI of 0.9).

Note: An RRI of 1.0 indicates parity and that the rates being compared are equal. An RRI greater than 1.0 means that the rate for minority youth is greater than the rate for white youth. An RRI less than 1.0 means that the rate for minority youth is less than the rate for white youth.

Source: Authors' adaptation of Puzzanchera et al.'s *National Disproportionate Minority Contact Databook* [online analysis].

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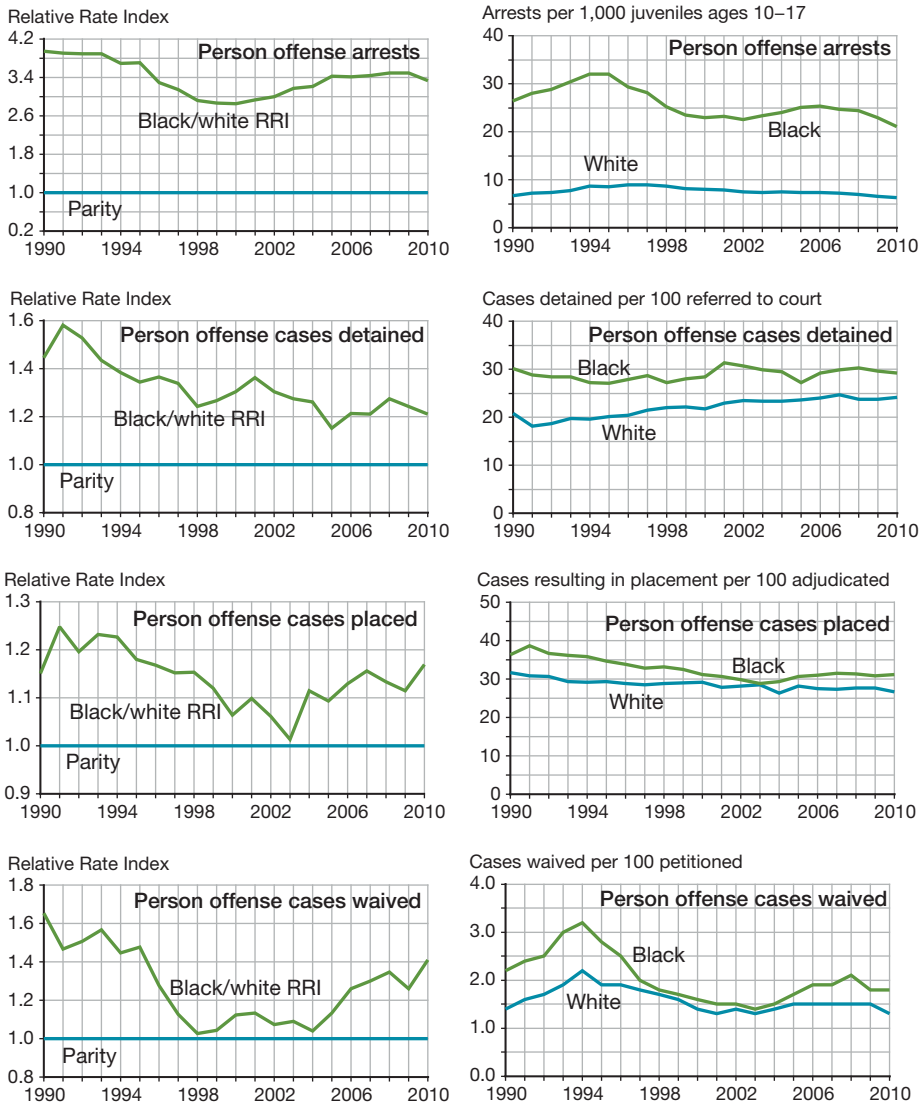
groups. In 2010, 29 states had data for all 9 decision points, and an additional 13 had data for 6 of the 9. However, not all of these states could distinguish youth of Hispanic ethnicity.

Collecting data and calculating RRIs is only the first step in the process of ensuring racial/ethnic fairness in the juvenile justice system. OJJDP has also developed a model to address disparity. The initial phase is identification through the RRI. The second phase is assessment and diagnosis, which involves discussing probable explanations for observed disparities, asking questions about the data and information collected, and consulting other data sources to verify explanations. The third phase is intervention, which must be tailored to the jurisdiction but often includes making administrative, policy, and procedural changes, such as implementing structured decisionmaking tools at various contact points within the juvenile justice system. The fourth phase is evaluation of interventions, and the fifth is monitoring to determine if any modified/new interventions are needed.

For person offenses, national data show improvements in the degree of disparity between black youth and white youth for some decision points but not for others



- In 1990, black youth were arrested for person offenses at a rate nearly 4 times the rate for white youth (RRI = 3.9). The arrest RRI dropped below 3.0 during the late 1990s and in 2010 it was up to 3.3.
- The reduction in the person offense arrest RRI was achieved when the arrest rate for black youth declined and the white rate increased between the mid-1990s and the late 1990s. The subsequent increase in the RRI resulted from a modest increase in the arrest rate for black youth coupled with a slight decline in the rate for white youth.
- The black/white RRI for detention for person offenses dropped from 1.6 in 1991 to 1.2 in 2010. The detention rates for black youth and white youth converged over the period; the rate for white youth increased and the rate for black youth remained relatively flat.
- For person offense cases waived, the RRI went from a high of 1.7 in 1990 to levels at or near parity (1.0) between 1998 and 2004 and then rose to 1.4 by 2010. The rate at which petitioned cases were waived declined more for black youth than for white youth from the mid-1990s to the mid-2000s.

Note: The parity line displays an RRI of 1.0, which indicates the RRI if the black rate and white rate were equal.

Source: Authors' analyses of Puzzanchera et al.'s *National Disproportionate Minority Contact Databook* [online analysis].

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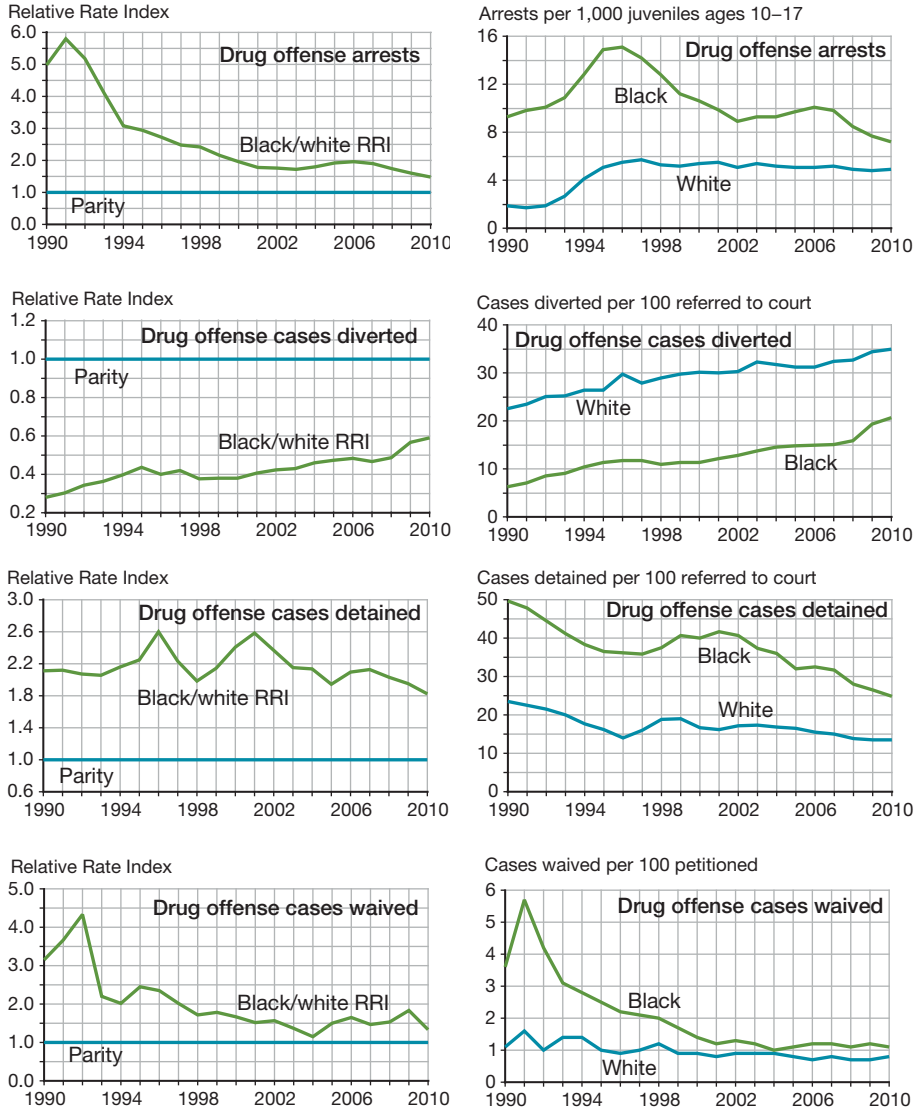
Have racial/ethnic disparities improved in the past two decades?

When looking at the national data for total delinquency offenses across the various decision points between 1990 and 2010, improvement in the black to white RRIs was most evident in the detention and waiver stages (24% and 26%, respectively). Diversion, petitioning, adjudication, and placement had modest improvement (6% for each), and referral to court remained largely unchanged. Disparity at arrest, however, increased slightly (3%).

To better understand RRI trends, it is useful to examine RRI patterns for different offenses and alongside the contributing rate trends for the groups being compared. RRIs improve when the rates for the groups being compared converge. For example, the arrest RRI would improve if arrest rates dropped for black youth and remained constant for white youth, or if arrest rates remained constant for black youth but increased for white youth.

For drug offenses, national data show the greatest improvements in the degree of disparity between black youth and white youth occurred when the rates for black youth declined and the rates for white youth rose



- The black/white RRI for drug arrests dropped substantially from 5.8 in 1991 to 1.5 in 2010. This reduction in disparity resulted when the drug arrest rate for black youth dropped 23% while the arrest rate for white youth increased 163%.
- At the diversion stage, the drug offense RRI showed less disparity in 2010 than in 1990. Although the diversion rate for black youth remained less than the diversion rate for white youth, both races saw large increases in the rate of diversion for drug offenses between 1990 and 2010 (55% for white youth and 229% for black youth).
- For detention, the drug offense RRI dropped 13% between 1990 and 2010 (from 2.1 to 1.8). The detention rate dropped for both race groups, but declined relatively more for blacks (50%) than for whites (42%).
- The black/white RRI for drug offense cases waived to criminal court dropped 74% from the 1992 peak (4.3) to the 2004 low (1.1). A slightly declining waiver rate for white offenders combined with a sharply declining rate for black offenders resulted in the rates converging.

Note: The parity line displays an RRI of 1.0, which indicates the RRI if the black rate and white rate were equal.

Source: Authors' analyses of Puzzanchera et al.'s *National Disproportionate Minority Contact Databook* [online analysis].

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Between 1995 and 2010, the juvenile court's formal status offense caseload increased 6%

What are status offenses?

Traditionally, status offenses were those behaviors that were law violations only if committed by a person of juvenile status. Such behaviors included 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 up to age 20).

Some states have *decriminalized* some of these behaviors. In these states, the behaviors are no longer law violations. Juveniles who engage in the behaviors may be classified as dependent children, which gives child protective services agencies rather than juvenile courts the primary responsibility for responding to this population.

States vary in how they respond to status-offending behavior

The official processing of status offenders varies from state to state. In some states, for example, a runaway's entry into the official system may be through juvenile court intake, while in other states, the matter may enter through the child welfare agency. This mixture of approaches to case processing has made it difficult to monitor the volume and characteristics of status offense cases nationally. In all states, however, when informal efforts to resolve the status-offending behavior fail or when formal intervention is needed, the matter is referred to a juvenile court.

Compared with delinquency caseloads, status offense caseloads are small

Juvenile courts in the U.S. formally processed an estimated 137,000 status offense cases in 2010. These cases accounted for about 16% of the court's formal delinquency and status offense caseload in 2010. In 2010, juvenile courts formally processed approximately:

- 14,800 runaway cases.
- 49,100 truancy cases.
- 14,200 curfew cases.
- 16,100 ungovernability cases.
- 30,100 status liquor law violation cases.
- 12,600 other status offense cases (e.g., smoking tobacco and violations of a valid court order).

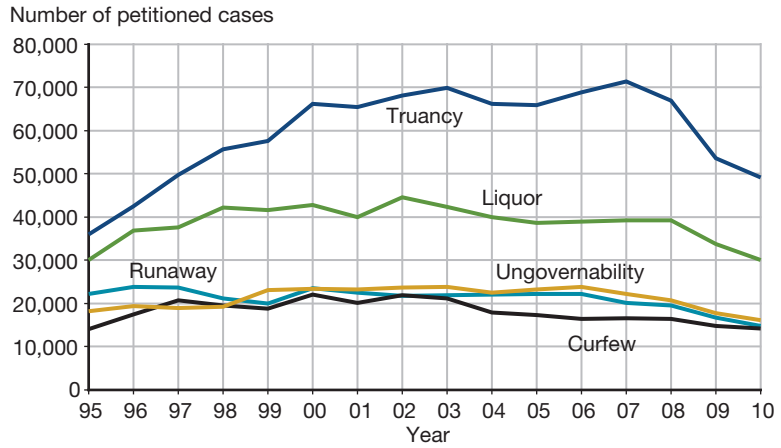
Compared with delinquency cases, status offense cases are less often referred by police

Law enforcement agencies referred 60% of the petitioned status offense cases processed in juvenile courts in 2010, compared with 83% of delinquency cases. Law enforcement agencies were more likely to be the referral source for curfew violation cases than for other status offense cases.

Percent of cases referred by law enforcement:

Offense	2001	2010
Status offense	54%	60%
Running away	50	62
Truancy	26	33
Curfew	97	96
Ungovernability	29	35
Liquor	94	90

Between 1995 and 2002, the formally handled status offense caseload increased considerably (59%) and then declined 33% through 2010



- The degree of change in formally processed status offense cases from 1995 through 2010 varied across the major offense categories. Truancy and curfew violation cases increased during the period (37% and 1%, respectively), while runaway and ungovernability cases decreased (33% and 12%, respectively). Despite a 48% growth between 1995 and 2002, the number of petitioned liquor law violation cases was the same in 2010 as it was in 1995 (30,100).
- In 2010, juvenile courts formally processed 4.3 status offense cases for every 1,000 juveniles age 10 through the upper age of juvenile court jurisdiction.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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Females were involved in 4 in 10 status offense cases formally processed in 2010

Another major difference between delinquency and status offense cases is the proportion of cases that involve females. Although females were charged in only 28% of the delinquency cases formally processed in 2010, they were involved in 43% of status offense cases.

Profile of formally processed cases by gender, 2010:

Offense	Male	Female
Status offense	57%	43%
Runaway	42	58
Truancy	54	46
Curfew	67	33
Ungovernability	58	42
Liquor	61	39

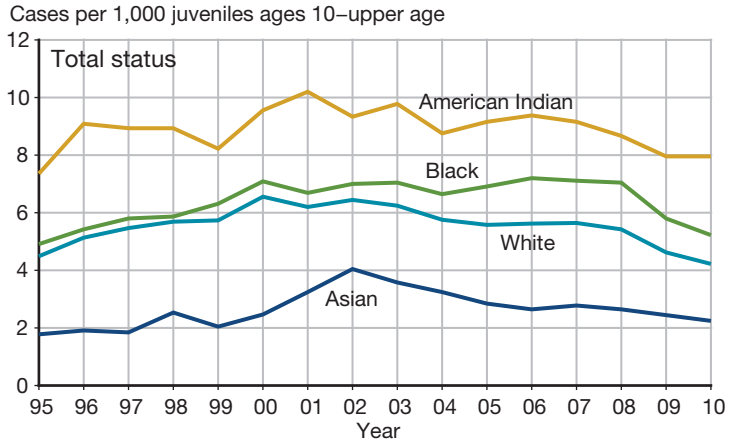
The proportion of cases involving females varied substantially by offense. In fact, the majority of juveniles brought to court for running away from home in 2010 were female (58%).

In 2010, youth were placed out of the home in 8% of all status offense cases adjudicated

Youth were adjudicated as status offenders in 56% of formally processed status offense cases in 2010. Of these cases, 8% resulted in out-of-home placement and 53% in formal probation. The remaining 39%, largely curfew violation cases, resulted in other sanctions, such as fines, community service, restitution, or referrals to other agencies for services.

Among status offense cases not adjudicated, 69% were dismissed, 19% resulted in informal sanctions other than probation or out-of-home placement, 12% resulted in informal probation, and none resulted in out-of-home placement.

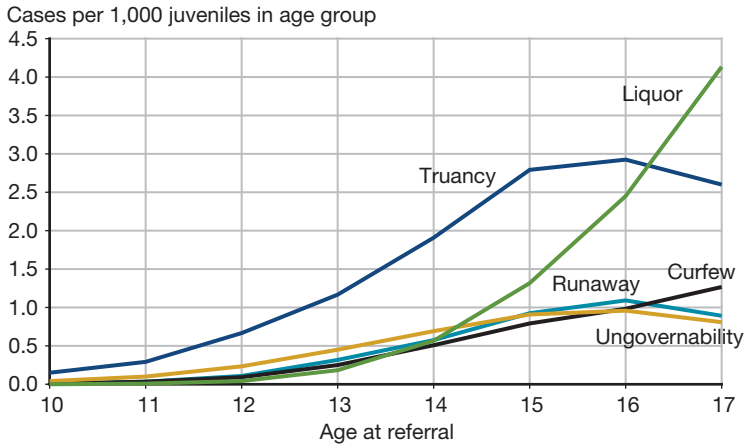
For all years between 1995 and 2010, the total petitioned status offense case rate for American Indian youth was higher than that for juveniles of all other racial categories



- Between 1995 and 2010, petitioned status offense case rates decreased for white youth (6%) but increased for all other racial groups: 7% for blacks, 8% for American Indians, and 26% for Asians.
- In 2010, the overall case rate for petitioned status offense cases was 8.0 for American Indians, 5.2 for blacks, 4.2 for whites, and 2.2 for Asians.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

Case rates for most status offenses declined in the older age groups; liquor law violation case rates, however, increased substantially through the juvenile years



- In 2010, 16 was the peak age for truancy, runaway, and ungovernability case rates. For liquor law and curfew violation cases, case rates peaked at age 17. The age-specific case rate patterns were not substantially different for males and females.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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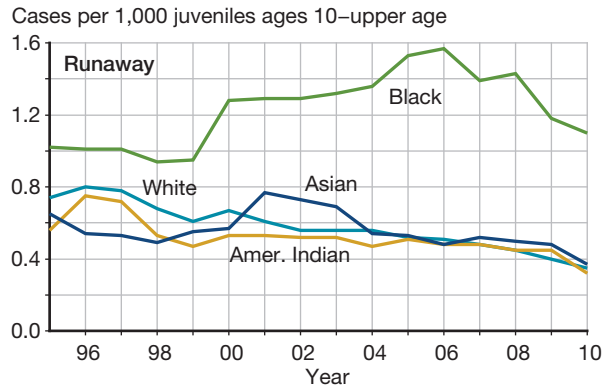
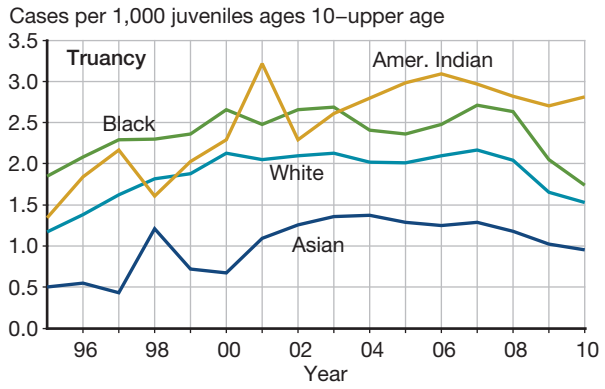
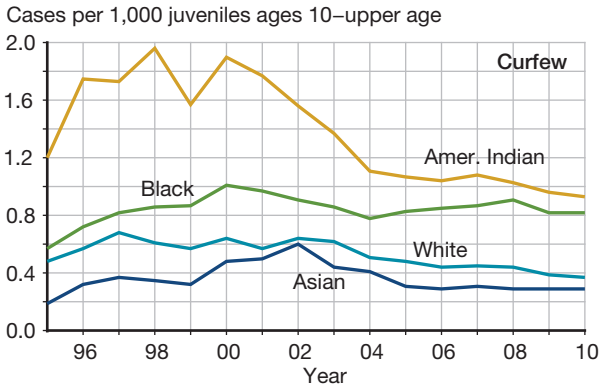
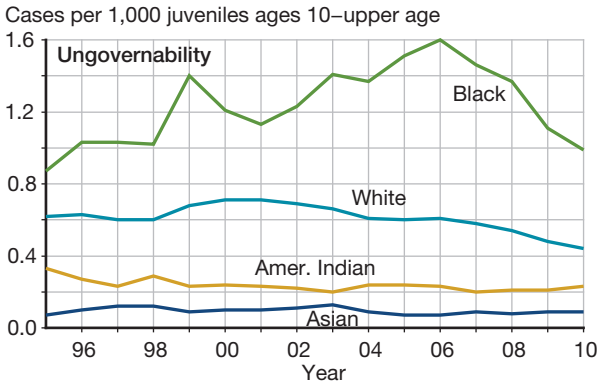
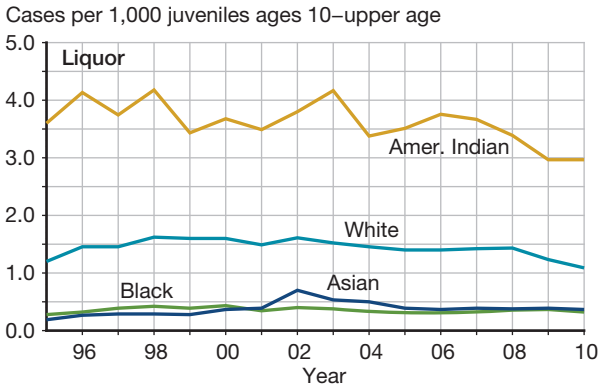
From 1995 to 2010, case rates for black and American Indian juveniles were higher than case rates for white and Asian juveniles for most status offense categories











- Runaway case rates decreased for all but black youth between 1995 and 2010. In 2010, the runaway case rate for black juveniles was more than 3 times the rate for whites.
- Truancy case rates increased for whites (31%), American Indians (110%), and Asians (91%) between 1995 and 2010. For blacks, the 2010 truancy rate was 6% less than the 1995 rate.
- Curfew violation case rates for American Indian youth increased 64% between 1995 and 1998 and then declined 53% by 2010 to a level lower than in 1995.
- American Indian juveniles had the highest case rate for liquor law violations in each year between 1995 and 2010.

