



Juvenile Offenders and Victims: 2006 National Report

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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—i.e., disproportionate minority contact, or DMC—and notes declines in certain DMC indicators since 1992.

The information presented in this chapter is drawn from the National Juvenile Court Data Archive, which is funded by OJJDP, and the Archive's primary publication, *Juvenile Court Statistics*.

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

***Juvenile Court Statistics* reports have provided data on court activity since the late 1920s**

The *Juvenile Court Statistics* series is the primary source of information on the activities of the nation's juvenile courts. The first *Juvenile Court Statistics* report, published in 1929 by the Children's Bureau of the U.S. Department of Labor, described cases handled in 1927 by 42 courts. In the 1950s, the U.S. Department of Health, Education and Welfare took over the work, and in 1974, the newly established Office of Juvenile Justice and Delinquency Prevention (OJJDP) took on the project. Since 1975, the National Center for Juvenile Justice (NCJJ) has been responsible for this OJJDP project. The project, the National Juvenile Court Data Archive, not only produces the *Juvenile Court Statistics* reports, but conducts research and as an archive makes the data available to other researchers.

Throughout its history, the *Juvenile Court Statistics* series has depended on the voluntary support of courts with juvenile jurisdiction. Courts contribute data originally compiled to meet their own information needs. The data NCJJ receives are not uniform but reflect the natural variation that exists across court information systems. To develop national estimates, NCJJ restructures compatible data into a common format. In 2002, juvenile courts with jurisdiction over virtually 100% of the U.S. juvenile population contributed at least some data to the national reporting program. Because not all contributed data can support the national reporting requirements, the national estimates for 2002 were based on data from more than 2,100 jurisdictions containing nearly 75%

of the nation's juvenile population (i.e., youth age 10 through the upper age of original juvenile court jurisdiction in each state).

***Juvenile Court Statistics* documents the number of cases courts handled**

Just as the FBI's Uniform Crime Reporting Program counts arrests made by law enforcement (i.e., a workload measure, not a crime measure), the *Juvenile Court Statistics* series counts delinquency and status offense cases handled by courts with juvenile jurisdiction during the year. Each case represents the initial disposition of a new referral to juvenile court for one or more offenses. A youth may be involved in more than one case in a year. Therefore, the *Juvenile Court Statistics* series does not provide a count of individual juveniles brought before juvenile courts.

Cases involving multiple charges are categorized by their most serious offense

In a single case where a juvenile is charged with robbery, simple assault, and a weapons law violation, the case is counted as a robbery case (similar to the FBI Uniform Crime Reporting Program's hierarchy rule). Thus, the *Juvenile Court Statistics* series does not provide a count of the number of crimes committed by juveniles. In addition, given that only the most serious offense is used to classify the case, counts of—and trends for—less serious offenses must be interpreted cautiously.

Similarly, cases are categorized by their most severe or restrictive

disposition. For example, a case in which the judge orders the youth to a training school and to pay restitution to the victim would be characterized as a case in which the juvenile was placed in a residential facility.

***Juvenile Court Statistics* describes delinquency and status offense caseloads**

The *Juvenile Court Statistics* series describes delinquency and status offense cases handled by juvenile courts. The reports provide demographic profiles of the youth referred and the reasons for the referrals (offenses). The series documents the juvenile courts' differential use of petition, detention, adjudication, and disposition alternatives by case type. The series also can identify trends in the volume and characteristics of court activity. However, care should be exercised when interpreting gender, age, or racial differences in the analysis of juvenile delinquency or status offense cases, because reported statistics do not control for the seriousness of the behavior leading to each charge or the extent of a youth's court history.

The *Juvenile Court Statistics* series does not provide national estimates of the number of youth referred to court, their prior court histories, or their future recidivism. Nor does it provide data on criminal court processing of juvenile cases. Criminal court cases involving youth younger than age 18 who are defined as adults in their state are not included. The series was designed to produce national estimates of juvenile court activity, not to describe the law-violating careers of juveniles.

Juvenile courts handled 1.6 million delinquency cases in 2002—up from 1.1 million in 1985

Juvenile court caseloads have grown and changed

In 2002, U.S. courts with juvenile jurisdiction handled an estimated 1.6 million cases in which the juvenile was charged with a delinquency offense—an offense for which an adult could be prosecuted in criminal court. Thus, U.S. juvenile courts handled more than 4,400 delinquency cases per day in 2002. In comparison, approximately 1,100 delinquency cases were processed daily in 1960.

Changes in the juvenile court delinquency caseload over the years have strained the courts' resources and programs. The volume of delinquency cases handled by juvenile courts rose 41% between 1985 and 2002. Courts were asked to respond not only to more cases but also to a different type of caseload—one with more person offense and drug cases.

Law enforcement refers most delinquency cases to court

Delinquency and status offense cases are referred to juvenile courts by a number of different sources, including law enforcement agencies, social services agencies, victims, probation officers, schools, or parents.