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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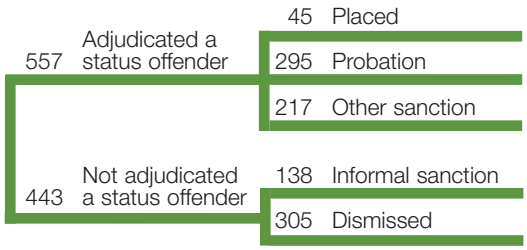
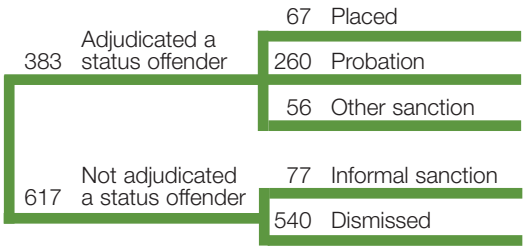
How were petitioned status offense cases processed in juvenile court in 2010?

Of every 1,000 petitioned status offense cases handled in 2010, 295 resulted in formal probation and 45 resulted in residential placement following adjudication

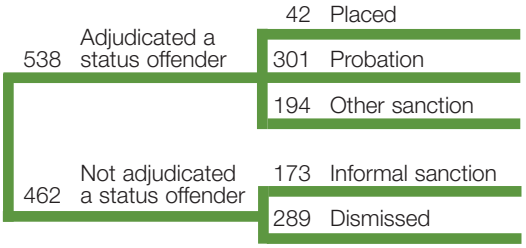
Of every **1,000 status offense cases** referred to juvenile court:



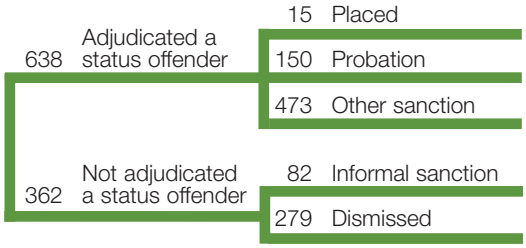
Of every **1,000 runaway cases** referred to juvenile court:



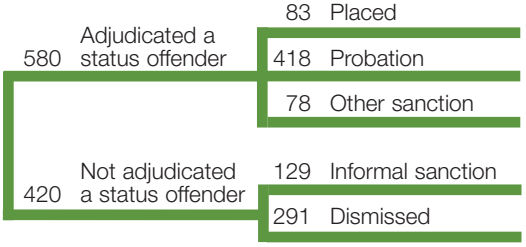
Of every **1,000 truancy cases** referred to juvenile court:



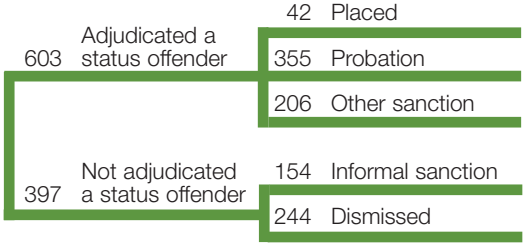
Of every **1,000 curfew violation cases** referred to juvenile court:



Of every **1,000 ungovernability cases** referred to juvenile court:



Of every **1,000 liquor law violation cases** referred to juvenile court:



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

Source: Authors' adaptation of Puzzanchera et al.'s *Juvenile Court Statistics 2010*.

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Chapter 7

Juvenile offenders in correctional facilities

Juvenile correctional systems have many different components. Some juvenile correctional facilities look very much like adult prisons. Others seem very much like "home." Private facilities continue to play a substantial role in the long-term residential treatment of juveniles, in contrast to adult correctional systems. In fact, nationwide there are slightly more privately operated juvenile facilities than publicly operated facilities, although private facilities hold less than half as many juveniles as are held in public facilities.

This chapter describes the population of juveniles detained in and committed to public and private facilities in terms of demographics, offenses, average time in the facility, and facility type. The chapter also includes descriptions of juveniles held in adult jails and prisons.

The information is based on several data collection efforts by the Office of Juvenile Justice and Delinquency Prevention: the Census of Juveniles in Residential Placement, the Juvenile Residential Facility Census, and the Survey of Youth in Residential Placement. The information on juveniles held in adult correctional facilities is drawn from the Bureau of Justice Statistics' Jail Census, Annual Survey of Jails, and National Corrections Reporting Program.

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OJJDP's data collections are the primary source of information on juveniles in residential placement

Detailed data are available on juveniles in residential placement

Since its inception, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has collected information on the juveniles held in juvenile detention and correctional facilities. Until 1995, these data were gathered through the biennial Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities, better known as the Children in Custody (CIC) Census. In the late 1990s, OJJDP initiated two new data collection programs to gather comprehensive and detailed information about juvenile offenders in residential placement and the facilities that house them:

- Census of Juveniles in Residential Placement (CJRP)
- Juvenile Residential Facility Census (JRFC)

CJRP and JRFC are generally administered in alternating years and collect information from all secure and nonsecure residential placement facilities that house juvenile offenders, defined as persons younger than 21 who are held in a residential setting as a result of some contact with the justice system (they are charged with or adjudicated for an offense). This encompasses both status offenders and delinquent offenders, including those who are either temporarily detained by the court or committed after adjudication for an offense. These censuses do not include federal facilities or those exclusively for drug or mental health treatment or for abused/neglected youth. They also do not capture data from adult prisons or jails. Therefore, CJRP and JRFC do not include all juveniles sentenced to incarceration by criminal courts.

CJRP typically takes place on the fourth Wednesday in October of the census year. However, the census that would have occurred October 28, 2009, was postponed until the fourth Wednesday in February 2010. CJRP asks all juvenile residential facilities in the U.S. to describe each offender under age 21 assigned a bed in the facility on the census date. Facilities report individual-level information on gender, date of birth, race, placement authority, most serious offense charged, court adjudication status, admission date, and security status.

JRFC also uses the fourth Wednesday in October as its census date and, in addition to information gathered on the census date, it includes some past-month and past-year variables. JRFC collects information on how facilities operate and the services they provide. It includes detailed questions on facility security, capacity and crowding, injuries and deaths in placement, and facility ownership and operation. Supplementary information is also collected in various years on specific services, such as mental and physical health, substance abuse, and education.

The Survey of Youth in Residential Placement (SYRP) is the third component of OJJDP's multitiered effort to collect information on the juvenile custody population. SYRP collects a broad range of self-report information (on youth's placement experience, past offense histories, education, and other important life events) from interviews with individual youth in placement.

One-day count and admission data give different views of residential populations

CJRP provides a 1-day population count of juveniles in residential placement facilities. Such counts give a picture of the standing population in facilities. One-day counts are substantially different from annual admission or release data, which provide a measure of facility population flow.

Juveniles may be committed to a facility as part of a court-ordered disposition, or they may be detained prior to adjudication or after adjudication while awaiting disposition or placement elsewhere. In addition, a small proportion of juveniles are admitted voluntarily in lieu of adjudication as part of a diversion agreement. Because detention stays tend to be short compared with commitment placement, detained juveniles represent a much larger share of population flow data than of 1-day count data.

State variations in upper age of juvenile court jurisdiction influence placement rates

Although state placement rate statistics control for upper age of original juvenile court jurisdiction, comparisons among states with different upper ages are problematic. Youth ages 16 and 17 constitute 26% of the youth population ages 10–17, but they account for more than 50% of arrests of youth under age 18, more than 40% of delinquency court cases, and more than 50% of juveniles in residential placement. If all other factors were equal, one would expect higher juvenile placement rates in states where older youth are under the juvenile court jurisdiction.

Differing age limits of extended jurisdiction also influence placement rates. Some states may keep a juvenile in placement for several years beyond the upper age of original jurisdiction; others cannot. Laws that control the transfer of juveniles to criminal court also have an impact on juvenile placement rates. If all other factors were equal, states with broad transfer provisions would be expected to have lower juvenile placement rates than other states.

Demographic variations among jurisdictions should also be considered. The urbanicity and economy of an area are thought to be related to crime and placement rates. Available bedspace also influences placement rates, particularly in rural areas.

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The number of residents in placement decreased across census years, but profiles remained similar

Nearly 9 in 10 residents were juveniles held for delinquency offenses

The vast majority of residents in juvenile residential placement facilities on February 24, 2010, were juvenile offenders (89%). Juvenile offenders held for delinquency offenses accounted for 86% of all residents. Delinquency offenses are behaviors that would be criminal law violations for adults. Status offenses are behaviors that are not law violations for adults, such as running away, truancy, and incorrigibility. Some residents were held in the facility but were not charged with or adjudicated for an offense (e.g., youth referred for abuse, neglect, emotional disturbance, or mental retardation, or those referred by their parents). Together, these other residents and youth age 21 and older accounted for 11% of all residents. These proportions changed little between 1997 and 2010.

Just over half of facilities were private but held less than 1 in 3 juvenile offenders

Private facilities are operated by private nonprofit or for-profit corporations or organizations; those who work in these facilities are employees of the private corporation or organization. State or local government agencies operate public facilities; those who work in these facilities are state or local government employees. Private facilities tend to be smaller than public facilities. Thus, although there are more private than public facilities nationwide, public facilities hold the majority of juvenile offenders on any given day. In 2010, private facilities accounted for 51% of facilities holding juvenile offenders; however, they held just 31% of juvenile offenders in residential placement.

Private facilities hold a different population of offenders than do public facilities. Compared with public facilities, private facilities have a greater proportion of juveniles who have been committed to the facility by the court following adjudication as part of their disposition, and a smaller proportion of juveniles who are detained (pending adjudication, disposition, or placement elsewhere).

The profile of juvenile offenders in residential placement changed little between 1997 and 2010

	Number			Percent of total		
Population held	1997	2003	2010	1997	2003	2010
All residents	116,701	109,094	79,166	100%	100%	100%
Juvenile offenders	105,055	96,531	70,793	90	88	89
Delinquency	98,813	92,022	67,776	85	84	86
Person offense	35,138	33,170	26,010	30	30	33
Violent offense	26,304	22,039	18,655	23	20	24
Status offenders	6,242	4,509	3,016	5	4	4
Other residents	11,646	12,563	8,373	10	12	11

Notes: Other residents include youth age 21 or older and those held in the facility but not charged with or adjudicated for an offense. Detail may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997, 2003, and 2010 [machine-readable data files].

Although the number of public and private facilities were similar in 2010, public facilities housed more than double the offenders

	Number			Percent change	
Population held	1997	2003	2010	1997–2010	2003–2010
Facilities:					
All facilities	2,842	2,852	2,259	–21%	–21%
Public facilities	1,106	1,170	1,103	0	–6
Private facilities	1,736	1,682	1,156	–33	–31
Juvenile offenders:					
All facilities	105,055	96,531	70,793	–33	–27
Public facilities	75,600	66,210	49,112	–35	–26
Private facilities	29,455	30,321	21,681	–26	–28

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997, 2003, and 2010 [machine-readable data files].

Placement status profile, 2010:

Placement status	Facility operation		
	Total	Public	Private
Total	100%	100%	100%
Committed	68	60	87
Detained	29	38	9
Diversion	2	2	4

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

Of all juveniles who were detained, 90% were in public facilities. For committed juveniles, 61% were in public facilities. Among those in residential placement as part of a diversion agreement in lieu of adjudication, 51% were in public facilities.

Overall, there was a 33% decrease in the number of juvenile offenders in residential placement between 1997 and 2010. Although the number of private facilities decreased 33% and the number of public facilities remained the same, the relative decrease in the number of juvenile offenders was greater for public facilities (35%) than private facilities (26%).

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Nationally, fewer than 71,000 delinquents were in residential placement facilities on February 24, 2010

Compared with public facilities, private facilities hold a smaller share of delinquents and a larger share of status offenders

On the census date in 2010, public facilities held approximately 7 in 10 delinquents in residential placement and a little fewer than 3 in 10 status offenders. Public facilities housed more than three-quarters of those held for violent crimes (i.e., criminal homicide, rape, robbery, and aggravated assault), other public order crimes, and technical violations of probation or parole. In contrast, fewer than 6 in 10 juvenile offenders held for drug offenses were in public facilities. Nevertheless, public and private facilities had fairly similar offense profiles in 2010.

Offense profile by facility type, 2010:

Most serious offense	Facility operation		
	All	Public	Private
Total	100%	100%	100%
Delinquency	96	98	90
Person	37	38	33
Crim. homicide	1	2	0
Sexual assault	7	6	7
Robbery	10	12	6
Agg. assault	9	10	7
Simple assault	8	7	10
Other person	3	3	3
Property	24	24	24
Burglary	10	11	10
Theft	5	5	5
Auto theft	3	3	4
Arson	1	1	1
Other property	4	4	4
Drug	7	6	10
Drug trafficking	1	1	2
Other drug	6	5	8
Public order	11	11	12
Weapons	4	4	4
Other public ord.	7	7	8
Technical viol.	16	18	12
Status offense	4	2	10

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

The number of offenders held declined for all major delinquency offense groups (i.e., person, property, drugs, and public order) between 1997 and 2010

Most serious offense	Juvenile offenders in residential placement, 2010			Percent change 1997–2010		
	Type of facility			Type of facility		
	All	Public	Private	All	Public	Private
Total	70,792	49,112	21,680	–33%	–35%	–26%
Delinquency	67,776	48,199	19,577	–31	–35	–21
Person	26,010	18,890	7,120	–26	–30	–11
Criminal homicide	924	859	65	–52	–53	–36
Sexual assault	4,638	3,050	1,588	–17	–23	–1
Robbery	6,996	5,772	1,224	–25	–27	–11
Aggravated assault	6,097	4,687	1,410	–36	–38	–25
Simple assault	5,445	3,267	2,178	–18	–21	–13
Other person	1,910	1,255	655	–13	–26	26
Property	17,037	11,878	5,159	–47	–48	–42
Burglary	7,247	5,159	2,088	–42	–45	–33
Theft	3,759	2,574	1,185	–48	–50	–44
Auto theft	2,469	1,663	806	–62	–62	–62
Arson	533	366	167	–41	–46	–24
Other property	3,029	2,116	913	–35	–36	–33
Drug	4,986	2,877	2,109	–45	–55	–23
Drug trafficking	1,034	665	369	–64	–70	–46
Other drug	3,952	2,212	1,740	–36	–47	–15
Public order	8,139	5,613	2,526	–21	–23	–15
Weapons	3,013	2,168	845	–28	–34	–3
Other public order	5,126	3,445	1,681	–16	–14	–20
Technical violation	11,604	8,941	2,663	–6	–13	26
Status offense	3,016	913	2,103	–52	–41	–55

- The number of juvenile offenders held for person offenses decreased 26% between 1997 and 2010.
- Between 1997 and 2010, the number of property offenders was cut in half (47% decrease).
- The number of juvenile offenders held for drug offenses decreased 45% between 1997 and 2010.
- Overall, the number of juvenile offenders held for both public order and technical violation offenses declined since 1997 (21% and 6%, respectively). Despite this downward trend, private facilities reported holding 26% more juvenile offenders who committed technical violations.

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

Source: Authors' analysis of OJJDP's Census of Juveniles in Residential Placement for 2010 [machine-readable data files].

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The number of offenders in placement in 2010 was at its lowest level since 1997

The delinquency population in placement reported by CJRP peaked in 1999

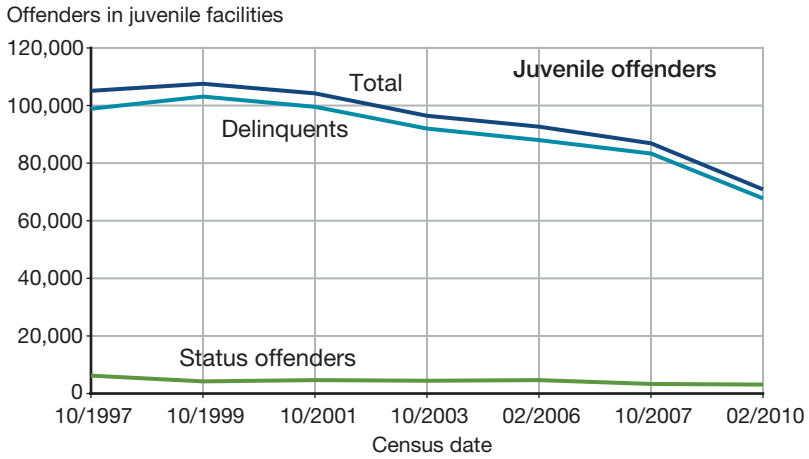
The number of delinquents held in placement increased 4% between 1997 and 1999 and then decreased 34% to its lowest level in 2010. Although the number of delinquents held in public facilities outnumbered those held in private facilities, delinquents held in private facilities accounted for 82% of the increase between 1997 and 1999. Since 1999, the number of delinquents held in public facilities decreased 36% and the number held in private facilities decreased 31%.

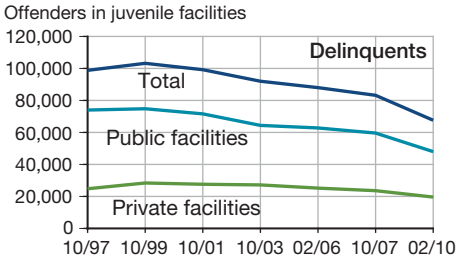
Private facilities reported the largest decrease in the number of status offenders held between 1997 and 2010—down 55% compared with 41% in public facilities.

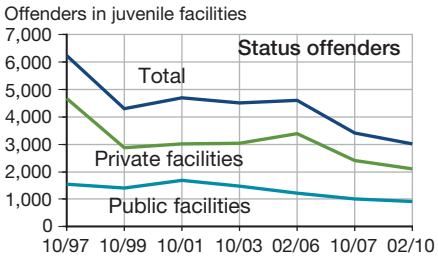
Several factors may affect the placement population

While data from CJRP cannot explain the continuing decline in the number of offenders held in residential placement, they may be reflective of a combination of contributing factors. For example, the number of juvenile arrests has decreased (down 21% between 2001 and 2010) which, in turn, means that fewer juveniles are processed through the juvenile justice system. Additionally, residential placement reform efforts have resulted in the movement of many juveniles from secure, large public facilities to less secure, small private facilities. Finally, economic factors have resulted in a shift from committing juveniles to high cost residential facilities to providing lower cost options such as probation, day treatment, or other community-based sanctions.

In 2010, juvenile residential facilities held 31% fewer delinquents and 52% fewer status offenders than in 1997







- The total number of juvenile offenders in residential placement facilities rose 2% from 1997 to 1999 and then decreased 34% from 1999 to 2010. The result was an overall decrease of 33% between 1997 and 2010.
- The number of delinquents held in public facilities decreased 35% between 1997 and 2010, while the number held in private facilities decreased 21%.
- The number of status offenders held in juvenile residential facilities dropped sharply (31%) between 1997 and 1999. Between 1999 and 2006, the number of status offenders remained level, decreased in 2007, and reached its lowest level in 2010.
- The number of status offenders held in public facilities peaked in 2001 and then decreased 46% by 2010. The number of status offenders held in private facilities increased 18% between the 1999 low and 2006 and then decreased 38% between 2006 and 2010.