Percent of cases referred by law enforcement agencies:

Offense	2002
Delinquency	82%
Person	87
Property	91
Drugs	90
Public order	61
Status offense (formal cases)	
Runaway	55%
Truancy	14
Ungovernability	30
Liquor	92

Youth were charged with a person offense in nearly one-quarter of the delinquency cases handled by juvenile courts in 2002

Most serious offense	Number of cases	Percent of total cases	Percent change	
			1985–2002	1997–2002
Total delinquency	1,615,400	100%	41%	-11%
Person offense	387,500	24	113	-2
Violent Crime Index	75,300	5	13	-29
Criminal homicide	1,700	0	41	-25
Forcible rape	4,700	0	8	-14
Robbery	21,500	1	-13	-36
Aggravated assault	47,400	3	32	-26
Simple assault	270,700	17	174	6
Other violent sex offense	16,400	1	150	31
Other person offense	25,200	2	144	18
Property offense	624,900	39	-10	-27
Property Crime Index	431,000	27	-16	-29
Burglary	100,000	6	-29	-29
Larceny—theft	284,400	18	-13	-29
Motor vehicle theft	38,500	2	0	-30
Arson	8,100	0	18	-10
Vandalism	94,800	6	11	-18
Trespassing	50,800	3	-5	-24
Stolen property offense	22,100	1	-20	-32
Other property offense	26,200	2	45	-16
Drug law violation	193,200	12	159	1
Public order offense	409,800	25	113	7
Obstruction of justice	182,600	11	180	10
Disorderly conduct	108,500	7	145	18
Weapons offense	35,900	2	85	-19
Liquor law violation	28,200	2	57	96
Nonviolent sex offense	15,500	1	16	20
Other public order offense	39,000	2	23	-25

■ Property crimes accounted for about 4 in 10 delinquency cases in 2002.

■ Although juvenile court referrals increased substantially between 1985 and 2002, the recent trend (1997–2002) is one of decline.

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

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002*.

In 2002, 82% of delinquency cases were referred by law enforcement agencies. This proportion has changed little over the past two decades. Law enforcement agencies are generally much less likely to be the source of referral for formally

handled status offense cases (involving offenses that are not crimes for adults) than delinquency cases. The exception is status liquor law violations (underage drinking and possession of alcohol).

The long-term growth trend for juvenile court caseloads has been tempered by recent declines

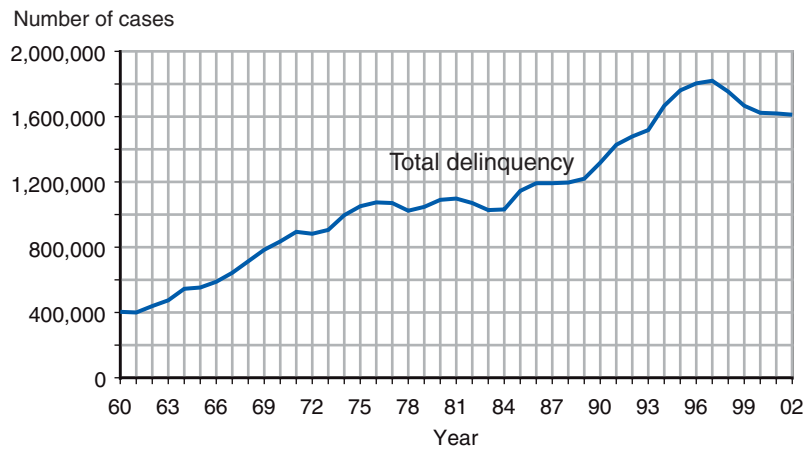
In most offense categories, juvenile court cases have decreased in recent years

Compared with 1997, cases involving offenses in the FBI's Violent Crime Index were down 29% in 2002. More specifically, criminal homicide was down 25%, forcible rape 14%, robbery 36%, and aggravated assault 26%.

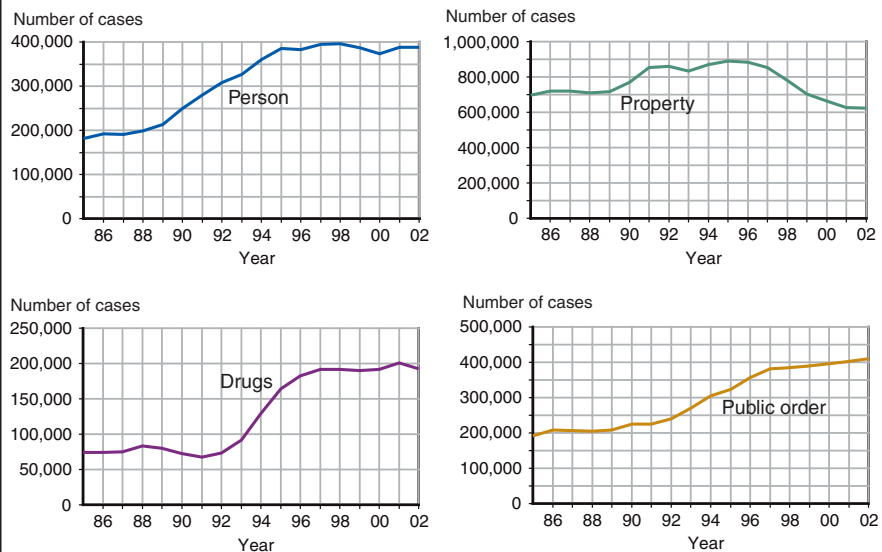
There were also large declines in cases involving property offenses—burglary and larceny-theft were down 29%, and motor vehicle theft 28%. Trespassing and stolen property offenses had declines greater than 30%. Declines were smaller for arson (10%) and vandalism (18%). Drug and public order offenses generally have not declined; however, they have leveled off since 1997.