Source: Authors' analysis of OJJDP's Census of Juveniles in Residential Placement for 1997, 1999, 2001, 2003, 2006, 2007, and 2010 [machine-readable data files].

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From 1997 to 2010, the committed population decreased more than the detained population

Offense profiles of detained and committed offenders differed

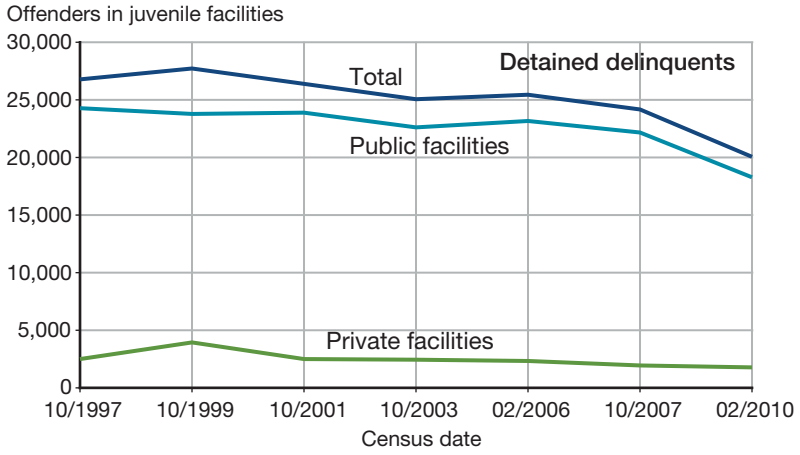
Delinquents accounted for 98% of detained offenders and 95% of committed offenders in 2010. Compared with the detained population, the committed population had a greater proportion of youth held for most major offense groups and fewer youth held for technical violations of probation or parole. The committed population had a larger proportion of youth held for status offenses.

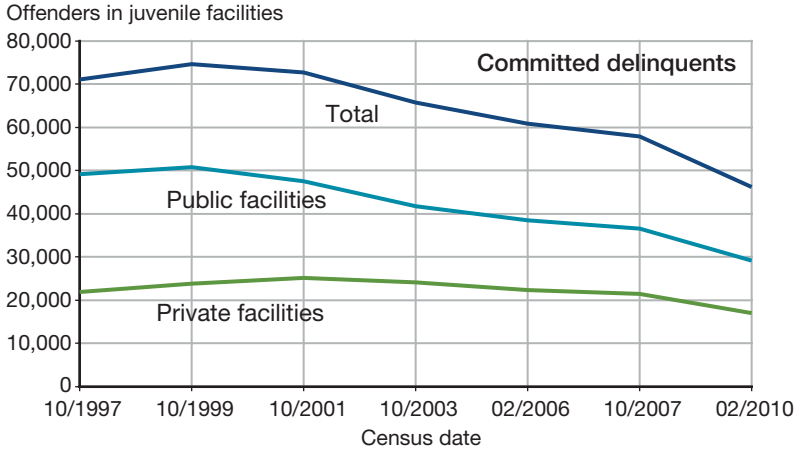
Offense profile of juvenile offenders held, 2010:

Most serious offense	Detained (20,579)	Committed (48,427)
Total	100%	100%
Delinquency	98	95
Person	35	37
Crim. homicide	2	1
Sexual assault	4	8
Robbery	10	10
Agg. assault	9	8
Simple assault	7	8
Other person	3	3
Property	22	25
Burglary	9	11
Theft	5	6
Auto theft	3	4
Arson	1	1
Other property	4	4
Drug	6	7
Drug trafficking	1	1
Other drug	5	6
Public order	12	11
Weapons	5	4
Other public ord.	7	7
Technical viol.	22	14
Status offense	2	5

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

Between 1997 and 2010, the committed delinquency population decreased 35%





- Despite a slight increase in the number of detained delinquents (those held prior to adjudication or disposition, awaiting a hearing in juvenile or criminal court; or after disposition, awaiting placement elsewhere) between 1997 and 1999, the number of these youth remained relatively stable between 1997 and 2007 and then decreased 17% in 2010.
- The number of offenders in residential placement decreased 33% between 1997 and 2010; this trend was driven by the 41% decrease in the number of committed delinquents held at public facilities during this period.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997, 1999, 2001, 2003, 2006, 2007, and 2010 [machine-readable data files].

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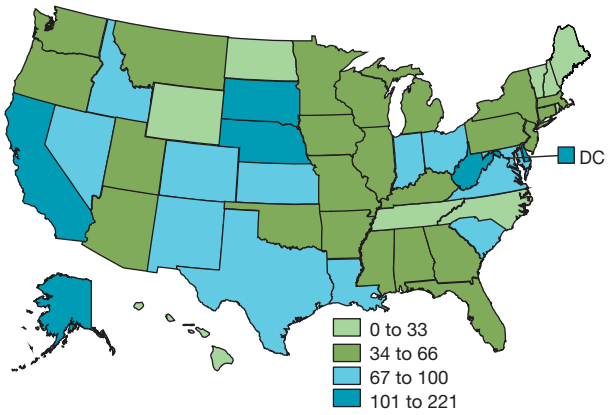
In 2010, 225 juvenile offenders were in residential placement for every 100,000 juveniles in the U.S. population

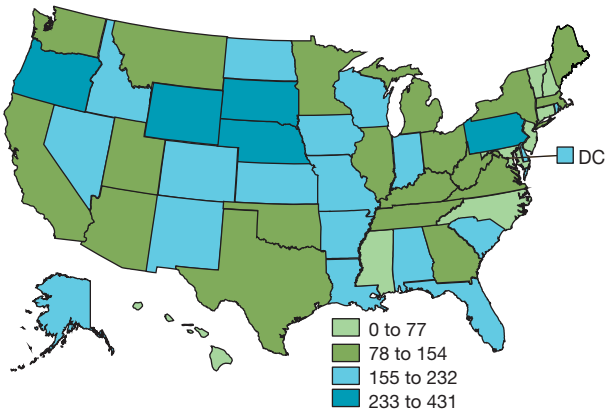
In 2010, the national commitment rate was 2.4 times the detention rate, but rates varied by state

State of offense	Juveniles in placement	Custody rate per 100,000		
		Total	Detained	Committed
U.S. total	70,792	225	65	154
Upper age 17				
Alabama	1,101	212	52	159
Alaska	282	340	123	210
Arizona	1,092	152	51	96
Arkansas	729	230	47	183
California	11,532	271	115	154
Colorado	1,530	287	74	201
Delaware	252	270	106	164
Dist. of Columbia	180	427	221	207
Florida	4,815	261	48	212
Hawaii	120	90	20	63
Idaho	480	258	77	179
Indiana	2,010	276	76	199
Iowa	738	227	41	182
Kansas	843	265	93	169
Kentucky	852	186	64	121
Maine	186	143	12	127
Maryland	888	143	71	66
Minnesota	912	159	37	119
Mississippi	357	106	51	54
Montana	192	192	51	138
Nebraska	750	378	106	269
Nevada	717	244	80	163
New Jersey	1,179	123	57	65
New Mexico	576	250	72	176
North Dakota	168	258	28	230
Ohio	2,865	228	75	152
Upper age 17 (continued)				
Oklahoma	639	157	64	92
Oregon	1,251	320	38	281
Pennsylvania	4,134	316	43	254
Rhode Island	249	235	3*	201
South Dakota	504	575	123	431
Tennessee	789	117	28	88
Utah	684	191	55	136
Vermont	33	53	19	10*
Virginia	1,860	224	76	144
Washington	1,305	183	56	126
West Virginia	561	317	164	153
Wyoming	255	440	31	409
Upper age 16				
Connecticut**	315	92	38	54
Georgia	2,133	221	48	103
Illinois	2,217	178	52	123
Louisiana	1,035	240	77	159
Massachusetts	663	115	34	79
Michigan	1,998	209	57	151
Missouri	1,197	214	41	170
New Hampshire	117	97	7*	70
South Carolina	984	235	78	157
Texas	5,352	203	72	129
Wisconsin	1,110	209	39	168
Upper age 15				
New York	2,637	180	35	143
North Carolina	849	112	22	68

Detention rate



Commitment rate



* Rate is based on fewer than 10 juveniles.

** As of 1/1/10, the upper age of juvenile court jurisdiction in Connecticut changed from 15 to 16.

Notes: Custody rate is the count of juvenile offenders in custody per 100,000 youth ages 10 through the upper age of juvenile court jurisdiction in each state. U.S. totals include 2,658 youth in private facilities for whom state of offense was not reported.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2010 [machine-readable data files].

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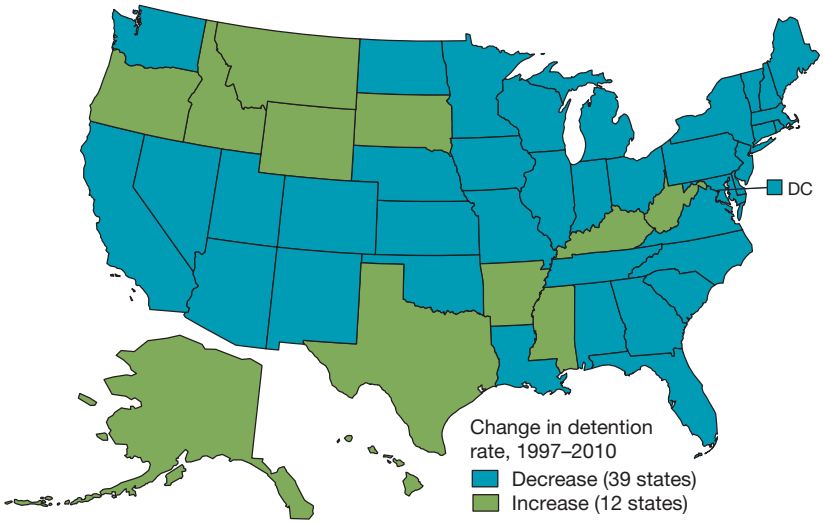
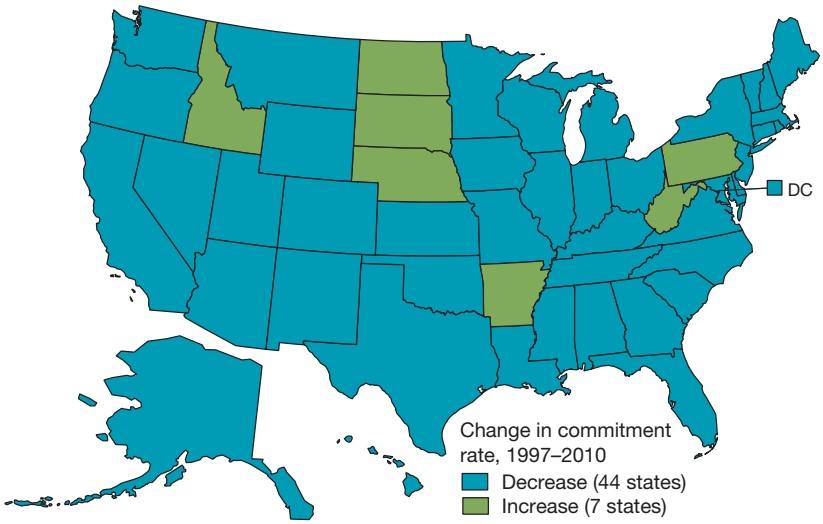
Although national custody rates declined from 1997 to 2010, not all states experienced a decline





- Detention rates increased in about one-quarter of the states and declined in the other three-quarters.
- Almost 9 in 10 (88%) of the states had lower commitment rates in 2010 than in 1997, but in several states the reverse was true.

Notes: Custody rate is the count of juvenile offenders in custody per 100,000 youth ages 10 through the upper age of juvenile court jurisdiction in each state. As of 1/1/10, the upper age of juvenile court jurisdiction in Connecticut changed from 15 to 16.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 1997 and 2010 [machine-readable data files].

Unlike detained youth, committed youth were in a variety of facilities

Group home facilities held the largest proportion of committed offenders (44%), but 11% were committed to detention centers. (See sidebar on page 201 for a description of facility types.)

Facility type profiles, 2010:

Facility type	Detained offenders	Committed offenders
Total	100%	100%
Detention center	86	11
Shelter	2	1
Reception/ diagnostic	2	2
Group home	5	44
Ranch/ wilderness camp	0	4
Long-term secure	5	36
Other	0	1

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

For all facilities except detention centers, the majority of offenders were committed youth

Not all offenders held in detention centers were held with detained placement status. In 2010, 23% of offenders in detention centers had been committed to the facility.

Offender population profiles, 2010:

Facility type	Detained offenders	Committed offenders
Detention center	73%	23%
Shelter	36	56
Reception/ diagnostic	32	67
Group home	4	94
Ranch/ wilderness camp	0	84
Long-term secure	6	94
Other	3	97

Note: Detail may total less than 100% because some facilities held youth other than detained or committed youth.

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In 13 states in 2010, person offenders accounted for more than 40% of detained offenders

In 11 states in 2010, technical violations accounted for a greater share of detained offenders than did person offenses

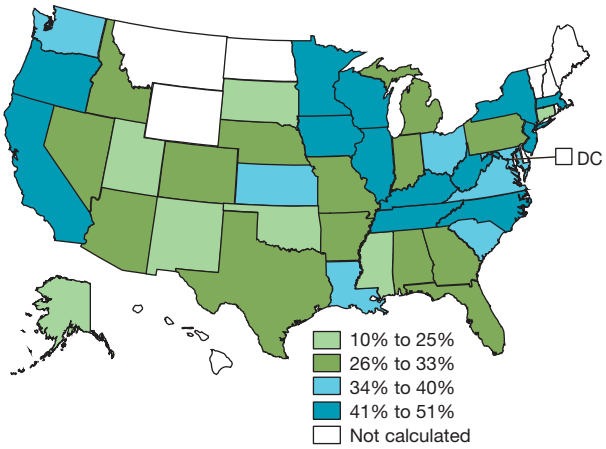
State of offense	Offense profile of detained offenders, 2010					
	Person	Property	Drugs	Public order	Technical viol.	Status
U.S. total	35%	22%	6%	12%	22%	2%
Alabama	26	26	7	16	26	1
Alaska	21	18	0	6	38	18
Arizona	27	18	11	9	34	2
Arkansas	28	26	4	18	20	4
California	43	20	4	13	21	0
Colorado	27	30	9	22	11	2
Connecticut	23	7	2	9	56	2
Delaware	–	–	–	–	–	–
Dist. of Columbia	–	–	–	–	–	–
Florida	31	24	6	10	29	0
Georgia	29	34	3	12	14	7
Hawaii	–	–	–	–	–	–
Idaho	31	25	13	21	6	6
Illinois	41	21	6	9	24	0
Indiana	26	28	8	9	23	5
Iowa	41	27	11	7	7	5
Kansas	35	23	7	13	18	4
Kentucky	46	14	9	7	19	3
Louisiana	35	30	6	13	10	6
Maine	–	–	–	–	–	–
Maryland	39	24	22	8	4	2
Massachusetts	51	22	2	17	8	2
Michigan	28	21	4	9	33	4
Minnesota	41	23	4	11	17	3
Mississippi	10	31	12	24	19	2
Missouri	32%	25%	5%	16%	20%	4%
Montana	–	–	–	–	–	–
Nebraska	29	21	4	20	16	10
Nevada	26	17	13	17	27	1
New Hampshire	–	–	–	–	–	–
New Jersey	41	10	10	16	21	1
New Mexico	24	13	7	9	44	4
New York	46	18	2	8	18	9
North Carolina	43	36	4	9	4	5
North Dakota	–	–	–	–	–	–
Ohio	37	18	5	11	27	2
Oklahoma	23	31	13	13	18	2
Oregon	41	14	2	10	33	0
Pennsylvania	26	13	9	7	43	2
Rhode Island	–	–	–	–	–	–
South Carolina	34	21	3	17	17	6
South Dakota	25	17	8	14	31	6
Tennessee	41	27	8	10	14	2
Texas	28	20	8	10	33	1
Utah	21	18	14	11	33	2
Vermont	–	–	–	–	–	–
Virginia	34	22	4	9	28	3
Washington	39	32	5	10	11	2
West Virginia	43	28	7	9	4	7
Wisconsin	45	30	7	10	6	3
Wyoming	–	–	–	–	–	–

- The proportion of juvenile offenders detained for a technical violation of probation or parole or a violation of a valid court order was less than 40% in each state, except Connecticut (56%), New Mexico (44%), and Pennsylvania (43%).
- Massachusetts had the highest proportion of person offenders among detained juveniles (51%). Mississippi had the lowest proportion (10%).
- With the exception of Maryland, the proportion of juvenile offenders detained for drug offenses was 14% or less.
- In all states but Alaska, status offenders accounted for less than 10% of detained offenders.

– Too few juveniles to calculate a reliable percentage

Notes: U.S. totals include 344 youth detained in private facilities for whom state of offense was not reported. Detail may not total 100% because of rounding.

Percent of detained juvenile offenders held for person offenses



Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2010 [machine-readable data files].

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In 15 states in 2010, technical violations accounted for more than the U.S. average of 14% of committed offenders

In 20 states in 2010, person offenders accounted for more than the national average of 37% of committed offenders

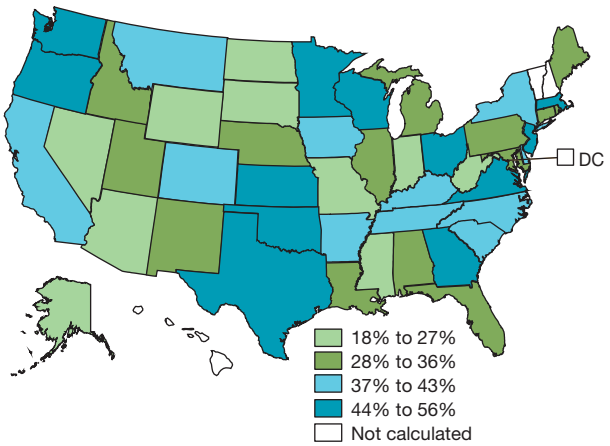
State of offense	Offense profile of committed offenders, 2010					
	Person	Property	Drugs	Public order	Technical viol.	Status
U.S. total	37%	25%	7%	11%	14%	5%
Alabama	29	22	11	8	21	9
Alaska	26	22	3	14	12	22
Arizona	25	26	14	13	18	4
Arkansas	39	23	6	12	13	5
California	39	18	3	14	25	1
Colorado	41	31	7	11	8	2
Connecticut	36	21	3	13	21	5
Delaware	41	18	8	16	16	2
Dist. of Columbia	–	–	–	–	–	–
Florida	29	39	9	8	14	1
Georgia	53	26	1	11	7	1
Hawaii	–	–	–	–	–	–
Idaho	31	32	13	10	13	4
Illinois	36	24	12	11	15	2
Indiana	25	30	12	16	10	7
Iowa	40	24	11	10	5	11
Kansas	48	27	9	9	2	3
Kentucky	37	23	7	12	13	8
Louisiana	30	41	5	10	3	11
Maine	29	51	5	13	0	0
Maryland	28	29	19	7	10	6
Massachusetts	52	24	6	13	2	2
Michigan	32	24	5	12	15	11
Minnesota	44	23	3	15	11	5
Mississippi	21	52	7	10	11	0
Missouri	27%	30%	9%	11%	12%	10%
Montana	37	48	4	4	2	4
Nebraska	28	33	8	12	6	12
Nevada	27	28	15	10	14	6
New Hampshire	–	–	–	–	–	–
New Jersey	44	13	10	9	24	0
New Mexico	30	13	10	10	36	1
New York	40	26	6	9	6	13
North Carolina	40	45	5	8	0	2
North Dakota	22	20	12	10	2	34
Ohio	49	24	3	12	11	2
Oklahoma	56	28	6	6	2	1
Oregon	51	23	3	15	7	2
Pennsylvania	28	18	14	14	17	9
Rhode Island	30	25	14	15	13	1
South Carolina	37	17	3	11	27	4
South Dakota	21	15	10	17	17	21
Tennessee	43	30	8	5	11	3
Texas	48	25	6	6	15	0
Utah	33	22	12	26	4	4
Vermont	–	–	–	–	–	–
Virginia	50	30	4	6	9	2
Washington	45	28	4	12	9	1
West Virginia	26	24	9	9	27	7
Wisconsin	45	27	6	16	1	5
Wyoming	18	20	14	6	13	28

- Except for New Mexico, the number of juvenile offenders committed for a technical violation of probation or parole was less than a third of the total offenders committed in each state. In two states, technical violations accounted for 0% of committed offenders.
- Oklahoma and Georgia had the highest proportions of person offenders among committed juveniles (56% and 53%, respectively). Wyoming (18%), Mississippi (21%), and North Dakota (22%) had the lowest proportions.
- In half of all states, status offenders accounted for less than 5% of committed offenders. In four states, status offenders accounted for 0% of committed offenders.