Trends in juvenile court cases largely parallel trends in arrests of persons younger than 18. FBI data show that arrest rates for persons younger than 18 charged with Violent Crime Index offenses have dropped substantially since their peak in 1994. Similarly, juvenile arrest rates for Property Crime Index offenses were at their lowest level in three decades in 2002. Drug offenses are a noticeable exception—the FBI data show juvenile drug arrest rates peaking in 1997 and falling 25% through 2002. The court data show no such decline in the juvenile court's drug caseload. The data do not fully explain this pattern, but the pattern underscores the fact that not all arrests result in a juvenile court case and that juvenile court cases also come from sources other than police.

Juvenile courts handled four times as many delinquency cases in 2002 as in 1960



Delinquency cases, by offense category



- Between 1985 and 2002, the volume of delinquency cases handled by juvenile courts nationwide increased 41%. Delinquency cases dropped 11% from their 1997 peak to 2002.
- Caseloads increased in three of the four general offense categories. Person offense and public order offense cases each rose 113% and drug cases rose 159%. Person and public order cases together accounted for 90% of the growth in the delinquency caseload between 1985 and 2002. In contrast, property cases dropped 10%

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002*.

Cases increased for males and females through the mid-1990s; since then cases have declined for males

Females account for a relatively small share of delinquency cases

In 2002, juvenile courts handled more than 423,000 delinquency cases involving female juveniles—just over one-quarter of all delinquency cases handled in 2002. Females made up a fairly large share of cases in some offense categories—larceny-theft (38%), disorderly conduct (33%), simple assault (32%), and liquor law cases (32%). For other offense categories, the female share of the caseload was relatively small—violent sex offenses other than rape (5%), robbery (9%), burglary (10%), arson (13%), and weapons offenses (14%).

Most serious offense	Female proportion
Total delinquency	26%
Person offense	28
Violent Crime Index	20
Criminal homicide	13
Forcible rape	3
Robbery	9
Aggravated assault	26
Simple assault	32
Other violent sex offense	5
Other person offense	27
Property offense	26
Property Crime Index	30
Burglary	10
Larceny-theft	38
Motor vehicle theft	23
Arson	13
Vandalism	16
Trespassing	19
Stolen property offense	15
Other property offense	32
Drug law violation	18
Public order offense	28
Obstruction of justice	29
Disorderly conduct	33
Weapons offense	14
Liquor law violation	32
Nonviolent sex offense	19
Other public order offense	25

For most offenses, female caseloads have grown more or decreased less than male caseloads

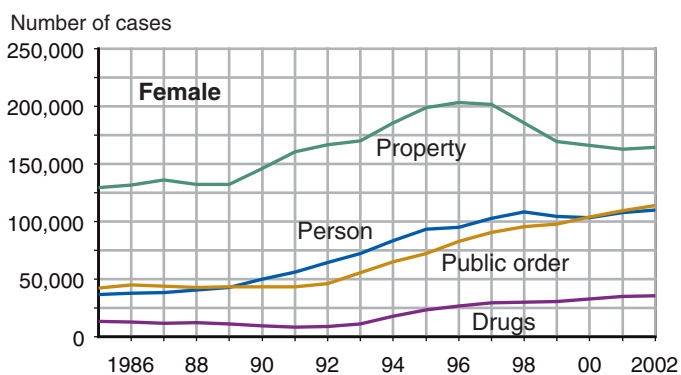
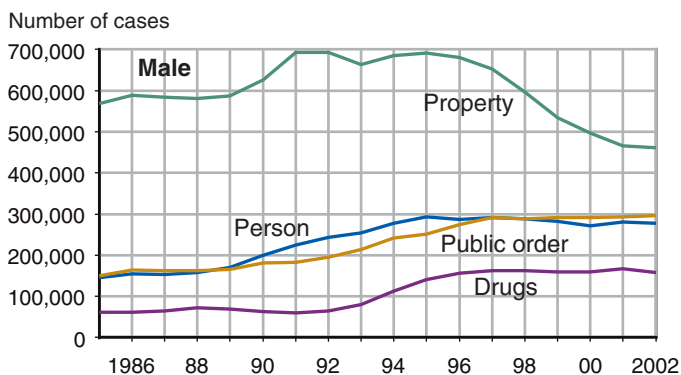
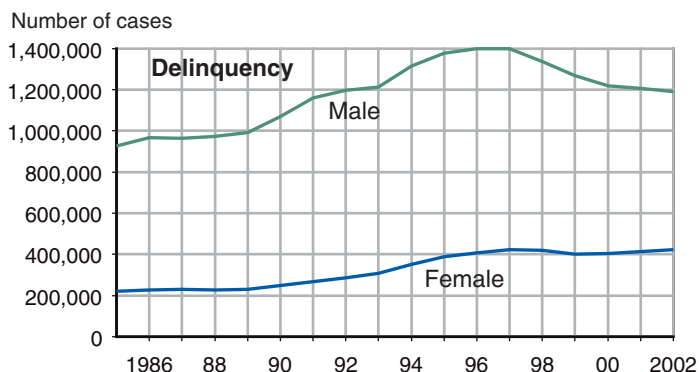
Most serious offense	Percent change			
	1985–2002		1997–2002	
	Male	Female	Male	Female
Total delinquency	29%	92%	-15%	0%
Person offense	91	202	-5	7
Violent Crime Index	9	70	-30	-23
Criminal homicide	39	58	-25	-25
Forcible rape	7	63	-14	6
Robbery	-16	18	-36	-42
Aggravated assault	20	84	-28	-19
Simple assault	152	238	4	12
Other violent sex offense	147	240	29	62
Other person offense	111	322	11	42
Property offense	-19	27	-29	-18
Property Crime Index	-26	23	-32	-20
Burglary	-31	-5	-30	-25
Larceny-theft	-27	25	-35	-19
Motor vehicle theft	-7	41	-31	-25
Arson	15	44	-10	-6
Vandalism	5	65	-20	-8
Trespassing	-8	12	-25	-16
Stolen property offense	-23	6	-33	-23
Other property offense	30	92	-18	-12
Drug law violation	156	171	-3	20
Public order offense	97	171	2	26
Obstruction of justice	169	210	4	26
Disorderly conduct	117	241	12	35
Weapons offense	73	223	-21	-3
Liquor law violation	38	123	79	143
Nonviolent sex offense	16	18	16	42
Other public order offense	17	45	-27	-21

- Between 1985 and 2002, the overall delinquency caseload for females increased 92%, compared with a 29% increase for males.
- Among females, the number of aggravated assault cases rose substantially (up 84%) from 1985 to 2002. In comparison, among males, aggravated assault cases were up 20%.
- Between 1997 and 2002, the number of aggravated assault cases dropped for both males and females, but the decline for males (28%) was greater than the decline for females (19%).

Note: Detail may not total 100% because of rounding. Calculations are based on unrounded numbers.

Source: Authors' analyses of the National Center for Juvenile Justice's *National Juvenile Court Data Archive: Juvenile Court Case Records 1985–2002* [machine-readable data file].

Juvenile court caseload trends are different for males and females, and the differences vary by offense category

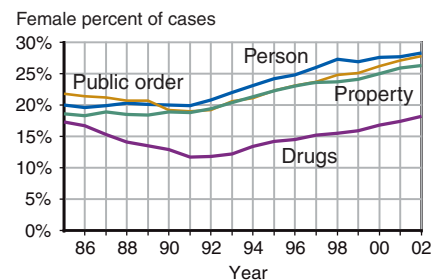
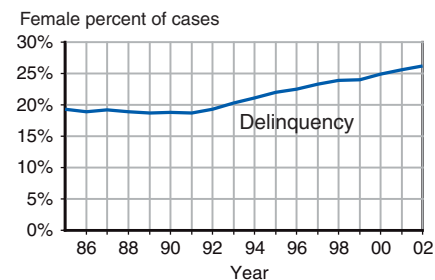


- Male delinquency caseloads have been on the decline since the mid-1990s. Female caseloads have not shown a similar decline, although they seem to have leveled off in recent years.
- The decline in male caseloads has been driven by a sharp reduction in the volume of property cases—down 34% from the 1994 peak to 2002.
- For females, the largest 1985–2002 increase was in person offense cases (202%). Drug and public order cases also rose substantially (each 171%).

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002*.

The female share of delinquency cases increased steadily from 1991 through 2002

The proportion of delinquency cases that involved females was 19% in 1991; by 2002, it had increased 7 percentage points to 26%. The female share of person offense cases rose 8 percentage points over the same period to 28%. Property cases also saw an 8-point increase in the proportion of females, to 26% in 2002. The female proportion of drug cases went from 12% in 1991 to 18% in 2002, an increase of 6 points. Public order cases had the greatest increase in the proportion of females—9 percentage points from 1991 to 2002, up to 28%.



In 2002, the disparity between rates for black youth and white youth was lowest for drug cases

In 2002, case rates for black juveniles were substantially higher than rates for other juveniles in all offense categories, but the degree of disparity varied. The person offense case rate for black juveniles (28.2 per 1,000) was nearly 3 times the rate for white juveniles (9.5), the public order case rate for black juveniles (23.4) was more than 2 times the rate for white juveniles (11.4), and the property case rate for black juveniles (34.2) was nearly 2 times the rate for white juveniles (17.5).