– Too few juveniles to calculate a reliable percentage

Notes: U.S. totals include 2,188 committed youth in private facilities for whom state of offense was not reported. Detail may not total 100% because of rounding.

Percent of committed juvenile offenders held for person offenses



Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2010 [machine-readable data files].

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Females account for a small proportion of the residential placement population

Females accounted for 13% of offenders in residential placement

Male offenders dominate the juvenile justice system. This is especially true of the residential placement population. Males represent half of the juvenile population and are involved in approximately three-quarters of juvenile arrests and delinquency cases handled by the juvenile court each year, but they represented 87% of juvenile offenders in residential placement in 2010. The proportion of female juveniles in residential placement was slightly greater for private facilities (14%) than for public facilities (13%) and greater for detained juveniles (16%) than for committed juveniles (12%). The female proportion among those admitted to placement under a diversion agreement was 18%. Although the number of females in residential placement has declined since 1997, their proportion of the placement population has remained stable over the years.

Females were more likely than males to be held for technical violations or status offenses

	Offense profile for juvenile offenders in residential placement, 2010					
	All facilities		Public facilities		Private facilities	
Most serious offense	Male	Female	Male	Female	Male	Female
Total	100%	100%	100%	100%	100%	100%
Delinquency	97	89	99	95	93	76
Person	37	32	39	33	33	30
Violent Crime Index*	28	15	31	17	22	9
Other person	9	18	8	16	12	21
Property	25	19	25	20	25	18
Property Crime Index†	21	15	20	16	21	14
Other property	4	4	4	4	4	4
Drug	7	7	6	5	10	11
Drug trafficking	2	1	1	1	2	1
Other drug	6	6	5	4	8	10
Public order	12	9	12	11	13	6
Technical violation‡	16	22	17	27	12	12
Status offense	3	11	1	5	7	24

- Status offenders were 11% of females in residential placement in 2010—down from 21% in 1997.
- Person offenders were 32% of females in residential placement in 2010—up from 25% in 1997.
- Technical violations and status offenses were more common among females in placement than males. Person, property, and public order offenses were more common among males in placement than females.

* Violent Crime Index = criminal homicide, sexual assault, robbery, and aggravated assault.

† Property Crime Index = burglary, theft, auto theft, and arson.

‡ Technical violations = violations of probation, parole, and valid court order.

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

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2010 [machine-readable data files].

One-third of females in residential placement were held in private facilities

In 2010, private facilities held 33% of females and 30% of males in juvenile residential placement. The proportion of females placed in private facilities varied substantially by offense category: 72% of all females held for a status offense were in private facilities, as were 55% held for drug offenses aside from trafficking, 39% for simple assault, and 33% for burglary. In general for both males and females, the less serious the offense category, the greater the likelihood the resident was in a private facility.

Females in residential placement tended to be younger than their male counterparts

Of all youth in custody, 38% of females were younger than 16 compared with 29% of males. For females in placement, the peak age was 16, accounting for 29% of all females in placement facilities. For males, the peak age was 17. There was a greater proportion of offenders age 18 or older among males (15%) than among females (8%).

Age profile of residents, 2010:

Age	Total	Male	Female
Total	100%	100%	100%
12 and younger	1	1	1
13	3	3	4
14	8	8	11
15	18	17	21
16	28	27	29
17	28	29	25
18 and older	14	15	8

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

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Minority youth accounted for 75% of juveniles held in custody for a violent offense in 2010

More than 6 in 10 juvenile offenders in residential placement were minority youth

In 2010, nearly 48,000 minority offenders were in residential placement in juvenile facilities across the country—68% of the placement population nationwide. Black youth accounted for 41% of all offenders in placement. Between 1997 and 2010, the population of offenders in residential placement dropped 33%—the number of white youth declined 42% and the number of minority youth declined 27%.

Juvenile offenders in placement, 2010:

Race/ ethnicity	Number	Percent	Percent change 1997–2010
Total	70,792	100%	–33%
White	22,947	32	–42
Minority	47,845	68	–27
Black	28,976	41	–31
Hispanic	15,590	22	–19
Amer. Indian	1,236	2	–23
Asian	728	1	–67
Two or more*	1,315	2	134

* Two or more races do not include youth of Hispanic ethnicity.

Minorities made up a smaller share of female than male residents

In 2010, minority youth made up the majority of males and females in residential placement. Whites made up 39% of female and 31% of male juvenile offenders in residential placement. Among males, black offenders represented the largest racial proportion (42%).

Racial/ethnic profile of residents, 2010:

Race/ethnicity	Total	Male	Female
Total	100%	100%	100%
White	32	31	39
Minority	68	69	61
Black	41	42	36
Hispanic	22	23	18
Other	5	4	7

Black youth accounted for 66% of juveniles held for robbery and 52% of those held for weapons offenses

Most serious offense	Racial/ethnic profile of juvenile offenders in custody, 2010						
	Total	White	Black	Hispanic	American Indian	Asian	Two or more
Total	100%	32%	41%	22%	2%	1%	2%
Delinquency	100	32	41	22	2	1	2
Criminal homicide	100	16	45	32	2	2	2
Sexual assault	100	53	27	16	2	1	1
Robbery	100	9	66	22	1	1	2
Aggravated assault	100	22	43	30	1	2	2
Simple assault	100	37	38	18	3	1	3
Burglary	100	33	45	18	1	1	0
Theft	100	38	42	16	1	1	0
Auto theft	100	33	41	21	2	1	0
Drug trafficking	100	28	47	23	1	0	0
Other drug	100	43	33	20	3	1	0
Weapons	100	16	52	28	1	1	0
Technical violations	100	33	36	27	2	1	0
Status offense	100	44	34	11	5	2	0

11% of white youth in custody were held for sexual assault, compared with 7% of American Indian, 5% of Hispanic, and 4% each of black and Asian youth

Most serious offense	Offense profile of juvenile offenders in custody, 2010						
	Total	White	Black	Hispanic	American Indian	Asian	Two or more
Total	100%	100%	100%	100%	100%	100%	100%
Delinquency	96	94	96	98	88	94	92
Criminal homicide	1	1	1	2	2	3	1
Sexual assault	7	11	4	5	7	4	5
Robbery	10	3	16	10	3	11	8
Aggravated assault	9	6	9	12	6	14	8
Simple assault	8	9	7	6	11	6	12
Burglary	10	10	11	9	8	11	10
Theft	5	6	5	4	4	5	5
Auto theft	3	4	4	3	4	5	3
Drug trafficking	1	1	2	2	1	1	1
Other drug	6	7	4	5	8	5	5
Weapons	4	2	5	5	2	5	4
Technical violations	16	16	14	20	16	13	15
Status offense	4	6	4	2	12	6	8

Note: Detail may not add to totals because of rounding. Racial categories (i.e., white, black, American Indian, Asian, and two or more) do not include youth of Hispanic ethnicity. The American Indian racial category includes Alaska Natives; the Asian racial category includes other Pacific Islanders. Totals include a small number of youth for whom race/ethnicity was not reported.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2010 [machine-readable data files].

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Nationally, residential placement rates were highest for black youth

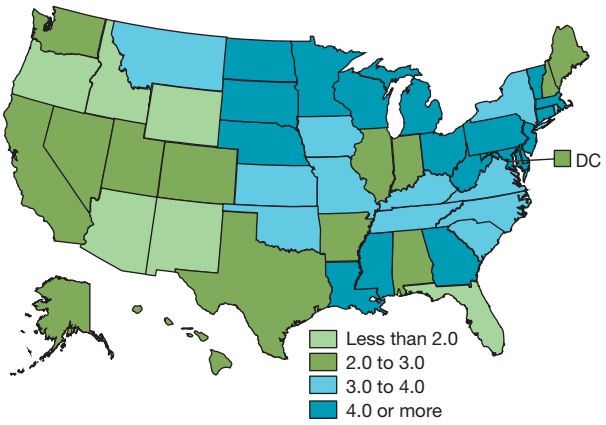
For every 100,000 black juveniles living in the U.S., 606 were in a residential facility on February 24, 2010; the rate was 228 for Hispanic youth and 128 for white youth

State of offense	Placement rate (per 100,000), 2010					State of offense	Placement rate (per 100,000), 2010				
	White	Black	Hispanic	American Indian	Asian		White	Black	Hispanic	American Indian	Asian
U.S. total	128	606	228	369	47	Missouri	141	587	167	89	29
Alabama	131	393	105	0	0	Montana	132	571	193	641	0
Alaska	228	643	0	647	181	Nebraska	218	1,715	431	1,201	223
Arizona	114	334	165	246	30	Nevada	155	725	225	556	81
Arkansas	142	535	231	102	61	New Hampshire	85	388	239	0	104
California	116	988	316	210	57	New Jersey	27	540	112	0	4
Colorado	205	1,201	296	589	70	New Mexico	159	651	287	193	101
Connecticut	27	361	148	285	0	New York	77	539	169	92	14
Delaware	89	705	176	0	0	North Carolina	60	249	63	106	15
Dist. of Columbia	171	501	279	0	0	North Dakota	178	448	0	1,028	0
Florida	203	652	76	51	47	Ohio	128	714	108	89	28
Georgia	76	462	123	0	19	Oklahoma	90	576	139	163	37
Hawaii	48	83	152	0	35	Oregon	275	1,213	359	568	79
Idaho	240	254	304	773	109	Pennsylvania	111	1,319	394	118	88
Illinois	107	478	116	693	17	Rhode Island	123	964	268	0	354
Indiana	207	719	169	138	51	South Carolina	128	451	73	159	0
Iowa	165	862	308	1,517	95	South Dakota	316	2,059	1,070	1,598	278
Kansas	173	1,040	309	228	36	Tennessee	64	294	72	157	55
Kentucky	135	578	179	0	0	Texas	123	530	191	94	16
Louisiana	97	473	34	0	0	Utah	154	660	304	513	132
Maine	131	448	229	244	0	Vermont	31	0	930	0	0
Maryland	47	322	79	0	9	Virginia	112	584	125	0	12
Massachusetts	54	404	265	0	39	Washington	138	624	202	466	61
Michigan	105	627	147	253	23	West Virginia	254	1,177	514	0	236
Minnesota	85	673	157	1,203	96	Wisconsin	110	1,064	104	380	159
Mississippi	38	190	33	0	0	Wyoming	403	1,080	594	649	0

- In every state but Vermont, the residential placement rate for black juvenile offenders exceeded the rate for whites.
- In more than half of all states, the ratio of the minority placement rate to the nonminority placement rate exceeded 3.5 to 1. In 4 states (Connecticut, New Jersey, Pennsylvania, and Vermont), the ratio of minority to nonminority rates exceeded 8 to 1.

Note: The custody rate is the number of juvenile offenders in residential placement on February 24, 2010, per 100,000 juveniles age 10 through the upper age of original juvenile court jurisdiction in each state. U.S. total includes 2,567 juvenile offenders in private facilities for whom state of offense was not reported. Race rates do not include youth of Hispanic ethnicity. The American Indian racial category includes Alaska Natives; the Asian racial category includes Other Pacific Islanders.

Ratio of minority custody rate to white rate



Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2010 [machine-readable data files].

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On the 2010 census date, person offenders had been committed or detained longer than other offenders

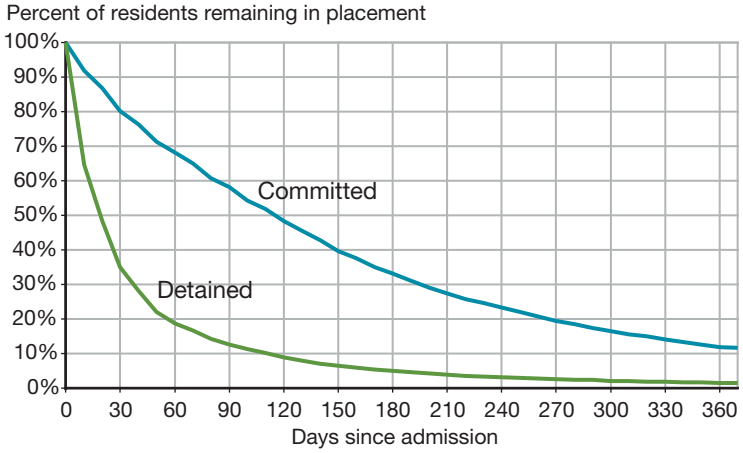
CJRP provides individual-level data on time spent in placement

Information on length of stay is key to understanding the justice system's handling of juveniles in residential placement. Ideally, length of stay would be calculated for individual juveniles by combining their days of stay in placement from their initial admission to their final release relating to a particular case. These individual lengths of placement could then be averaged for different release cohorts of juveniles (cohorts could be identified by year of release, offense, adjudication status, or demographic characteristics).

CJRP captures information on the number of days since admission for each juvenile in residential placement. These data represent the number of days the juvenile had been in the facility up to the census date. Because CJRP data reflect only a juvenile's placement at one facility, the complete length of stay—from initial admission to the justice system to final release—cannot be determined. Nevertheless, CJRP provides an overall profile of the time juveniles had been in the facility at the time of the census—a 1–day snapshot of time in the facility.

Because CJRP data are individual level rather than facility level, more averages can be calculated for different subgroups of the population. In addition, analysts can use the data to get a picture of the proportion of residents remaining after a certain number of days (e.g., what percentage of youth have been held longer than a year). This sort of analysis provides juvenile justice policymakers with a useful means of comparing the time spent in placement for different categories of juveniles.

In 2010, 33% of committed offenders but just 5% of detained offenders remained in placement 6 months after admission



- Among detained offenders (those awaiting adjudication, disposition, or placement elsewhere), 73% had been in the facility for at least a week, 56% for at least 15 days, and 35% for at least 30 days.
- Among committed juveniles (those held as part of a court-ordered disposition), 80% had been in the facility for at least 30 days, 68% for at least 60 days, and 58% for at least 90 days. After a year, 12% of committed offenders remained in placement.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2010 [machine-readable data files].

Offenders' average time in the facility varied by adjudication status, offense, and facility type

	Median days in placement		
		Committed	
Most serious offense	Detained (all facilities)	Public	Private
Total	19	106	127
Delinquency	19	107	127
Person	26	148	145
Property	16	98	121
Drugs	14	77	112
Public order	19	98	140
Technical violation	13	55	103
Status offense	13	71	128

- Half of offenders committed to public facilities remained in placement after 106 days (127 for private facilities). In contrast, half of detained offenders remained in placement after just 19 days.
- With the exception of person offenses, offenders committed to private facilities had been in the facilities longer than those committed to public facilities.
- Time in placement is driven by both punishment and treatment goals and, therefore, does not always coincide with offense seriousness. For example, among youth committed to private facilities, the average time in placement for status offenders was longer than the average for person offenders.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2010 [machine-readable data file].

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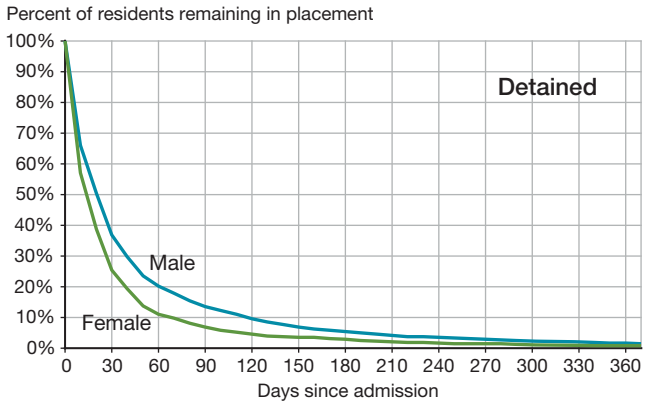
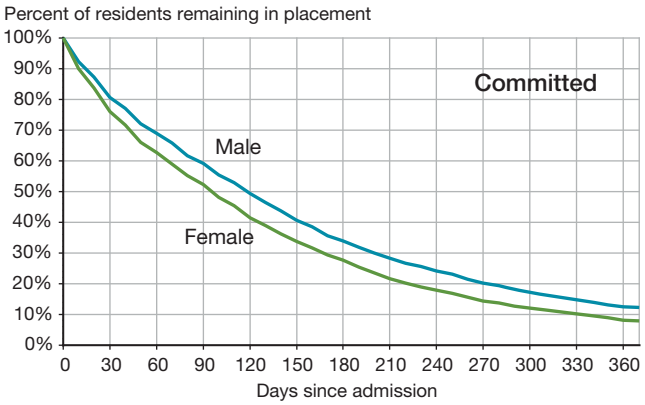
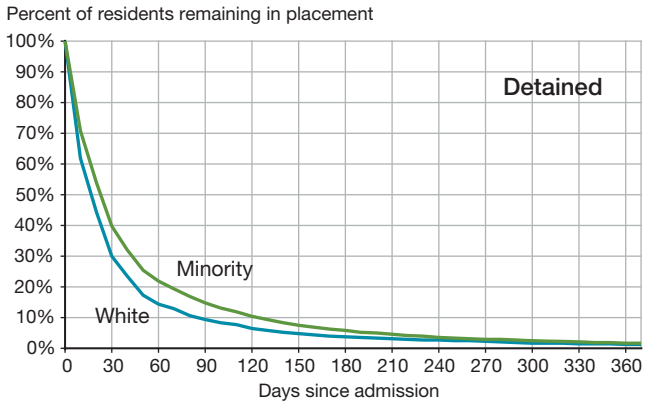
Males tended to stay in facilities longer than females in 2010

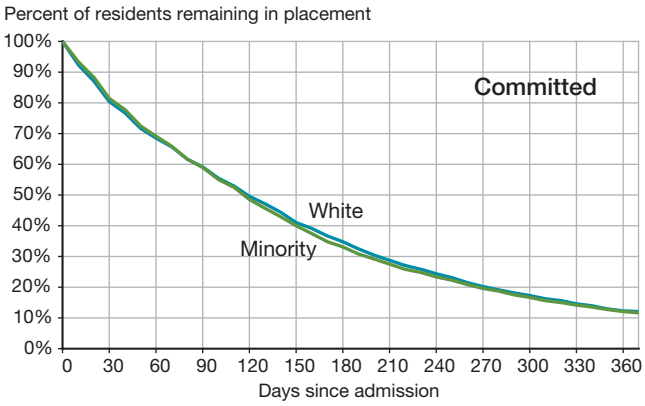




- Among detained females, 25% remained after 30 days, while 37% of detained males remained in residential placement after the same amount of time.
- After 60 days, 20% of detained males and 11% of detained females remained in residential placement.
- After 180 days (approximately half a year), 34% of committed males and 28% of committed females remained in residential placement.
- After a full year (365 days), 8% of committed females and 12% of committed males remained in residential placement.

For both minority and white youth, half of committed juveniles had been held in the facility at least 15 weeks (105 days)





- Among detained offenders, 28% of white youth had been in the facility at least 30 days, compared with 38% of minority youth.
- Among committed offenders, time in placement was virtually the same for white youth and minority youth.
- After 180 days, approximately one-third of both committed white and minority youth remained in custody.

Source: Authors' analysis of OJJDP's *Census of Juveniles in Residential Placement* for 2010 [machine-readable data files].

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Although most residential facilities are small and private, most offenders are held in large public facilities

JRFC provides data on residential facility operations

In 2010, the Juvenile Residential Facility Census (JRFC) collected data from 2,519 juvenile facilities. Analyses were based on data from 2,111 facilities, which held a total of 66,322 offenders younger than 21 on the census date (October 27, 2010) and excluded data from 6 facilities in Puerto Rico and the Virgin Islands, 19 tribal facilities, and 383 facilities that held no juvenile offenders on the census date.

Local facilities are more numerous, but state facilities hold as many offenders

Historically, local facilities (those staffed by county, city, or municipal employees) held fewer juvenile offenders than state facilities, despite accounting for more than half of all public facilities. In recent years, the gap narrowed and, in 2010, local and state facilities held the same amount of offenders.

	Facilities		Juvenile offenders	
	Number	Pct.	Number	Pct.
Total	2,111	100%	66,322	100%
Public	1,074	51	46,677	70
State	440	21	23,237	35
Local	634	30	23,440	35
Private	1,037	49	19,645	30

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

In 2010, facilities were asked if they were owned and/or operated by for-profit agencies. Of reporting facilities, only a small percentage said that they were owned (4%) or operated (7%) by these types of agencies. In both cases, these facilities tended to hold 100 or fewer residents and were most likely to classify themselves as residential treatment centers.

Residential treatment centers and group homes outnumber other types of facilities

JRFC asks respondents to identify the type of facility (e.g., detention center, shelter, reception/diagnostic center, group home/halfway house, boot camp, ranch/forestry/wilderness camp/marine program, training school/long-term secure facility, or residential treatment center). Respondents were allowed to select more than one facility type category, although the vast majority (85%) selected only one. Slightly more than 760 facilities identified themselves as residential treatment centers and were holding juvenile offenders on the 2010 census date. Residential treatment centers made up 36% of all facilities and held 36% of juvenile offenders. Nearly 530 facilities identified themselves as group homes/halfway houses and were holding juvenile offenders. Group homes made up 25% of facilities and held 10% of juvenile offenders.

Training schools tend to be state facilities, detention centers tend to be local facilities, and group homes tend to be private facilities

	Facility type							
Facility operation	Total	Detention center	Shelter	Reception/ diagnostic center	Group home	Ranch/ wilderness camp	Training school	Residential treatment center
Number of facilities	2,111	705	137	72	528	68	188	763
Operations profile								
All facilities	100%	100%	100%	100%	100%	100%	100%	100%
Public	51	87	35	69	18	47	91	34
State	21	20	3	57	10	9	80	18
Local	30	67	32	13	9	38	11	15
Private	49	13	65	31	82	53	9	66
Facility profile								
All facilities	100%	33%	6%	3%	25%	3%	9%	36%
Public	100	57	4	5	9	3	16	24
State	100	33	1	9	12	1	34	32
Local	100	74	7	1	7	4	3	18
Private	100	9	9	2	42	3	2	49

- Detention centers, reception/diagnostic centers, and training schools were more likely to be public facilities than private facilities; however, a substantial proportion of reception/diagnostic centers were private.
- Most shelters were private facilities, as were group homes and residential treatment centers.
- Detention centers made up the largest proportion of all local facilities and more than half of all public facilities.
- Training schools constituted 34% of all state facilities.
- Group homes accounted for 42% of all private facilities.

Note: Counts (and row percentages) may sum to more than the total number of facilities because facilities could select more than one facility type.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

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JRFC defines facility types

Detention center: a short-term facility that provides temporary care in a physically restricting environment for juveniles in custody pending court disposition and, often, for juveniles who are adjudicated delinquent and awaiting disposition or placement elsewhere, or are awaiting transfer to another jurisdiction.

Shelter: a short-term facility that provides temporary care similar to that of a detention center, but in a physically unrestricting environment. Includes runaway/homeless shelters and other types of shelters.

Reception/diagnostic center: a short-term facility that screens persons committed by the courts and assigns them to appropriate correctional facilities.

Group home: a long-term facility in which residents are allowed extensive contact with the community, such as attending school or holding a job. Includes halfway houses.

Ranch/wilderness camp: a long-term residential facility for persons whose behavior does not necessitate the strict confinement of a long-term secure facility, often allowing them greater contact with the community. Includes ranches, forestry camps, wilderness or marine programs, and farms.

Training school/long-term secure facility: a specialized type of facility that provides strict confinement for its residents. Includes training schools, reformatories, and juvenile correctional facilities.

Residential treatment center: a facility that focuses on providing some type of individually planned treatment program for youth (substance abuse, sex offender, mental health, etc.) in conjunction with residential care.

Other: includes independent living programs and anything that cannot be classified above.

Facilities varied in their degree of security

In 2010, 43% of facilities said that, at least some of the time, youth were locked in their sleeping rooms. Among public facilities, 78% of local facilities and 64% of state facilities reported locking youth in sleeping rooms. Few private facilities locked youth in sleeping rooms (9%).

	Percentage of facilities locking youth in sleeping rooms, 2010
Total	43%
Public	72
State	64
Local	78
Private	9

Note: Percentages are based on facilities that reported security information (152 of 2,111 facilities [7%] did not report).

Among facilities that locked youth in sleeping rooms, most did this at night (85%) or when a youth was out of control (79%). Locking doors whenever youth were in their sleeping rooms (59%) and locking youth in their rooms during shift changes (50%) were also fairly common. Fewer facilities reported locking youth in sleeping rooms for a part of each day (28%) or when they were suicidal (26%). Very few facilities locked youth in sleeping rooms most of each day (2%) or all of each day (less than 1%). Seven percent (7%) had no set schedule for locking youth in sleeping rooms.

Facilities indicated whether they had various types of locked doors or gates intended to confine youth within the facility. More than half of all facilities that reported security information said they had one or more confinement features (other than locked sleeping rooms). A greater proportion of public facilities (84%) than private facilities (26%) had confinement features.

	Percentage of facilities, 2010	
	No confinement features	One or more confinement features
Total	43%	57%
Public	16	84
State	15	85
Local	16	84
Private	74	26

Note: Percentages are based on facilities that reported security information (152 of 2,111 facilities [7%] did not report).

Among detention centers and training schools that reported security information, more than 9 in 10 said they had one or more confinement features (other than locked sleeping rooms).

Facilities reporting one or more confinement features (other than locked sleeping rooms), 2010:

Facility type	Number	Percent
Total facilities	1,113	57%
Detention center	642	95
Shelter	33	25
Reception/ diagnostic center	55	79
Group home	76	16
Ranch/ wilderness camp	17	29
Training school	167	96
Residential treatment center	338	48

Note: Detail sums to more than totals because facilities could select more than one facility type category.

Among group homes, fewer than 1 in 5 facilities said they had locked doors or gates to confine youth. A facility's staff, of course, also provides security. In some facilities, a remote location is a security feature that also helps to keep youth from leaving.

Overall, 23% of facilities reported external gates in fences or walls with razor wire. This arrangement was most common among training schools (46%), detention centers (45%), and reception/diagnostic centers (36%).

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Security increased as facility size increased

Among the largest facilities (those with more than 200 residents) that provided security information, 74% locked youth in their sleeping rooms to confine them at least some of the time. The vast majority of large facilities (80%) had one or more features (locked doors or gates) intended to confine youth.

	Percentage of facilities reporting, 2010		
Facility size	Youth locked in sleep rooms	One or more confinement features	Razor wire
Total facilities	43%	57%	23%
1–10 residents	22	31	7
11–20 residents	39	55	20
21–50 residents	55	71	30
51–100 residents	60	82	42
101–200 residents	75	85	43
201+ residents	74	80	60

Although the use of razor wire is a far less common security measure, 6 in 10 of the largest facilities said they had locked gates in fences or walls with razor wire.

Large facilities were most likely to be state operated

Few (13%) state-operated facilities (58 of 440) held 10 or fewer residents in 2010. In contrast, 45% of private facilities (468 of 1,037) were that small. In fact, these small private facilities made up the largest proportion of private facilities.

	Facility operation, 2010		
Facility size	State	Local	Private
Total facilities	440	634	1,037
1–10 residents	58	150	468
11–20 residents	95	152	234
21–50 residents	142	203	218
51–100 residents	71	89	83
101–200 residents	57	28	23
201+ residents	17	12	11

State-operated facilities made up just 21% of all facilities, and they accounted for 42% of facilities holding more than 200 residents. Private facilities constituted 49% of all facilities, and they accounted for 69% of facilities holding 10 or fewer residents.

More than half of facilities were small (holding 20 or fewer residents), although nearly half of juvenile offenders were held in medium facilities (holding 21–100 residents)

Facility size	Number of facilities	Percentage of facilities	Number of juvenile offenders	Percentage of juvenile offenders
Total facilities	2,111	100%	66,322	100%
1–10 residents	676	32	3,500	5
11–20 residents	481	23	6,220	9
21–50 residents	563	27	16,340	25
51–100 residents	243	12	15,705	24
101–200 residents	108	5	13,928	21
201+ residents	40	2	10,629	16

- Although the largest facilities—those holding more than 200 residents—accounted for only 2% of all facilities, they held 16% of all juvenile offenders in custody.
- Inversely, although the smallest facilities—those holding 10 or fewer residents—accounted for 32% of all facilities, they held only 5% of all juvenile offenders in custody.

Note: Column percentages may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

Small group homes holding 20 or fewer residents were the most common type of facility

	Facility type						
Facility size	Detention center	Shelter	Reception/ diagnostic center	Group home	Ranch/ wilderness camp	Training school	Residential treatment center
Number of facilities	705	137	72	528	68	188	763
Total facilities	100%	100%	100%	100%	100%	100%	100%
1–10 residents	22	53	11	65	7	3	20
11–20 residents	24	28	17	18	19	11	25
21–50 residents	34	14	28	12	40	29	33
51–100 residents	13	3	21	3	25	24	15
101–200 residents	6	1	17	1	6	23	4
201+ residents	3	1	7	1	3	10	2

- 65% of group homes and 53% of shelters held 10 or fewer residents. For other facility types, this proportion was less than 23%.
- 10% of training schools and 7% of reception/diagnostic centers held more than 200 residents. For other facility types, this proportion was less than 4%.

Note: Facility type counts sum to more than 2,111 facilities because facilities could select more than one facility type. Column percentages may not add up to 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

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Facility crowding affected a substantial proportion of youth in residential placement

Many juvenile offenders were in facilities with more residents than standard beds

Facilities reported both the number of standard beds and the number of makeshift beds they had on the census date. Occupancy rates provide the broadest assessment of the adequacy of living space. Although occupancy rate standards have not been established, as a facility's occupancy passes 100%, operational functioning may be compromised.

Crowding occurs when the number of residents occupying all or part of a facility exceeds some predetermined limit based on square footage, utility use, or even fire codes. Although it is an imperfect measure of crowding, comparing the number of residents to the number of standard beds gives a sense of the crowding problem in a facility. Even without relying on makeshift beds, a facility may be crowded. For example, using standard beds in an infirmary for youth who are not sick or beds in seclusion for youth who have not committed infractions may indicate crowding problems.

Twenty percent (20%) of facilities said that the number of residents they held on the 2010 census date put them at or over the capacity of their standard beds or that they relied on some makeshift beds. These facilities held more than 12,001 residents, the vast majority of whom were offenders younger than 21. Thus, 15% of all residents held on the census date and 16% of offenders younger than 21 were held in facilities operating at or above their standard bed capacity. In comparison, such facilities held 21% of all residents in 2008, and they held 40% in 2000. In 2010, 2% of facilities reported being over capacity (having fewer standard beds than they had residents or relying on makeshift beds). These facilities held 3% of juvenile offenders.

Compared with other types of facilities, public training schools, detention centers, and reception/diagnostic centers were more likely to be over their standard bed capacity

	Percentage of facilities at their standard bed capacity			Percentage of facilities over their standard bed capacity		
Facility type	Total	Public	Private	Total	Public	Private
Total	18%	12%	25%	2%	3%	0%
Detention center	10	9	13	4	4	2
Shelter	10	8	11	0	0	0
Reception/ diagnostic center	11	8	18	3	4	0
Group home	30	16	33	0	1	0
Ranch/wilderness camp	15	19	11	0	0	0
Training school	11	9	29	4	5	0
Residential treatment center	22	17	24	1	2	0

The largest facilities were the most likely to be crowded

		Percentage of facilities under, at, or over their standard bed capacity			
Facility size	Number of facilities	<100%	100%	>100%	Mean number of makeshift beds at facilities over capacity
Total facilities	2,111	80%	18%	2%	6
1–10 residents	676	77	22	1	2
11–20 residents	481	80	19	1	2
21–50 residents	563	79	18	2	3
51–100 residents	243	86	11	4	4
101–200 residents	108	83	10	6	17
201+ residents	40	93	5	3	16

Note: A single bed is counted as one standard bed and a bunk bed is counted as two standard beds. Makeshift beds (e.g., cots, roll-out beds, mattresses, and sofas) are not counted as standard beds. Facilities are counted as over capacity if they reported more residents than standard beds or if they reported any occupied makeshift beds. Facilities could select more than one facility type.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

43 states held fewer juvenile offenders in 2010 than in 2008

Overall, the juvenile offender residential placement population dropped 18% from 2008 to 2010. States with declines held an average of 19% fewer juvenile offenders on the census date in 2010 than in 2008—ranging from 46% in Vermont to 3% in Arizona.

Among the seven states that had more juveniles in residential placement in 2010 than in 2008, the average growth was 27%. The number of juvenile offenders at facilities in North Dakota more than doubled (127%). Five states had increases of 13% or less (Alaska, District of Columbia, Maryland, Missouri, and Montana), and New Mexico reported an increase of 23%. Rhode Island reported virtually no change in their custody population between 2008 and 2010.

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Public facilities were more likely than private facilities to be crowded

Among publicly operated facilities, 3% exceeded standard bed capacity or had residents occupying makeshift beds on the 2010 census date. For privately operated facilities, the proportion was less than 1%. However, a larger proportion of private facilities (25%) compared to public facilities (12%) said they were operating at 100% capacity.

State-operated public facilities had a slightly greater proportion of facilities that exceeded capacity (4%) than did locally operated facilities (3%).

Facility operation	Percentage of facilities at or over their standard bed capacity, 2010		
	≥100%	100%	>100%
Total	20%	18%	2%
Public	15	12	3
State	18	13	4
Local	13	10	3
Private	25	25	0

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

Use of makeshift beds varied widely

About 40 facilities reported having occupied makeshift beds, averaging 6 such beds per facility. Some facilities rely on makeshift beds, whereas many others operate well below standard bed capacity. On average, there were 3 unoccupied standard beds per facility. This average masks a wide range: 1 facility with 122 residents had 72 standard beds and 50 residents without standard beds; another facility with 432 standard beds had 253 residents, leaving 179 unoccupied beds.

Nationwide, 422 juvenile facilities (20%) were at or over their standard capacity or relied on makeshift beds

State	Total facilities	Number of facilities under, at, or over capacity			Percentage of juvenile offenders in facilities at or over capacity		State	Total facilities	Number of facilities under, at, or over capacity			Percentage of juvenile offenders in facilities at or over capacity	
		<100%	100%	>100%	100%	>100%			<100%	100%	>100%	100%	>100%
U.S. total	2,111	1,689	383	39	13%	3%	Missouri	64	42	17	5	27%	13%
Alabama	49	44	5	0	5	0	Montana	15	13	2	0	6	0
Alaska	19	18	1	0	3	0	Nebraska	12	9	1	2	0	17
Arizona	40	33	6	1	8	1	Nevada	22	14	6	2	12	28
Arkansas	33	24	8	1	31	6	New Hampshire	7	5	2	0	11	0
California	202	138	62	2	16	1	New Jersey	39	35	4	0	3	0
Colorado	45	40	3	2	4	13	New Mexico	22	20	1	1	16	10
Connecticut	10	10	0	0	0	0	New York	126	96	29	1	9	0
Delaware	7	6	1	0	8	0	North Carolina	41	33	7	1	11	1
Dist. of Columbia	9	6	1	2	5	78	North Dakota	14	10	4	0	29	0
Florida	97	73	22	2	18	1	Ohio	77	59	13	5	20	10
Georgia	33	28	1	4	2	16	Oklahoma	36	20	16	0	27	0
Hawaii	5	5	0	0	0	0	Oregon	44	35	9	0	22	0
Idaho	20	20	0	0	0	0	Pennsylvania	131	98	32	1	21	3
Illinois	40	39	1	0	1	0	Rhode Island	11	4	7	0	29	0
Indiana	70	60	9	1	8	1	South Carolina	21	18	3	0	5	0
Iowa	63	52	11	0	13	0	South Dakota	24	20	4	0	20	0
Kansas	34	22	10	2	11	10	Tennessee	38	30	7	1	8	3
Kentucky	33	27	6	0	14	0	Texas	97	89	6	2	2	5
Louisiana	34	27	6	1	31	2	Utah	28	22	6	0	20	0
Maine	4	4	0	0	0	0	Vermont	3	3	0	0	0	0
Maryland	30	21	9	0	39	0	Virginia	52	48	3	1	5	1
Massachusetts	52	44	8	0	16	0	Washington	34	29	5	0	14	0
Michigan	63	59	4	0	4	0	West Virginia	26	21	5	0	23	0
Minnesota	55	49	6	0	13	0	Wisconsin	66	54	12	0	11	0
Mississippi	17	16	1	0	1	0	Wyoming	16	14	2	0	5	0

Note: A single bed is counted as one standard bed, and a bunk bed is counted as two standard beds. Makeshift beds (e.g., cots, roll-out beds, mattresses, and sofas) are not counted as standard beds. Facilities are counted as over capacity if they reported more residents than standard beds or if they reported any occupied makeshift beds. Facilities could select more than one facility type. "State" is the state where the facility is located. Offenders sent to out-of-state facilities are counted in the state where the facility is located, not the state where they committed their offense.

Source: Authors' analysis of *Juvenile Residential Facility Census 2010* [machine-readable data file].

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Most youth are in facilities that screen for educational needs, substance abuse, and mental health needs

Facilities that screened all youth for educational needs held 86% of the offenders in placement

As part of the information collected on educational services, the JRFC questionnaire asked facilities about their procedures regarding educational screening. In 2010, 87% of facilities that reported educational screening information said that they evaluated all youth for grade level and educational needs. An additional 5% evaluated some youth. Only 9% did not evaluate any youth for educational needs.

Of the 91 facilities in 2010 that screened some but not all youth, 73% evaluated youth whom staff identified as needing an assessment; 61% evaluated youth with known educational problems; 55% evaluated youth for whom no educational record was available; and 16% evaluated youth who came directly from home rather than another facility.

In 2010, those facilities that screened all youth held 86% of the juvenile offenders in placement. An additional 3% of juvenile offenders in 2010 were in facilities that screened some youth.

The vast majority of facilities (89%) that screened some or all youth for grade level and educational needs used previous academic records. Some facilities also administered written tests (67%) or conducted an education-related interview with an education specialist (61%), intake counselor (38%), or guidance counselor (25%).

The smallest facilities were the least likely to evaluate all youth for grade level

	Facility size based on residential population						
Education screening	Total	1–10	11–20	21–50	51–100	101–200	200+
Total facilities	2,111	676	481	563	243	108	40
Facilities reporting	1,959	624	456	519	226	99	35
All reporting facilities	100%	100%	100%	100%	100%	100%	100%
All youth screened	87	75	89	94	94	96	100
Some youth screened	5	8	4	3	4	3	0
No youth screened	9	18	7	3	3	1	0

■ The largest facilities evaluated all youth for grade level in 2010.

Note: Column percentages may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

Most facilities evaluated youth for grade level between 24 hours and 7 days after arrival

	Number of juvenile facilities			As a percentage of facilities that evaluated youth for grade level		
When youth are evaluated for educational needs	All facilities	All youth evaluated	Some youth evaluated	Facilities that evaluated	All youth evaluated	Some youth evaluated
Total facilities	2,111	1,701	91	100%	95%	5%
Less than 24 hours	385	378	7	21	21	0
24 hours to 7 days	1,383	1,334	49	77	74	3
7 or more days	177	151	26	10	8	1
Other	73	55	18	4	3	1
No youth evaluated (or not reported)	319	–	–	–	–	–

Note: Facilities sum to more than 2,111 because they were able to select more than one time period.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

Most facilities reported that youth in their facility attended school

Ninety-two percent (92%) of facilities reported that at least some youth in their facility attended school either inside or outside the facility. Facilities reporting that all youth attended school (73% of facilities) accounted for 72% of the juvenile offender population in residential placement. Ranch/wilderness camps were the least likely to report that all youth attended school (63%) and the most likely to report that no youth attended school (15%). Facilities with 11–20 residents and 21–50 residents were most likely to report that all youth attended school (77% each), while facilities with 200+ residents were least likely (58%) to have all youth attend school. Facilities reporting that no youth attended school (8%) accounted for 9% of all juvenile offenders in residential placement.

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Facilities offered a variety of educational services

Facilities that provide both middle and high school-level education housed 83% of all juvenile offenders. Ninety-one percent (91%) of all facilities provided high school-level education, and 84% provided middle school-level education. Most facilities also reported offering special education services (82%) and GED preparation (71%). A much smaller percentage of facilities provided vocational or technical education (38%) and post-high school education (31%).

Facilities that screened all youth for substance abuse problems held 66% of offenders in custody

In 2010, 70% of facilities that reported substance abuse evaluation information said that they evaluated all youth, 17% said that some youth were evaluated, and 13% did not evaluate any youth.

Of the 330 facilities that evaluated some but not all youth, 85% evaluated youth that the court or a probation officer identified as potentially having substance abuse problems, 74% evaluated youth that facility staff identified as potentially having substance abuse problems, and 57% evaluated youth charged with or adjudicated for a drug or alcohol-related offense.

Those facilities that screened all youth held 66% of the juvenile offenders in custody. An additional 16% of juvenile offenders were in facilities that screened some youth.