In comparison, in 2002, the drug offense case rate for black juveniles (8.2) was less than 1.5 times the rate for white juveniles (6.0). Although the disparity between black and white drug case rates was relatively small in 2002, that was not always true. In fact, in 1991, the drug offense case rate for black juveniles was more than 5.5 times the rate for white juveniles. No other offense reached this extent of disparity between black and white case rates.

The racial profile for delinquency cases was similar for males and females in 2002

Among females referred to juvenile court in 2002 for person offenses, blacks accounted for 38% of cases—the greatest overrepresentation among black juveniles. The black proportion among males referred for person offenses was just slightly smaller at 36%.

Racial profile of delinquency cases by gender, 2002:

Offense	White	Black	Other races	Total
Male				
Delinquency	67%	29%	3%	100%
Person	61	36	3	100
Property	69	28	4	100
Drugs	73	24	3	100
Public order	69	28	3	100
Female				
Delinquency	67	30	4	100
Person	59	38	3	100
Property	68	28	4	100
Drugs	87	10	3	100
Public order	66	30	3	100

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

Among females referred for drug offenses, blacks were underrepresented. Although they account for 16% of the population of juvenile females, blacks made up just 10% of drug cases involving females in 2002.

Youth of other races make up 6% of the juvenile population; they accounted for less than 5% of cases across all gender and offense groups.

Offense profiles for both males and females varied somewhat across racial groups

Among males in 2002, blacks had a greater proportion of person offense cases than whites or youth of other races. In addition, black males had a somewhat smaller proportion of property cases than white males or males of other races.

Offense profile of delinquency cases by race and gender, 2002:

Offense	White	Black	Other races
Male			
Delinquency	100%	100%	100%
Person	21	29	22
Property	39	36	45
Drugs	14	11	11
Public order	25	24	23
Female			
Delinquency	100%	100%	100%
Person	23	34	21
Property	40	36	47
Drugs	11	3	8
Public order	27	27	24

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

Among females, person offenses accounted for 34% of the cases involving blacks, compared with 23% of the cases involving whites and 21% of the cases involving youth of other races. The drug offense share of cases involving females was greater for whites (11%) than for blacks (3%) or youth of other races (8%).

Compared with whites and blacks, the property offense share of delinquency cases was greater among youth of other races. This was true for both males and females.

The racial profile for detained delinquency cases was similar for males and females in 2002

In 2002, the black proportion of detained delinquency cases (36%) was substantially greater than the black proportion of the juvenile population (16%) and also greater than the black proportion of delinquency cases handled during the year (29%). The overrepresentation of black juveniles in the detention caseload was greater among person offenses (41%) than other offenses. The black proportion of detained person offense cases was similar among males (40%) and females (41%). Across offenses, for males and females, the black proportion of detained cases was in the 30%–40% range. The one exception was among detained females referred for drug offenses. Blacks accounted for just 19% of this group—close to their representation in the juvenile population (16%).

Racial profile of detained cases by gender, 2002:

Offense	White	Black	Other races	Total
Total				
Delinquency	61%	36%	3%	100%
Person	56	41	3	100
Property	60	36	4	100
Drugs	61	36	2	100
Public order	66	31	4	100
Male				
Delinquency	60	36	3	100
Person	56	40	4	100
Property	60	36	4	100
Drugs	58	40	2	100
Public order	66	31	4	100
Female				
Delinquency	62	35	4	100
Person	56	41	3	100
Property	61	35	4	100
Drugs	78	19	4	100
Public order	64	32	4	100

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

The offense profile of detained cases varied by race and by gender in 2002

For males, the person offense share of delinquency cases was greater among detained cases involving black youth (31%) than among detained cases involving white youth (26%) or youth of other races (28%). For male youth of other races, drug offense cases accounted for 8% of detained cases, compared with 12% for white males and 13% for black males.

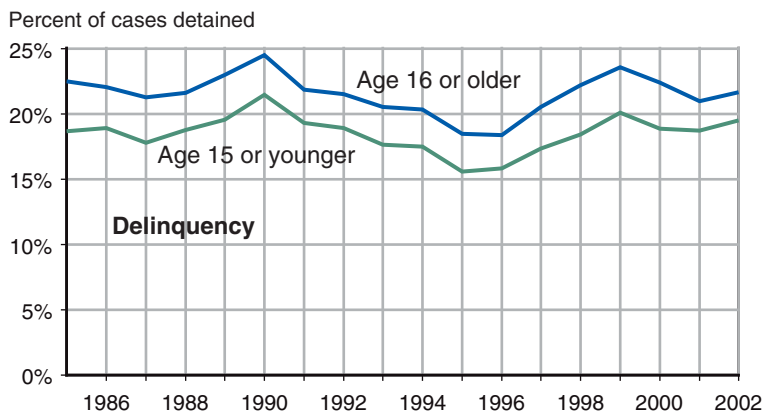
Among females, blacks had a higher proportion of person offenses in the detention caseload (41%) than did either whites (31%) or youth of other races (27%). For white females, drug offense cases accounted for 11% of detained cases, compared with 5% for black females and 9% for females of other races.