The most common form of substance abuse evaluation was staff-administered questions

The majority of facilities (74%) that evaluated some or all youth for substance abuse problems did so by having staff administer a series of questions that ask about substance use and abuse, 59% evaluated youth by visual observation, 52% evaluated youth by using a self-report checklist inventory that asks about substance use and abuse, and 41% said they used a standardized self-report instrument such as the Substance Abuse Subtle Screening Inventory.

Drug testing was a routine procedure in most facilities in 2010

As part of the information collected on substance abuse services, facilities were asked if any youth were required to undergo drug testing after arrival in their facility. The majority of facilities (73%) reported that at least some youth were required to undergo drug testing. Of facilities that reported that all or some youth were tested, the reason for testing was most commonly due to a request from the court or probation officer (62% for facilities that tested all youth, 72% for facilities that tested youth suspected of recent drug or alcohol use, and 69% for facilities that tested youth with substance abuse problems).

Circumstances of testing	Percentage of facilities
All youth	
After initial arrival	26%
At each reentry	23
Randomly	31
When drug use is suspected or drug is present	52
At the request of the court or probation officer	62
Youth suspected of recent drug/alcohol use	
After initial arrival	34%
At each reentry	26
Randomly	33
When drug use is suspected or drug is present	59
At the request of the court or probation officer	72
Youth with substance abuse problems	
After initial arrival	27%
At each reentry	26
Randomly	35
When drug use is suspected or drug is present	53
At the request of the court or probation officer	69

In 2010, substance abuse education was the most common service provided at facilities

Of the facilities holding more than 200 residents that reported providing substance abuse services, all provided substance abuse education and were more likely than smaller facilities to have special living units in which all young persons have substance abuse offense and/or problems.

The majority of facilities that provided counseling or therapy were most likely to provide these services on an individual basis. In 2010, shelters were most likely to provide individual counseling and individual therapy. Training schools were the most likely to provide group counseling and 100% of reception/diagnostic centers reported providing group therapy. Across facility types, family counseling or therapy was the least likely substance abuse service provided.

In approximately 6 of 10 facilities, in-house mental health professionals evaluated all youth held

Facilities provided information about their procedures for evaluating youth's mental health needs. Among facilities that responded to mental health evaluation questions in 2010, 57% reported that they evaluated all youth for mental health needs and 42% evaluated some but not all youth. Only 1% said that they did not evaluate any youth (either inside or outside the facility) during their stay.

Profile of in-house mental health evaluations:

Youth evaluated	2000	2010
Facilities reporting	2,201	1,584
Total	100%	100%
All youth	50	57
Some youth	36	42
No youth	14	1

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

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In 2010, a greater proportion of privately operated than publicly operated facilities said that in-house mental health professionals evaluated all youth (79% vs. 49% of facilities reporting mental health evaluation information).

Profile of in-house mental health evaluations, 2010:

Youth evaluated	Public	Private
Facilities reporting	889	695
Total	100%	100%
All youth	49	79
Some youth	51	21

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

Facilities also identified themselves according to the type of treatment they provided (if any). Facilities that said they provided mental health treatment inside the facility were more likely than other facilities to have a mental health professional evaluate all youth (66% vs. 34% of those reporting mental health evaluation information).

Profile of in-house mental health evaluations, 2010:

	Onsite mental health treatment?	
Youth evaluated	Yes	No
Facilities reporting	1,410	174
Total	100%	100%
All youth	66	34
Some youth	34	66

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

Evaluation of all youth by an in-house mental health professional was more likely in small facilities than in large facilities

Among facilities that reported mental health information, 66% of those with 1–10 residents said that all youth were evaluated for mental health needs by a mental health professional. In comparison, proportions were smaller for facilities that housed more residents (e.g., 59% for facilities with 200 or more residents).

Group homes and residential treatment centers were more likely than other types of facilities to have in-house mental health professionals evaluate all youth for mental health needs in 2010

	Facility type						
In-house mental health evaluation	Detention center	Shelter	Reception/ diagnostic center	Group home	Ranch/ wilderness camp	Training school	Residential treatment center
Total facilities	705	137	72	528	68	188	763
Facilities reporting	570	80	66	331	43	169	638
All reporting facilities	100%	100%	100%	100%	100%	100%	100%
All youth evaluated	34	40	71	79	56	74	77
Some youth evaluated	66	60	29	21	44	26	23

Note: Column percentages may not total 100% because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

The most common approach to in-house mental health evaluation in 2010 was to screen all youth by the end of their first day or first week at the facility

	As a percentage of facilities that evaluated youth in-house for mental health needs			As a percentage of juvenile offenders in facilities that provided in-house evaluation for mental health needs		
When youth are evaluated for mental health needs	Facilities that evaluated	All youth evaluated	Some youth evaluated	Facilities that evaluated	All youth evaluated	Some youth evaluated
Total facilities reporting	100%	62%	38%	100%	100%	100%
Less than 24 hours	39	29	10	47	33	14
24 hours to 7 days	39	29	10	34	23	11
7 or more days	6	3	3	5	3	2
Other	16	2	14	15	2	13

- In 58% of facilities that reported using an in-house mental health professional to perform mental health evaluations, all youth were evaluated for mental health needs by the end of their first week in custody.

Note: Percentage detail may not add up to total because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

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Suicide risk screening for all youth on their first day was common, accounting for 86% of facilities and 91% of youth

Facilities that screened all youth for suicide risk held 93% of the juvenile offenders in custody

As part of the information collected on mental health services, the JRFC questionnaire asks facilities about their procedures regarding screening youth for suicide risk. In 2010, 89% of facilities that reported information on suicide screening said that they evaluated all youth for suicide risk. An additional 3% said that they evaluated some youth. The proportion of facilities reporting that all youth are evaluated for suicide risk increased 27 percentage points from 2000 to 2010. Fewer facilities in 2010 than in 2000 said they evaluated no youth for suicide risk.

Suicide screening profile:

Facilities	2000	2010
Total facilities	3,051	2,111
Facilities reporting	2,754	1,959
Total facilities	100%	100%
All youth screened	62	89
Some youth screened	24	3
No youth screened	15	7

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

In 2010, a greater proportion of public than private facilities said that they evaluated all youth for suicide risk (94% vs. 84%). Among facilities that reported suicide screening information, those that screened all youth for suicide risk held 93% of juvenile offenders who were in residential placement—up from 78% in 2000.

Suicide screening profile:

Juvenile offenders	2000	2010
Total juvenile offenders	110,284	66,322
Offenders in reporting facilities	104,956	60,678
Total offenders	100%	100%
All youth screened	78	93
Some youth screened	16	3
No youth screened	6	5

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

All facilities used some type of preventive measure once they determined a youth was at risk for suicide

Facilities that reported suicide screening information were asked a series of questions related to preventive measures taken for youth determined to be at risk for suicide. Of these facilities, 65% reported placing at-risk youth in sleeping or observation rooms that are locked or under staff security. Aside from using sleeping or observation rooms, equal proportions of facilities (83%) reported using line-of-sight supervision and removing personal items that could be used to attempt suicide, and approximately 7 in 10 facilities (71%) reported using one-on-one or arm's length supervision. More than 4 in 10 facilities (42%) reported using special clothing designed to prevent suicide attempts, and 33% reported removing the youth from the general population. Twenty-one percent (21%) of facilities used restraints to prevent suicide attempts and 18% of facilities used special clothing to identify youth at risk for suicide.

In 2010, the majority (91%) of juvenile offenders in facilities that screened for suicide risk were in facilities that conducted suicide screenings on all youth on the day they arrived

	When suicide risk screening occurs					
Suicide screening	Total	Less than 24 hours	24 hours to 7 days	7 days or more	Other	Never or not reported
Number of facilities:						
All	2,111	1,602	162	13	44	290
All youth screened	1,753	1,563	147	11	32	–
Some youth screened	68	39	15	2	12	–
Percentage of facilities that screened:						
Total	100%	88%	9%	1%	2%	–
All youth screened	96	86	8	1	2	–
Some youth screened	4	2	1	0	1	–
Number of juvenile offenders:						
In all facilities	66,322	53,067	3,125	178	1,469	8,483
In facilities that screened all youth	56,316	52,438	2,914	166	798	–
In facilities that screened some youth	1,523	629	211	12	671	–
Percentage of juvenile offenders:						
In facilities that screened	100%	92%	5%	0%	3%	–
In facilities that screened all youth	97	91	5	0	1	–
In facilities that screened some youth	3	1	0	0	1	–

- More than 9 in 10 facilities (94%) that reported screening for suicide risk said they conducted the screenings for all youth by the end of the first week of the youth's stay at the facility. A large portion (86%) said they conducted screenings for all youth on the youth's first day at the facility. These facilities accounted for 91% of juvenile offenders held in facilities that conducted suicide screenings.

Note: Percentage detail may not add up to total because of rounding.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

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JRFC asks facilities about certain activities that may have occurred in the month before the census date

In addition to information gathered on the census date, JRFC collected data on the following questions for the 30-day period of September 2010:

- Were there any unauthorized departures of any young persons who were assigned beds at this facility?
- Were any young persons assigned beds at this facility transported to a hospital emergency room by facility staff, transportation staff, or by an ambulance?
- Were any of the young persons assigned beds here restrained by facility staff with a mechanical restraint?
- Were any of the young persons assigned beds here locked for more than 4 hours alone in an isolation, seclusion, or sleeping room to regain control of their unruly behavior?

One-fifth of facilities (20%) reported unauthorized departures in the month before the census date

Facility type	Number of facilities: Total	Number of facilities: Reporting	Percentage of reporting facilities with unauthorized departures
Total facilities	2,111	1,959	20%
Detention center	705	679	3
Shelter	137	132	38
Reception/diagnostic center	72	70	21
Group home	528	479	35
Ranch/wilderness camp	68	58	24
Training school	188	174	9
Residential treatment center	763	698	26

- Less secure facility types were more likely to report unauthorized departures.

Note: Detail may sum to more than the totals because facilities could select more than one facility type.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

Nearly 1 in 4 facilities reported using mechanical restraints; 1 in 5 reported locking youth in some type of isolation

Facility type	Percentage of reporting facilities: Used mechanical restraints	Percentage of reporting facilities: Locked youth in room for 4 or more hours
Total facilities	23%	22%
Detention center	41	47
Shelter	4	4
Reception/diagnostic center	47	32
Group home	1	1
Ranch/wilderness camp	28	12
Training school	72	47
Residential treatment center	14	10

- Training schools were the most likely type of facility to use mechanical restraints (i.e., handcuffs, leg cuffs, waist bands, leather straps, restraining chairs, strait jackets, or other mechanical devices) in the previous month and most likely to lock a youth alone in some type of seclusion for 4 or more hours to regain control of their unruly behavior.
- Group homes were the facility type least likely to use either of these measures.

Note: Percentages are based on 1,958 facilities that reported mechanical restraints information and locked isolation information, of a total 2,111 facilities.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

Sports-related injuries were the most common reason for emergency room visits in the previous month

Reason for ER visit	Percentage of facilities
Total	33%
Injury:	
Sports-related	42
Work/chore-related	2
Interpersonal conflict (between residents)	21
Interpersonal conflict (by nonresident)	4
Illness	37
Pregnancy:	
Complications	5
Labor and delivery	1
Suicide attempt	6
Non-emergency:	
No other health professional available	13
No doctor's appointment could be obtained	10
Other	25

Note: Percentages are based on facilities that reported emergency room information (32 of 2,111 facilities [1%] did not report).

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

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Facilities reported 11 deaths of juvenile offenders in residential placement over 12 months—5 were suicides

Juvenile offenders rarely die in custody

Juvenile facilities holding juvenile offenders reported that 11 youth died while in the legal custody of the facility between October 1, 2009, and September 30, 2010. Each death occurred at a different facility.

Routine collection of national data on deaths of juveniles in custody began with the 1988/89 Children in Custody Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities. Either accidents or suicides have always been the leading cause of death. Over the years 1988–1994, an average of 46 deaths were reported nationally per year, including an annual average of 18 suicides. Over the years 2000–2010, those averages dropped to 20 deaths overall and 8 suicides. In 2006, the number of suicides that were reported by residential facilities (four) was at the lowest level since OJJDP first started collecting data from JRFC in 2000. There were five suicides reported in 2010.

Detention centers and residential treatment centers reported equal numbers of deaths in 2010 (four each). Detention centers accounted for two deaths due to illness, one suicide, and one death as a result of an accident. Residential treatment centers accounted for two deaths as the result of an illness, one suicide, and one death as the result of an unknown cause. Group homes accounted for 2 of the 11 deaths; both were suicides. Training schools accounted for 1 of the 11 deaths—a suicide.

During the 12 months prior to the census, suicides were the most commonly reported cause of death in custody

		Inside the facility			Outside the facility		
Cause of death	Total	All	Public	Private	All	Public	Private
Total	11	6	5	1	5	1	4
Suicide	5	3	3	0	2	0	2
Illness/natural	4	1	1	0	3	1	2
Accident	1	1	1	0	0	0	0
Homicide	0	0	0	0	0	0	0
Other/unknown	1	1	0	1	0	0	0

- The deaths from illness were not AIDS related.

Note: Data are reported deaths of youth in custody from October 1, 2009, through September 30, 2010.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

In 2010, the death rate was generally higher for private facilities than for public facilities

	Deaths per 10,000 juveniles held on the census date, October 27, 2010		
Cause of death	Total	Public facility	Private facility
Total	1.6	1.3	2.5
Suicide	0.7	0.6	1.0
Illness/natural	0.6	0.4	1.0
Accident	0.1	0.2	0.0
Homicide	0.0	0.0	0.0
Other	0.1	0.0	0.5

	Deaths per 10,000 juveniles held on the census date, October 27, 2010		
Type of facility	Total	Public facility	Private facility
Detention center	1.4	1.6	0.0
Training school	0.6	0.7	0.0
Group home	3.1	8.4	1.9
Residential treatment center	1.6	0.0	3.1

- The death rate in 2010 (1.6) was substantially lower than that in 2000 (2.8). There were 30 reported deaths of youth in custody in 2000; accidents were the most commonly reported cause. In 2010, suicides were the most commonly reported cause (followed closely by illness/natural death).

Note: Data are reported deaths of youth in custody from October 1, 2009, through September 30, 2010.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

Generally, suicides did not occur in the first days of a youth's stay

One suicide occurred 2 days after the youth was admitted to the facility, one occurred 4 weeks after admission, one occurred 23 weeks after admission, and the remaining two suicides occurred just over 1 year after admission. The least number of days since admission for deaths was the suicide that occurred 2 days after admission and the greatest number of days was a death as a result of an illness after the youth had been in custody for 514 days (about a year and a half). The

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JRFC asks facilities about deaths of young persons at locations inside and/or outside the facility

During the year between October 1, 2009, and September 30, 2010, did any young persons die while assigned to a bed at this facility at a location either inside or outside of this facility?

If yes, how many young persons died while assigned beds at this facility during the year between October 1, 2009, and September 30, 2010?

What was the cause of death?

- Illness/natural causes (excluding AIDS)
- Injury suffered prior to placement here
- AIDS
- Suicide
- Homicide by another resident
- Homicide by nonresident(s)
- Accidental death
- Other (specify)

What was the location of death, age, sex, race, date of admission to the facility, and date of death for each young person who died while assigned a bed at this facility?

Of the total deaths in custody, 5 of 11 deaths involved white non-Hispanic males; none involved females

	Cause of death											
	Total		Suicide		Illness/natural		Accident		Homicide		Other	
Race/ethnicity	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Total	11	0	5	0	4	0	1	0	0	0	1	0
White non-Hispanic	5	0	3	0	1	0	0	0	0	0	1	0
Black non-Hispanic	4	0	0	0	3	0	1	0	0	0	0	0
American Indian/Alaska Native	1	0	1	0	0	0	0	0	0	0	0	0
Asian/Pacific Islander	0	0	0	0	0	0	0	0	0	0	0	0
Hispanic	0	0	0	0	0	0	0	0	0	0	0	0
Other race/ethnicity	1	0	1	0	0	0	0	0	0	0	0	0

Note: Data are reported deaths of youth in custody from October 1, 2009, through September 30, 2010.

Source: Authors' analysis of OJJDP's *Juvenile Residential Facility Census 2010* [machine-readable data file].

overall median number of days since admission for deaths of juveniles in custody was 159.

Are youth in residential placement at greater risk of death than youth in general?

There is concern about the risk of death to youth in residential placement and whether that risk is greater than the risk faced by youth in the general population. Death rates for the general population (detailed by age, sex, race, ethnicity, and cause of death) can be applied to the population of juvenile offenders held in residential placement facilities to calculate the number of deaths that would be expected if the residential placement population had the same rate of death as the general population.

Number of deaths in juvenile facilities, 2010:

Cause of death	Expected	Actual
All deaths	39	11
Suicide	8	5
Homicide	13	0
Unintentional	18	6

Note: Totals include causes not detailed. Homicide includes deaths from legal intervention. Unintentional includes illness, accidents, etc.

Overall, the actual deaths reported to JRFC were substantially lower than the expected number of deaths. The expected number of deaths was 3.5 times the actual number of deaths. Even the expected number of suicides was greater than the actual number of suicides. Residential placement facilities substantially reduce the risk of death from homicide and from accidents.

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The Juvenile Residential Facility Census includes data submitted by tribal facilities

Tribal facilities responding to the JRFC tend to be small detention centers owned and operated by tribes

OJJDP worked with the Bureau of Indian Affairs to ensure a greater representation of tribal facilities in the CJRP and JRFC data collections. As a result, the 2010 JRFC collected data from 20 tribal facilities (up from 8 in 2008). Of the 20 facilities, 19 held juvenile offenders on the census date. The 19 held a total of 235 juvenile offenders (up from 101 in 8 facilities in 2008).

Of the reporting tribal facilities holding juvenile offenders, 10 were owned and operated by the tribe, 3 were owned and operated by the federal government, 1 was owned by the tribe and operated by the federal government, and 1 was owned by the federal government and operated by the tribe. Two facilities were owned by the tribe but operated by an 'other' organization (Bureau of Indian Affairs and Public Law 93-638 contract). One facility did not report ownership information but was privately operated. The remaining facility did not report ownership or operation information.

Compared with the nation's reporting about juvenile residential facilities, tribal facilities are small. All 19 reporting tribal facilities holding juvenile offenders identified themselves as detention centers. One facility also identified itself as an 'other' type of facility. They held from 28 to 109 residents, with 42% of facilities holding between 11 and 20 residents.

Crowding occurs at very few tribal detention centers

Most tribal facilities reporting to the JRFC have generally not had crowding problems. In each census year, most tribal facilities were operating below their standard bed capacity. On the 2010 census day, almost all facilities (17) were operating at less than their standard bed capacity, one was operating at capacity, and one exceeded capacity. This pattern was similar for all census years prior to 2010. Standard bed capacities ranged from 13 to 186, but only 2 facilities had more than 100 beds.

The use of mechanical restraints or locking youth in isolation rooms is uncommon in tribal facilities

In all census years, most, if not all, reporting tribal facilities said they did lock youth in their rooms. Seventeen of the 19 tribal facilities reported locking youth in their sleeping rooms. Among tribal facilities that locked youth in their rooms, most (16 facilities) did so at night, 11 did so when youth were out of control, 10 did so when youth were in their sleeping rooms, 9 did so during shift changes, and 7 did so when a youth was considered suicidal. Three facilities locked youth in their room all day and one facility reported rarely locking youth in their room.

In each JRFC collection, only a few tribal facilities reported using either mechanical restraints or isolation. In 2010, use of mechanical restraints was reported by 5 of 19 tribal facilities, and 3 facilities reported locking youth alone for more than 4 hours to regain control of unruly behavior.

Tribal facilities provide a range of services

Of the 19 tribal facilities with juvenile offenders, 15 reported assessing youth for suicide risk. Each facility said that the screening occurs within the first 24 hours of the youth's arrival to the facility. Of the 15 facilities, 13 reported that all youth were screened for suicide risk. Eleven facilities said they reassessed suicide risk: 2 reassessed during youth's first week of stay, 7 reassessed youth as necessary on a case-by-case basis, and 4 reassessed systematically based on the youth's length of stay or after certain facility events or negative life events (such as after each court appearance, every time the young person re-enters the facility, or after a death in the family).

Most (13) of the 15 facilities screening for suicide risk used untrained staff for those screenings, but trained screeners were also used: 2 facilities said mental health professionals conduct suicide screenings, and 4 said screenings were done by staff that were trained by a mental health professional. All 19 tribal facilities said they took preventative measures to reduce suicide risk.

Of the 17 tribal facilities reporting information on substance abuse services, 10 said they evaluated youth for substance abuse; 6 of those 10 said they evaluated all youth. Five facilities said they require youth to provide urine samples for drug analysis. All 10 facilities that evaluated for substance abuse provided substance abuse services either inside or outside the facility.

Thirteen of the 14 tribal facilities reporting mental health information said that mental health evaluations (other than suicide risk assessments) were provided to youth in their facilities. Two tribal facilities reported evaluating all youth and two facilities evaluated some youth. Five facilities said that evaluations were conducted only at an outside location. All 14 of these facilities reported providing ongoing therapy either onsite or at another location.

Of 17 tribal facilities reporting education information, 12 said that either all youth (11 facilities) or some youth (1 facility) were evaluated for educational needs. Just over half of these facilities conducted evaluations within 24 hours of the youth's arrival at the facility. Most reporting tribal facilities (14) reported that youth attended school either inside or outside the facility; in 10 facilities, all youth attended school.

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Interview data shed light on youth experiences in residential placement

Interviews with youth in placement for delinquent offenses reveal information not otherwise available

The Survey of Youth in Residential Placement (SYRP) is the third component of OJJDP's multi-tiered effort to collect information on youth involved in the juvenile justice system. SYRP gathers information directly from youth through anonymous interviews. SYRP surveys a national sample of youth ages 10–20 in placement because they are accused or adjudicated for offenses. Because it represents all state, local, and private facilities covered by OJJDP's Census of Juveniles in Residential Placement and Juvenile Residential Facility Census surveys, it includes both short- and long-term facilities and the full spectrum of facility programs (correctional, detention, camps, and residential treatment) and community-based programs such as shelters, group homes, and independent living.

The only SYRP completed to date interviewed 7,073 youth in 2003 from 205 representative facilities. Surveys were electronic and used an audio computer-assisted self-interview system to ask questions and record answers. Youth were surveyed in small groups, seated so they could not view each other's computer screens. SYRP provides important information about conditions of confinement and youth's experiences in placement.

Comparing residential facility data collections

Both SYRP and CJRP gather information about youth in residential placement. CJRP surveys residential facility administrators, while SYRP directly interviews youth. Although both collections focus on the same facilities, different terminology is used to describe some facility types. For example, long-term secure facilities (e.g., training schools) in CJRP are referred to as correctional units in the SYRP analyses. Shelters, group homes, halfway houses, and independent living programs are grouped together in SYRP analyses and referred to as community-based units.

SYRP and CJRP also differ in the frequency of data collection. SYRP has been conducted once so far, in 2003. CJRP has been conducted eight times since 1997.

Youth were unevenly distributed by sex and race/ethnicity across different types of facilities

In 2003, females comprised 15% of the youth in placement but 29% of the youth in residential treatment programs. Considered another way, 27% of all females in placement were in residential treatment programs, compared with 12% of all males in placement.

Black youth in placement were more likely to be in correctional programs (42%) compared with white and Hispanic youth (24% and 31%, respectively). In contrast, more Hispanic youth were in camp programs (17%) compared with white or black youth (7% each). White youth were more likely to be in residential treatment programs (20%) than were black or Hispanic youth (9% each). Similar percentages of the three principal race/ethnicity groups were in detention and community-based programs.

Many youth in placement reported gang involvement

The presence of gangs in a facility can exacerbate conflicts and disruptions and complicate facility operations. In 2003, 31% of youth in placement professed some gang affiliation. This included 28% of youth who said they were members of a gang at the time of the offense that led to their current placement. SYRP also asks youth whether there are gangs in their facility and whether they currently belong to a gang in the facility. The majority of youth in residential placement (60%) said there were gangs in their facility, and nearly 1 in 5 (19%) self-identified as a current member of a gang within the facility. More than one-third of current gang members (37%) claimed that being in a gang made them safer inside the facility, but 16% admitted that they felt pressured by the gang to do things they would not normally do.

A majority of youth in placement reported past serious trauma

In 2003, 70% of youth in placement said that they had "something very bad or terrifying happen" to them, and 67% said that they had "seen someone injured or killed (in person—not in the movies or on TV)."

Nearly one-third (30%) of the placement population indicated a history of prior abuse, whether frequent or injurious physical abuse (25%), sexual abuse (12%), or both (7% overlap). Analyses of SYRP data indicate significant correlations between youth's histories of past abuse and suicide-related indicators, both recent suicidal feelings and past suicide attempts.

Nearly 1 in 6 youth had been offered contraband

SYRP asks youth if they have been offered any prohibited items such as alcohol, drugs, and weapons. In 2003, 16% of youth in placement said they had been offered such contraband since they arrived at their facility. Youth most frequently had been offered marijuana (12%) and other illegal drugs (10%). Most of these youth said other residents offered the contraband. More residents in community-based programs reported offers of contraband

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(26%). These offers came from both other residents (16%) and from outside the facility (13%). Additionally, males reported being offered contraband twice as often as females (18% vs. 9%).

Many youth in placement said they were treated unfairly

Half of youth in placement reported that staff punished residents without cause, and 34% claimed that staff used unnecessary force. One-third of youth in placement reported a problem with the grievance process; they either did not know how to file a complaint (19%) or were concerned about retribution if they did so (20%). Just over one-third (34%) reported that staff treated residents fairly, and 30% said punishments were fair.

Most youth knew how to find supportive facility staff and most had family contact, but less than half had a lawyer

Eighty-four percent (84%) of youth in placement said they knew how to find a staff member to talk to if they were upset.

Nearly all youth in placement (92%) reported that since arriving at their facility, they had some contact with their families, through either phone calls or visits. Nearly 9 in 10 youth talked with their family on the telephone, and about 7 in 10 had an in-person visit. The percentage of youth in contact with family varied by program type, with fewer youth in corrections and camp programs having any contact, and those who did reporting less frequent family contact.

Many youth were placed in facilities far from their families. The majority (59%) of youth in placement said that it would take their families 1 hour or more to travel to visit them, while 28% said their families would have to travel 3 hours or more to see them.

Less than half (42%) of youth in placement reported that they had a lawyer, 20% reported they requested contact with a lawyer, and 13% reported they requested and received access to a lawyer.

More than 1 in 3 youth said they had been isolated, most for lengthy periods

In describing their experiences of discipline, 35% of youth reported being isolated—locked up alone or confined to their room with no contact with other residents. The vast majority of youth who were isolated (87%) said this was for longer than 2 hours, and more than half (55%) said it was for longer than 24 hours.

Best-practices guidelines recommend that solitary confinement exceed 24 hours only if the facility director explicitly approves and that youth who are held in solitary confinement for longer than 2 hours see a counselor. SYRP has no information on procedures for approving lengthy times in solitary confinement but did ask youth whether they talked to a counselor about their feelings or emotions. Most (52%) of those isolated longer than 2 hours indicated they had not met with a counselor since coming to their facility.

SYRP asked youth in placement to report their experience with methods of physical control

OJJDP's Performance-Based Standards dictate using a restraint chair or pepper spray only as a last resort following appropriate protocol. SYRP indicates that these practices, although infrequent, were used—4% of youth said that facility staff placed them into a restraint chair and 7% reported that staff used pepper spray on them.

These practices indirectly affect a much larger segment of youth in placement. Thirty percent (30%) of youth in placement lived in units where one or more residents experienced the use of pepper spray, and 29% of youth lived with one or more residents who received time in a restraint chair.

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More than half of youth reported experiencing theft or violence while in placement

A majority of youth reported some type of victimization experience while living in the facility

SYRP asks youth about their victimization experiences while living in their current facility. Questions cover theft, robbery, physical assault or threat, and sexual assault. Taken together, 56% of youth in placement reported one or more such events.

Nearly half of youth in placement (46%) said their personal property was stolen when they were not present to protect it. Victims reported an average of 6 episodes of theft during their time in residence.

One in 10 youth in placement said that someone used force or threat to steal their personal property from them. More than one quarter (28%) of robbery victims said their assailant used a weapon, generally a sharp object other than a knife. About one-third (34%) said they were injured as a result of the robbery. Those who were injured described an average of 10 episodes; uninjured robbery victims averaged 5 episodes.

Nearly 3 in 10 youth in placement (29%) reported being a victim of physical assault or threats since coming to their facility. They described an average of 9 such attacks during their stay. Sixteen percent (16%) of victims said a weapon was involved—again, most commonly a sharp object. Although only 9% of assault victims said their assault experiences were reported to a staff member, counselor, teacher, or someone who could help them, 33% said that something was done to stop it from happening again. About 9% of all youth in placement said they were actually injured in a physical assault. Almost half of those injured (47%) required medical care for the injuries.

Four percent (4%) of youth in placement said they were victims of sexual assault while in their current facility. This occurred an average of 6 times. Two-fifths (41%) of sexual assault victims described the forced activity as involving penetration. One-half (50%) of victims identified facility staff as their assailants, while 60% said they were victimized by another resident. Of sexual assault victims, 17% said they were threatened with a weapon during the assault, mostly with a sharp object. One-fifth (20%) were injured as a result of the assault, and 21% of injured sexual assault victims required medical care.

Different forms of violence occurred in similar circumstances

Different forms of violence tended to occur to the same youth. Youth who reported any one form of violent victimization were significantly more likely to report another type. Of youth who experienced injurious physical assault or robbery, just under half (45% and 46%, respectively) also reported experiencing at least one other type of violence. Of sexual assault victims, 60% were also robbed, physically assaulted, or both robbed and physically assaulted.

SYRP analyses show that this clustering of violent events can be explained by the fact that the different forms of violence have very similar risk factors, so all forms of violence are more prevalent among youth and in facility environments that possess these risk factors. The following paragraphs discuss the nine most important risk factors: the facility's grievance process, youth's past history of abuse, staff's reliance on physical methods of control, residents' perceptions of how fairly the rules are applied, youth's age, the facility's use of makeshift beds, youth's disability status, youth's length of stay, and the relative severity of the youth's offense.

Most physical characteristics of facilities did not relate to rates of violent victimization

When other important risk factors for violence were taken into account, most structural features of the facility (such as size, type of program, level of security) did not relate to risk of violence. The one exception was the facility's use of makeshift beds. At the time of SYRP, only 8% of youth in custody resided in facilities that reported using makeshift beds. Youth in these facilities experienced lower rates of any form of violence, and specifically of robbery and injurious physical assault. Among youth with the same other risk factors for violence, 11% of those in facilities that used makeshift beds experienced some type of violence, compared with 17% of youth in other facilities. Facilities that used makeshift beds may have structural features or staffing arrangements that allow closer observation of the youth.

The most important risk factors for violent victimization included measures of facility climate

The most important risk factors were indicators of facility climate, including an ineffective grievance process, residents' perceptions that the rules were not applied fairly, and staff reliance on physical methods of control.

The risk for all types of violence was considerably higher when youth indicated that the facility had an ineffective grievance process. For youth with the same characteristics on other risk factors, 12% of those who did not indicate problems with the grievance process experienced some form of violence, in contrast to 40% of youth who said they did not know how to file a complaint if they were mistreated and that they expected bad consequences if they did so.

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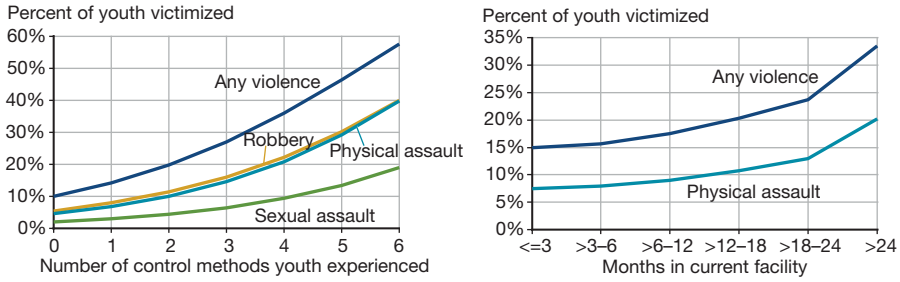
Rates of violent victimization were highest in places where youth lacked faith in the just and fair operation of their facility. The likelihood that a youth would experience violence varied directly with the proportion of residents in his or her living unit who said the rules were not applied fairly. When youth did not differ on other important risk factors, the rate of any violence ranged from 12% in living units where 1 in 10 or fewer residents thought the rules were not applied fairly to 32% in units where 9 in 10 residents thought so.

Youth's reports of violent victimization varied with their reports that staff physically controlled them by holding them down or using handcuffs or wristlets, a security belt or chains, strip search, pepper spray, or a restraint chair. The more control methods that youth experienced, the greater the likelihood that youth reported being victims of violence.

Among youth who were the same on other risk factors, the risk of violence varied by youth characteristics. Youth who reported any physical or sexual abuse while they were living with their family or in another household had a significantly higher risk of experiencing violence while in placement. Youth who reported a diagnosed learning disability had a significantly higher risk of experiencing all types of violence except sexual assault. When other factors that heighten risk for older youth were taken into account, it is younger youth who were at greater risk of being victims of violence.

The longer youth are in placement, the longer they are exposed to risk, so it is no surprise that youth who had been in a facility longer reported experiencing violence at higher rates than those with shorter stays. Youth who reported offenses that were among the most serious in their living unit had significantly higher rates of victimization.

The more control methods experienced and the longer youth's length of stay, the greater the likelihood of reported violent victimization

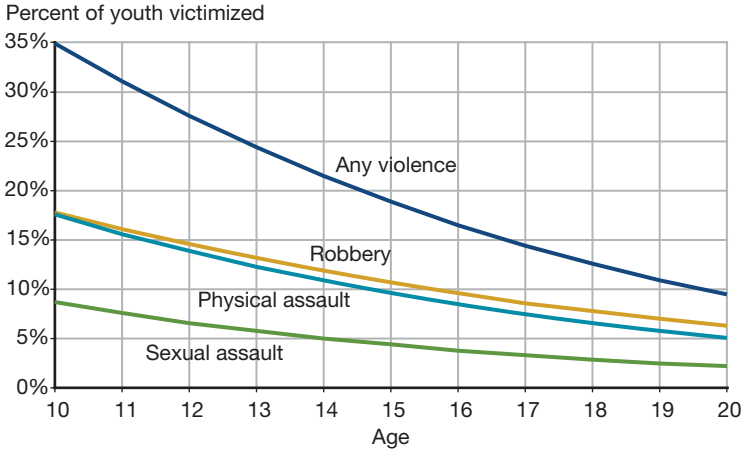


- For youth who experienced no physical control by staff, 10% reported experiencing some form of violence, compared with 58% of youth who experienced all six forms of physical control in their facility. The same trend applied to all forms of violence.
- Less than 17% of youth in placement for a year or less experienced some form of violence, compared with 24% of youth in placement between 18 and 24 months and 33% of those in placement for more than 2 years.

Note: Percentages assume that youth are equal on other important risk factors. The six methods of physical control are using force to hold youth down, handcuffs or wristlets, a security belt or chains, strip search, pepper spray, or a restraint chair.

Source: Authors' adaptation of Sedlak et al.'s *Nature and Risk of Victimization: Findings from the Survey of Youth in Residential Placement*.

Younger youth are at greatest risk of being victims of violence



- More than one-fourth of youth younger than 13 experienced some type of violence in custody, compared with 9% of 20-year-olds. This pattern applied to all forms of violence.

Note: Percentages assume that youth are equal on other important risk factors.

Source: Authors' adaptation of Sedlak et al.'s *Nature and Risk of Victimization: Findings from the Survey of Youth in Residential Placement*.

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In 2012, 1 in 10 youth in state-owned or state-operated juvenile facilities reported sexual victimization

Two BJS surveys studied sexual victimization in state juvenile facilities and in private or local facilities under state contract

The Prison Rape Elimination Act of 2003 (PREA) requires the Bureau of Justice Statistics (BJS) to report the incidence and prevalence of sexual violence in adult and juvenile correctional facilities. In response, BJS completed two National Surveys of Youth in Custody (NSYC), the first in 2008–09 and the most recent in 2012.

Both surveys interviewed adjudicated youth in state-owned or state-operated juvenile facilities and locally or privately operated facilities that hold adjudicated youth under state contract. The surveys included only facilities that hold adjudicated youth for at least 90 days, with more than 25% of residents adjudicated, and with at least 10 adjudicated youth.

Like the Survey of Youth in Residential Placement (SYRP), NSYC uses an audio computer-assisted self-interview methodology. However, unlike SYRP, which surveyed youth in small groups, NSYC interviewed youth individually.

NSYC-1 administered the victimization survey to a national sample of 9,198 youth in 195 eligible facilities, representing 26,550 adjudicated youth held nationwide—21,170 in state facilities and 5,380 in contract facilities. In NSYC-2, 8,707 youth in 326 eligible facilities completed the victimization survey, representing 18,100 adjudicated youth nationwide—15,500 in state facilities and 2,600 in contract facilities.*

* The 27% drop in the adjudicated youth population in state facilities over the 4-year timespan is consistent with the 31% drop in the committed population seen between 2007 and 2011 in the Census of Juveniles in Residential Placement. The inclusion criteria for the contract facilities differed across studies, so those totals are not comparable.

Victimization declined between NSYC-1 and NSYC-2, mostly in the category of staff misconduct

Because the samples of contract facilities were somewhat different in the two surveys, between-study comparisons are based only on the state facilities' results. The overall rate of sexual victimization in these facilities decreased from 12.6% in NSYC-1 to 9.9% in NSYC-2.

In both NSYC cycles, more than 80% of sexually victimized youth reported events that NSYC defines as staff sexual misconduct (8.2% of 9.9% in NSYC-2 and 10.7% of 12.6% in NSYC-1). More than 60% of these youth described events that did not involve any reported force or coercion. In all categories across studies, the majority of sexually victimized youth described explicit sexual acts involving the genitalia or anus.

The decreased rate of sexual victimization may partly reflect shifts in the incarcerated youth population—away from larger facilities and longer stays

In both surveys, sexual victimization rates were higher in larger facilities. Between NSYC-1 and NSYC-2, the youth populations in eligible facilities shifted away from larger facilities housing 101 or more adjudicated youth (from 65.6% down to 53.2%), and more youth were held in medium facilities with 51 to 100 youth (from 17.0% up to 24.0%).

Like SYRP, NSYC found higher victimization rates for longer-term residents, reflecting their increased exposure time. Between NSYC-1 and NSYC-2, the percentage of youth who were in their facility less than 5 months increased (from 20.9% to 26.9%), while the percentage of youth in their facility longer decreased. The victimization rates for the longer-staying youth also decreased, additionally contributing to the decline in overall victimization.

How BJS measured sexual victimization in NSYC

NSYC classifies sexual victimization into two categories of youth-on-youth sexual acts and four categories involving sexual acts between staff and youth, distinguishing these categories by use of force and by the nature of the sexual acts involved.

Force. NSYC defines force broadly, including physical force, threat of force, other force or pressure, and other forms of coercion, such as receiving money, favors, protection, or special treatment.

Explicit sexual acts involving genitalia or anus. Includes all contact involving the penis, vagina, or anus, regardless of penetration.

Other sexual contacts only. Includes kissing, touching (excluding any touching involving the penis, vagina, or anus), looking at private parts, displaying sexual material, such as pictures or a movie, and engaging in some other sexual contact that did not include touching.

Youth-on-youth sexual victimization. All youth-on-youth sexual victimization must involve some form of force. NSYC defines two categories: explicit sexual acts and other sexual contacts only.

Staff sexual misconduct. Staff-and-youth sexual activity is divided into acts that involved force and acts without force. Each of these categories is further divided into the nature of the sexual activity involved: explicit sexual acts and other sexual contacts only.

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Low sexual victimization rates correlated with positive views of facility staff

NSYC-2 youth had more positive perceptions of facility staff, with 60.0% endorsing four or more positive statements describing the staff, compared with 54.8% in NSYC-1. Also, fewer NSYC-2 youth who agreed with four or more positive descriptors of staff were victimized (4.6%) than NSYC-1 youth with similar views (7.4%).

NSYC-2 found that state facilities had higher rates of staff sexual misconduct (8.3%) than contract facilities (4.5%).

Sexual victimization rates differed by youth's characteristics and experiences

Females were victimized at a lower rate overall, but more females than males reported being forced into youth-on-youth sexual activity (5.4% vs. 2.2%). In contrast, more males reported sexual encounters with staff (8.2% vs. 2.8%). More youth who described themselves as non-heterosexual reported youth-on-youth victimization (10.3% vs. 1.5%).

Staff sexual misconduct rates were higher for youth ages 17 (8.0%) and 18 or older (8.7%) compared with those age 15 or younger (5.8%). (Note that, unlike SYRP analyses, the NSYC analyses did not compare youth who were the same on other risk factors.)