Offense profile of detained cases by race and gender, 2002:

Offense	White	Black	Other races
Total			
Delinquency	100%	100%	100%
Person	27	33	28
Property	32	32	36
Drugs	12	12	8
Public order	29	23	28
Male			
Delinquency	100%	100%	100%
Person	26	31	28
Property	34	33	38
Drugs	12	13	8
Public order	29	22	26
Female			
Delinquency	100%	100%	100%
Person	31	41	27
Property	27	28	32
Drugs	11	5	9
Public order	30	26	32

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

Each year from 1985 through 2002, delinquency cases involving youth age 16 or older were more likely to be detained than were cases involving youth age 15 or younger



Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002*.

From 1985 to 2002, the number of cases in which the youth was adjudicated delinquent rose 85%

Adjudication was more likely for some types of cases than others

Youth were adjudicated delinquent in a smaller proportion of person offense cases than in cases involving other categories of offenses. This lower rate of adjudication in person offense cases may reflect, in part, reluctance to divert these cases from the formal juvenile justice system without a judge's review.

Adjudication rates also varied by gender, race, and age of the youth. The likelihood of adjudication in 2002 was somewhat less for females than for males. This was true across offense categories. Black youth were less likely to be adjudicated than were white youth or youth of other

racess. Cases involving youth age 15 or younger were slightly more likely to result in adjudication than cases involving older youth, although older youth had a greater share of cases waived to criminal court.

Percent of petitioned delinquency cases adjudicated:

Offense	1985	2002
Gender		
Male	66%	67%
Female	62	64
Race		
White	67	71
Black	59	58
Other races	72	75
Age		
15 or younger	66	67
16 or older	64	66

Offense profiles for petitioned and adjudicated cases show a shift away from property cases

Compared with 1985, both petitioned and adjudicated cases had increased proportions of person, drug, and public order offenses in 2002. The 2002 offense profile for adjudicated cases was very similar to the profile for petitioned cases.

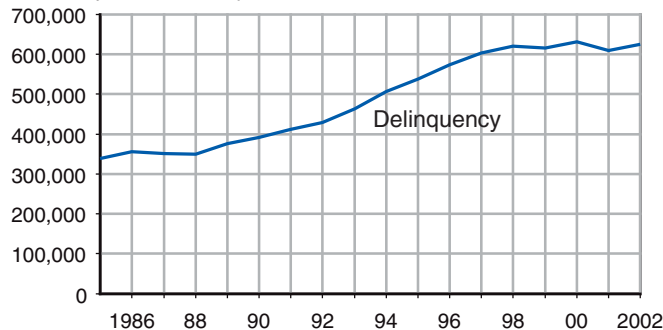
Offense profile of delinquency cases:

Offense	1985	2002
Petitioned cases	100%	100%
Person	19	25
Property	58	37
Drugs	6	13
Public order	17	26
Adjudicated cases	100%	100%
Person	16	23
Property	59	37
Drugs	7	13
Public order	18	27

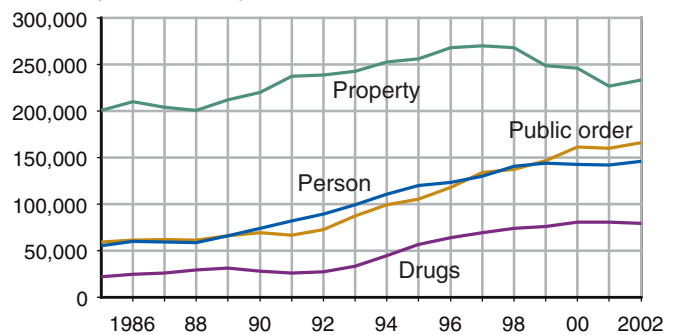
Note: Detail may not total 100% because of rounding.

The number of cases in which the youth was adjudicated delinquent rose steadily from 1985 to 2002; except for property cases, the offense-specific trends followed the same pattern

Cases adjudicated delinquent



Cases adjudicated delinquent



■ The number of cases in which the youth was adjudicated delinquent increased for all offense categories between 1985 and 2002 (person 162%, property 16%, drugs 257%, and public order 180%). Only property offenses had a decline in adjudicated cases in recent years—down 13% between 1997 and 2002.

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002*.

Probation conditions are designed to control and rehabilitate

Probation is the oldest and most widely used community-based corrections program. Probation is used both for first-time, low-risk offenders and as an alternative to institutional confinement for more serious offenders. During a period of probation supervision, a juvenile offender remains in the community and can continue normal activities such as school and work. However, the juvenile must comply with certain conditions.

Compliance with probation conditions may be voluntary: the youth agrees to conditions in lieu of formal adjudication. Or compliance may be mandatory following adjudication: the youth is formally ordered to a term of probation and must comply with the conditions established by the court. Most (62%) juvenile probation dispositions in 2002 were formal (i.e., enacted under court order following adjudication).

In addition to being required to meet regularly with a probation officer, a juvenile assigned to probation may be ordered to adhere to a curfew, complete a specified period of community service, or pay restitution. More serious offenders may be placed on intensive supervision requiring more frequent contact with their probation officer and stricter conditions. Typically, probation can be revoked if the juvenile violates the conditions. If probation is revoked, the court may reconsider its disposition and impose stricter sanctions.

Black youth account for a disproportionate share of cases at all stages of case processing

Racial profile, 2002:

Stage/ offense	White	Black	Other races	Total
Referred				
Delinquency	67%	29%	3%	100%
Person	60	37	3	100
Property	68	28	4	100
Drugs	76	21	3	100
Public order	68	29	3	100
Detained				
Delinquency	61	36	3	100
Person	56	41	3	100
Property	60	36	4	100
Drugs	61	36	2	100
Public order	66	31	4	100
Petitioned				
Delinquency	64	33	3	100
Person	57	40	3	100
Property	65	31	4	100
Drugs	70	28	3	100
Public order	66	31	3	100
Waived to criminal court				
Delinquency	62	35	3	100
Person	55	41	4	100
Property	71	26	3	100
Drugs	58	39	2	100
Public order	65	32	4	100
Adjudicated				
Delinquency	67	29	4	100
Person	61	36	4	100
Property	68	27	4	100
Drugs	74	23	3	100
Public order	69	27	4	100
Ordered to residential placement				
Delinquency	63	33	4	100
Person	58	37	4	100
Property	65	30	5	100
Drugs	59	38	3	100
Public order	65	31	4	100
Ordered to formal probation				
Delinquency	67	29	3	100
Person	61	36	3	100
Property	68	28	4	100
Drugs	75	22	3	100
Public order	69	28	3	100

Juvenile population

Ages 10 to upper age	78	16	6	100
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Note: Detail may not total 100% because of rounding.

The overrepresentation of black youth was greatest for person offense cases. At most stages of case processing, the share of white youth was greater for drug offenses than other offense categories. At all stages of the system, youth of other races made up 5% or less of the caseload.

The proportion of cases that involved black youth was the same for adjudicated cases as for cases overall (29%). In fact, the racial profile of cases was similar at referral and adjudication for all offense categories.

The largest proportion of black youth was found in detained and waived person offense cases, where black youth accounted for 41% of cases.

How were delinquency cases processed in juvenile courts in 2002?

Juvenile courts can impose a range of sanctions

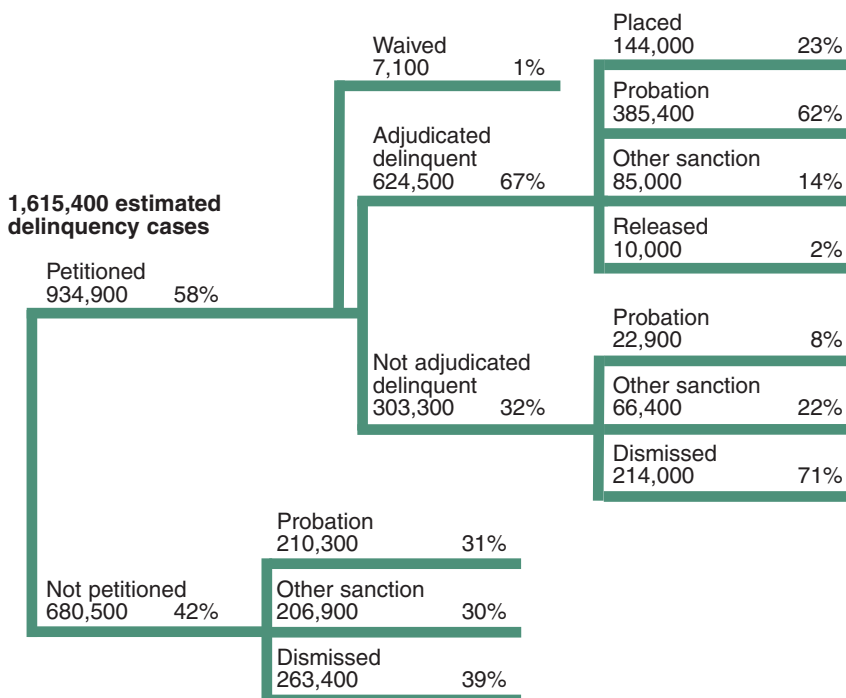
Although juvenile courts handled more than 4 of 10 delinquency cases without the filing of a petition, more than half of these nonpetitioned cases received some sort of sanction. Juveniles may have agreed to informal probation, restitution, or community service, or the court may have referred them to another agency for services. Although probation staff monitor the juvenile's compliance with the informal agreement, such dispositions generally involve little or no continuing supervision by probation staff.

In 32% of all petitioned delinquency cases, the youth was not adjudicated delinquent. The court dismissed 71% of these cases. The court-dismissed cases, together with the cases that were dismissed at intake, accounted for 477,400 cases (or 295 of 1,000 cases handled).