Between the two NSYC cycles, the proportion of youth reporting sexual victimization generally declined

	Percentage of youth reporting sexual victimization in state juvenile facilities in the past 12 months	
Type of victimization	NSYC-1	NSYC-2
All victimization	12.6%	9.9%
Youth-on-youth (only force)	2.8	2.5
Explicit sexual acts	2.1	1.7
Other sexual contacts only	0.5	0.6
Staff sexual misconduct	10.7	8.2
Force reported	4.5	3.6
Explicit sexual acts	4.1	3.2
Other sexual contacts only	0.4	0.2
No force reported	6.7	5.1
Explicit sexual acts	6.1	4.6
Other sexual contacts only	0.5	0.5

Note: Youth who experience multiple types of maltreatment are included in each applicable category. Results exclude youth held in local or privately operated facilities.

Source: Authors' adaptation of Beck et al.'s *Sexual Victimization in Juvenile Facilities Reported by Youth, 2012.*

Methods and sexual assault rates differ in SYRP and NSYC

Given the many differences between the methods used in SYRP and in the BJS surveys, it is not surprising that the observed victimization rates differ.

SYRP included the full range of facilities that hold youth for offenses and included both adjudicated and pre-adjudicated youth. In contrast, the BJS surveys were restricted to state facilities and those private and local facilities that held youth offenders under state contract.

The BJS surveys also required that included facilities hold youth at least 90 days and only interviewed adjudicated youth. SYRP applied no such restrictions.

The surveys also used different definitions of sexual victimization. SYRP included only forced sexual activity, whereas BJS included any forced or pressured youth-on-youth activity and any sexual activity involving staff, including "consensual" sexual activity in the absence of any force or pressure.

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More white youth reported sexual victimization by another youth than black or Hispanic youth (4.0% vs. 1.4% and 2.1%, respectively). In contrast, more black youth were involved with staff in sexual misconduct (9.6%) than were white or Hispanic youth (6.4% each).

Similar to SYRP, NSYC found that youth who were victims of sexual assaults in the past were more likely to be victims in their current facility. NSYC analyses showed that this applied to both youth-on-youth sexual assaults and staff sexual misconduct. It also applied whether considering any prior sexual assaults (17.4% vs. 8.2% without prior victim experiences) or only sexual assaults while living in another facility (52.3% vs. 8.6% without prior victim experiences). However, the latter experiences were much more strongly associated with the likelihood of victimization in the current facility.

As mentioned earlier, youth's length of stay in the facility related to their risk of victimization, with longer exposure times associated with higher victimization rates. This pattern was true both for youth-on-youth assaults (4.2% for youth in the facility a year or more vs. 1.9% for those in the facility less than one month) and for staff sexual misconduct episodes (10.1% for youth there one year or longer vs. 5.9% for those with the shortest stays).

Sexual victimization rates were related to youth's characteristics

Youth characteristic	Percentage of youth reporting sexual victimization in juvenile facilities, 2012		
	Youth-on-youth	Staff sexual misconduct	Both youth-on-youth and staff
Sex			
Male*	2.2	8.2	9.7
Female	5.4**	2.8**	6.9**
Age			
Age 15 or younger*	2.5	5.8	7.6
Age 16	2.2	7.3	8.8
Age 17	2.4	8.0**	9.7
Age 18 or older	2.8	8.7**	10.7**
Race/ethnicity			
White, not Hispanic*	4.0	6.4	9.7
Black, not Hispanic	1.4**	9.6**	10.3
Hispanic	2.1**	6.4	7.5
Other race, not Hispanic	2.8	4.6	6.9
Multiple races, not Hispanic	2.2	6.7	8.9
Sexual orientation			
Heterosexual*	1.5	7.8	8.9
Gay, lesbian, bisexual, other	10.3**	7.5	14.3**
Any prior sexual assault			
Yes	9.6**	9.7**	17.4**
No*	1.3	7.3	8.2
Sexually assaulted at another facility			
Yes	33.5**	29.3**	52.3**
No*	1.8	7.3	8.6
Time in facility			
Less than 1 month	1.9	5.9	7.1
1–5 months*	1.9	6.3	8.0
6–11 months	2.5	8.7**	10.6**
12 months or more	4.2**	10.1**	12.4**

* Indicates comparison group.

** Difference with comparison group is significant at the 95% confidence level.

Source: Authors' adaptation of Beck et al.'s *Sexual Victimization in Juvenile Facilities Reported by Youth, 2012.*

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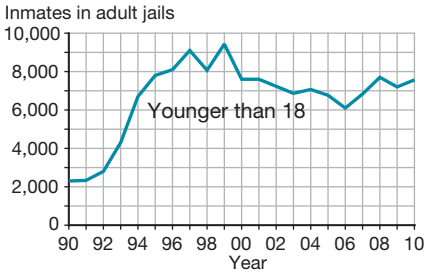
In 2010, the number of youth younger than 18 held in adult jails was well above the levels of the early 1990s

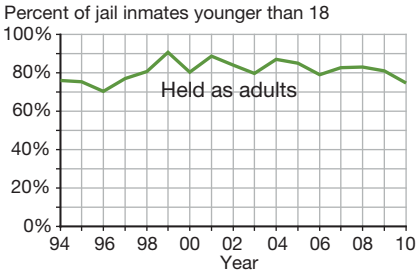
Youth younger than 18 accounted for about 1% of all jail inmates

According to the Bureau of Justice Statistics, an estimated 2,300 youth younger than 18 were held in adult jails on June 30, 1990. The 1-day count of jail inmates younger than 18 rose to a peak of nearly 9,500 in 1999. Since that time, the count declined 35% by 2006 to 6,100, its lowest level since 1994, and increased to nearly 7,600 by 2010—20% fewer inmates than the 1999 peak. These inmates accounted for about 1% of the total jail population, a proportion that has been consistent over the past decade. Since 1990, inmates younger than 18 have not exceeded 2% of the jail inmate population.

The vast majority of jail inmates younger than 18 continue to be those held as adults. Youth younger than 18 may be held as adult inmates if they are convicted or awaiting trial as adult criminal offenders, either because they were transferred to criminal court or because they are in a state that considers all 17-year-olds (or all 16- and 17-year-olds) as adults for purposes of criminal prosecution.

On a typical day in 2010, about 7,600 persons younger than 18 were inmates in jails in the U.S.





- Compared with 1990, in 2010 there were 229% more jail inmates younger than 18 and 84% more adult jail inmates. Most of the increase for inmates younger than 18 was between 1990 and 1999, when their number more than quadrupled.
- Between 1994 and 2010, the proportion of jail inmates younger than 18 who were held as adults has ranged between 70% and 90%.

Source: Authors' analyses of Gillard and Beck's *Prison and Jail Inmates at Midyear 1997*, Beck's *Prison and Jail Inmates at Midyear 1999*, Harrison and Karberg's *Prison and Jail Inmates at Midyear 2002*, Harrison and Beck's *Prison and Jail Inmates at Midyear 2004*, and Minton's *Jail Inmates at Midyear 2012—Statistical Tables*.

The Juvenile Justice and Delinquency Prevention Act limits the placement of juveniles in adult facilities

The Act states that " … juveniles alleged to be or found to be delinquent," as well as status offenders and non-offenders "will not be detained or confined in any institution in which they have contact with adult inmates … ." This provision of the Act is commonly referred to as the "sight and sound separation requirement." Subsequent regulations implementing the Act clarify this requirement and provide that brief and inadvertent contact in non-residential areas is not a violation. The Act also states that " … no juvenile shall be detained or confined in any jail or lockup for adults … ." This provision is known as the jail and lockup removal requirement. Regulations exempt juveniles being tried as criminals for felonies or who have been convicted as criminal felons from the jail and lockup removal requirement. In institutions other than adult jails or lockups or in jails and lockups under temporary hold exceptions, confinement of juvenile offenders is permitted if juveniles and adult inmates cannot see each other and no conversation between them is possible. This reflects the sight and sound separation requirement.

Some temporary hold exceptions to jail and lockup removal include: a 6-hour grace period that allows adult jails and lockups to hold alleged delinquents in secure custody until other arrangements can be made (including 6 hours before and after court appearances) and a 48-hour exception, exclusive of weekends and holidays, for rural facilities that meet statutory conditions.

Some jurisdictions have established juvenile detention centers that are collocated with adult jails or lockups. A collocated juvenile facility must meet specific criteria to establish that it is a separate and distinct facility. The regulations allow time-phased use of program areas in collocated facilities.

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Between 1997 and 2009, while prison populations grew by 23%, the number of prisoners younger than 18 fell 51%

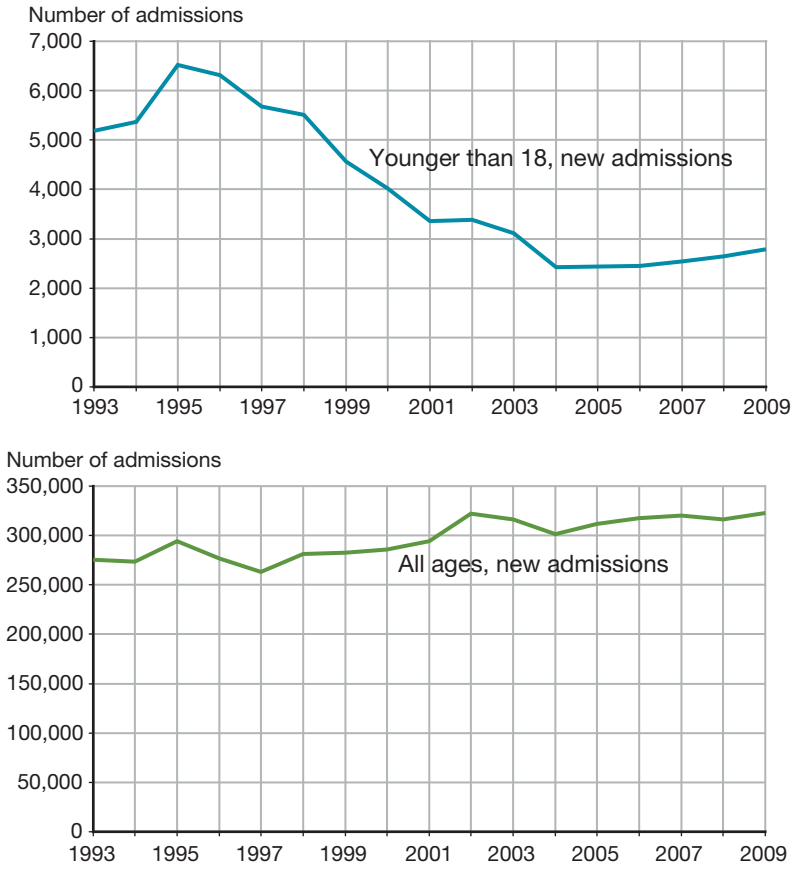
Youth younger than 18 accounted for 1% of new court commitments to state adult prisons in 2009

Based on data from the Bureau of Justice Statistics' National Corrections Reporting Program (NCRP), an estimated 2,800 new court commitments to state adult prison systems in 2009 involved youth younger than age 18 at the time of admission. These youth accounted for 0.9% of all new court commitments that year—down from a peak of 2.3% in 1996. While the number of youth younger than 18 in adult prisons decreased by an average of 10% each year from 1995 to 2004, the total prison population remained relatively constant. After a decade of decline, the number of youth in adult prisons increased an average of 3% per year from 2004 to 2009.

New admissions of youth younger than 18 is not a count of "juveniles in prison"

Many youth younger than 18 committed to state prisons are in states where original juvenile court jurisdiction ends when the youth turns age 16 or 17, so these committed youth were never candidates for processing in the juvenile justice system. It is also the case that some youth, whose crimes placed them under the original jurisdiction of a juvenile court and who were subsequently transferred to an adult court and sentenced to prison, entered prison after their 18th birthday. Thus, "new court commitments that involved youth younger than 18 at the time of admission" includes many youth whose criminal activity was always within the jurisdiction of the adult criminal justice system, while it misses prisoners whose law-violating behavior placed them initially within the juvenile justice system but who did not enter prison until after their 18th birthday.

Between the 1995 peak and 2009, the number of new admissions of youth younger than 18 to state prisons dramatically decreased 57%



- In comparison, the number of overall new admissions to state prisons between 1995 and 2009 remained relatively constant, with a slight overall increase.

Source: Authors' analyses of BJS's *National Corrections Reporting Program: Most Serious Offense of State Prisoners by Offense, Admission Type, Age, Sex, Race and Hispanic Origin* for the years 1993–2009 [machine-readable data files].

Prisons differ from jails

Jails are generally local correctional facilities used to incarcerate both persons detained pending adjudication and adjudicated/convicted offenders. Convicted inmates are usually misdemeanants sentenced to a year or less. Under certain circumstances, jails may hold juveniles awaiting juvenile court hearings. Prisons are state or federal facilities used to incarcerate offenders convicted in criminal court; these convicted inmates are usually felons sentenced to more than a year.

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Among youth newly admitted to state prisons in 2009, 7 in 10 had committed a violent offense

Youth younger than 18 accounted for 4.2% of all new court commitments to state prisons for robbery in 2009. Their proportions in other offense categories were smaller: homicide (2.1%), assault (1.6%), property offenses (0.6%), and weapons (0.9%).

Compared with young adult inmates ages 18–24 at admission, new commitments involving youth younger than 18 had a greater proportion of violent offenses (primarily robbery and assault) and a smaller proportion of drug offenses (notably, drug trafficking).

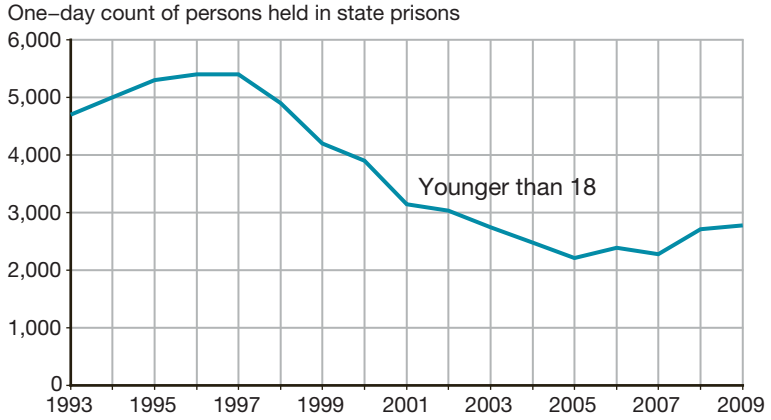
Offense profile of new admissions to state prisons, 2009:

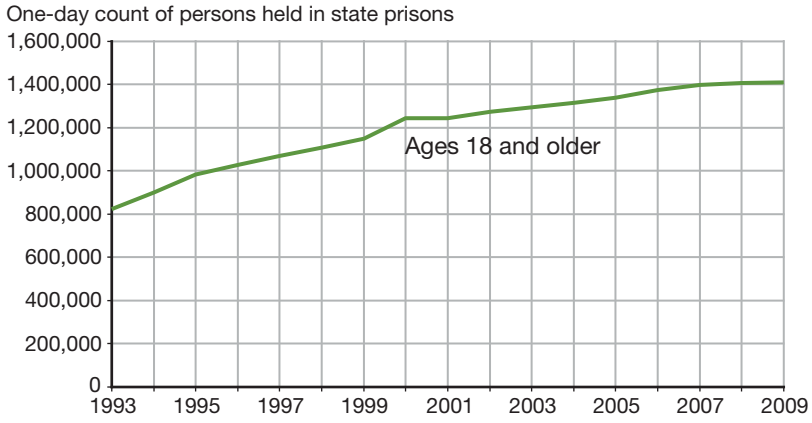
Most serious offense	Age at admission: Younger than 18	Age at admission: 18–24
All offenses	100%	100%
Violent offenses	71	38
Homicide	7	4
Sexual assault (including rape)	4	5
Robbery	39	16
Assault	19	11
Property offenses	19	30
Burglary	14	15
Larceny-theft	2	5
Motor vehicle theft	1	3
Arson	<1	<1
Drug offenses	3	21
Trafficking	1	11
Possession	1	6
Public order offenses	7	11
Weapons	5	6

Note: General offense categories include offenses not detailed.

Most youth younger than 18 newly admitted to prison in 2009 were male (87%). Whites accounted for 42% of new younger-than-18 admissions, blacks 39%, Hispanics 17%, and youth of other race/ethnicity 2%.

Between 1993 and 2009, the 1-day count of state prison inmates age 18 or older rose 71%, while the count for youth younger than 18 fell 41%





- Since the 1997 peak, the population of state prison inmates younger than 18 dropped 49% by 2009, while the population of those 18 and older grew 32%.
- In 2005, the 1-day count of youth younger than 18 held in state prisons reached its lowest point since at least 1985. From 2005 to 2009, the number increased 26%.
- In 2009, the 1-day count of prison inmates younger than 18 represented 0.2% of the total number of prisoners held that day.

Source: Authors' analyses of Strom's *Profile of State Prisoners Under Age 18, 1985–97;* Beck and Karberg's *Prison and Jail Inmates at Midyear 2000;* Sabol and Couture's *Prison Inmates at Midyear 2007;* West and Sabol's *Prison Inmates at Midyear 2008—Statistical Tables;* and West's *Prison Inmates at Midyear 2009—Statistical Tables.*

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Online resources

OJJDP's Online Statistical Briefing Book

ojjdp.gov/ojstatbb

The fastest path to the latest statistical information on:

- Juvenile offending
- Victimization of juveniles
- Youth in the juvenile justice system

The Statistical Briefing Book makes it easy for policymakers, juvenile justice practitioners, the media, and the general public to access information on topics that mirror the major sections of *Juvenile Offenders and Victims: National Report.*

- Find timely, reliable answers to frequently asked questions.
- With "Easy Access" tools and downloadable spreadsheets, create your own national, state, and county tables on juvenile populations, arrests, court cases, and custody populations.
- Consult the "Compendium of National Juvenile Justice Data Sets" for practical guidance on how to use a set of major national data resources that inform juvenile justice issues.
- Link to more than 25 web-based resources.
- Search OJJDP's online library of hundreds of statistical publications.

Make the Statistical Briefing Book your first stop for statical information on juvenile justice.

National Center for Juvenile Justice

ncjj.org

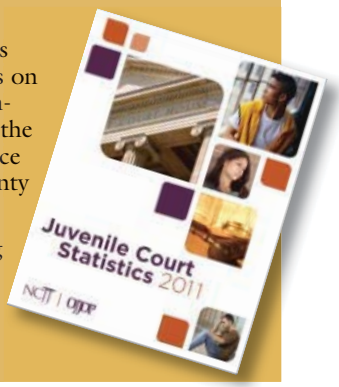
NCJJ's website describes its research activities, services, and publications, featuring links to project-supported sites and data resources, including OJJDP's Statistical Briefing Book, the National Juvenile Court Data Archive, and the MacArthur Foundation's Juvenile Justice Geography, Policy, Practice & Statistics website.

National Juvenile Court Data Archive

ojjdp.gov/ojstatbb/njcda

The National Juvenile Court Data Archive (Archive) houses the automated records of cases handled by courts with juvenile jurisdiction and provides juvenile justice professionals, policymakers, researchers, and the public with the most detailed information available on the activities of the nation's juvenile courts.

- The Archive website informs researchers about the available data sets and the procedures for use and access, and provides variable lists and user guides for the data sets.
- Easy Access tools give users access to national estimates on more than 40 million delinquency cases processed by the nation's juvenile courts since 1985 and to state and county juvenile court case counts.
- Links to publications using Archive data, including the annual *Juvenile Court Statistics* reports.



National Council of Juvenile and Family Court Judges

ncjfcj.org

One of the largest and oldest judicial membership organizations in the nation, the NCJFCJ serves an estimated 30,000 professionals in the juvenile and family justice system, including judges, referees, commissioners, court masters and administrators, social and mental health workers, police, and probation officers.

For those involved with juvenile, family, and domestic violence cases, the NCJFCJ provides the resources, knowledge, and training to improve the lives of families and children seeking justice. The NCJFCJ resources include:

- Cutting-edge training
- Wide-ranging technical assistance
- Research to assist family courts
- Unique advanced degree programs for judges and other court professionals, offered in conjunction with the University of Nevada, Reno, and the National Judicial College

JJGPS Juvenile Justice Geography, Policy, Practice & Statistics

JJGPS.ORG

Juvenile Justice GPS (Geography, Policy, Practice, & Statistics) is an online repository providing state policymakers and system stakeholders with a clear understanding of the juvenile justice landscape in the states.

The site layers the most relevant national and state level statistics with information on state laws and practice and charts juvenile justice system change. In a landscape that is highly decentralized and ever-shifting, JJGPS provides an invaluable resource for those wanting to improve the juvenile justice system. The content of the website is assembled from one of four sources:

- Legal research based upon state policies as they are contained in statutes, court rules, and case laws
- Practice scans based on interviews and surveys of juvenile justice stakeholders
- National scans based on web searches for descriptive data published by state agencies that help illuminate JJGPS reform topics
- Strategic overlays of data that are standardized at the national level in ongoing data collections

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