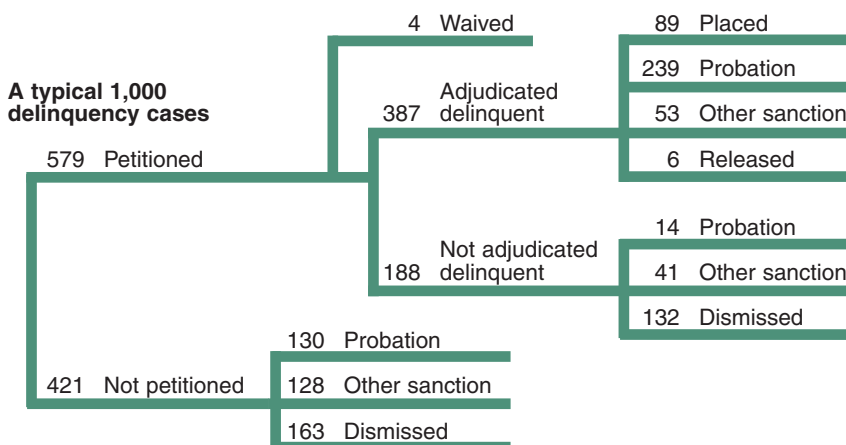
In a relatively small number of cases (10,000), the juvenile was adjudicated delinquent but was released with no further sanction or consequence. These cases accounted for about 2% of adjudicated cases (or 6 of 1,000 cases processed during the year).

In 66% of all petitioned cases, the courts imposed a formal sanction or waived the case to criminal court. Thus, of every 1,000 delinquency cases handled formally in 2002, 385 resulted in waiver or a court-ordered sanction.

In 2002, the most severe sanction ordered in 85,000 adjudicated delinquency cases (14%) was something other than residential placement or probation, such as restitution or community service



Adjudicated cases receiving sanctions other than residential placement or probation accounted for 53 out of 1,000 delinquency cases processed during the year



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

Source: Authors' adaptation of Stahl et al.'s *Juvenile Court Statistics 2001–2002*.

Monitoring racial disproportionality in the justice system can reveal potential sources of discrimination

Research finds evidence of disparity in juvenile case processing

While research findings are not completely consistent, reviews (by Pope and Feyerherm and by Pope, Lovell, and Hsia) of existing research literature found that minority (especially black) youth are overrepresented at most stages of the juvenile justice system. Since that review, a rather large body of research has accumulated across numerous geographic regions that reinforces these earlier findings. Based on this research and the fact that juvenile justice systems are fragmented and administered at the local level, it is likely that racial/ethnic disparities exist in some jurisdictions but not in others and

that these differences may vary over time.

The extent to which research links disparity to demographic characteristics (thereby implying discrimination) may be affected in part by the research design. For example, the simple proportion of adjudicated youth placed in an out-of-home facility may be greater for minority youth than white youth; however, when the research study controls for the nature of the crimes for which the youth were adjudicated, the statistical effect of race on justice decisionmaking is generally reduced. One could argue that if researchers considered all the factors that decisionmakers consider (e.g., the number and attributes of past offenses, gang involvement, victims'

statements, compliance with previous dispositional orders, and family/community support), the statistical effect of race on decisionmaking could be further reduced and possibly even removed. Given that disparity and overrepresentation may exist in the absence of discrimination, it is a challenge for research to determine if there is a unique effect of discrimination on justice system decisionmaking.

Racial/ethnic disparities occur at various decision points within the juvenile justice system

When racial/ethnic disparities do occur, they can be found at any stage of processing within the juvenile justice system. Research suggests that disparity is most pronounced at arrest, the beginning stage, and that when racial/ethnic differences exist, their effects accumulate as youth are processed through the justice system.

One factor to consider in understanding overrepresentation is that outcomes often depend on the jurisdiction in which the youth is processed (Feld's concept of "justice by geography"). For example, juvenile court cases in urban jurisdictions are more likely to receive severe outcomes (e.g., detention prior to adjudication, out-of-home placement following adjudication) than are cases in nonurban areas. Because minority populations are concentrated in urban areas, this geographical effect may work to overrepresent minority youth at each stage of processing when case statistics are summarized at the state level—even when there is no disparity at the local level.

The terms overrepresentation, disparity, and discrimination have different meanings

Overrepresentation refers to a situation in which a larger proportion of a particular group is present at various stages within the juvenile justice system (such as intake, detention, adjudication, and disposition) than would be expected based on its proportion in the general population.

Disparity means that the probability of receiving a particular outcome (e.g., being detained vs. not being detained) differs for different groups. Disparity may in turn lead to overrepresentation.

Discrimination occurs when juvenile justice system decisionmakers treat one group differently from another group based wholly, or in part, on their gender, race, and/or ethnicity.

Neither overrepresentation nor disparity necessarily implies discrimination, although it is one possible explanation. If racial discrimination is

a part of justice system decisionmaking, minority youth can face higher probabilities of being arrested, referred to court intake, held in short-term detention, petitioned for formal processing, adjudicated delinquent, and confined in a secure juvenile facility.

Disparity and overrepresentation, however, can result from behavioral and legal factors rather than discrimination. For example, if minority youth commit proportionately more (and more serious) crimes than white youth, they will be overrepresented in secure facilities, even when there was no discrimination by system decisionmakers. In any given jurisdiction, either or both of these causes of overrepresentation/disparity may be operating.

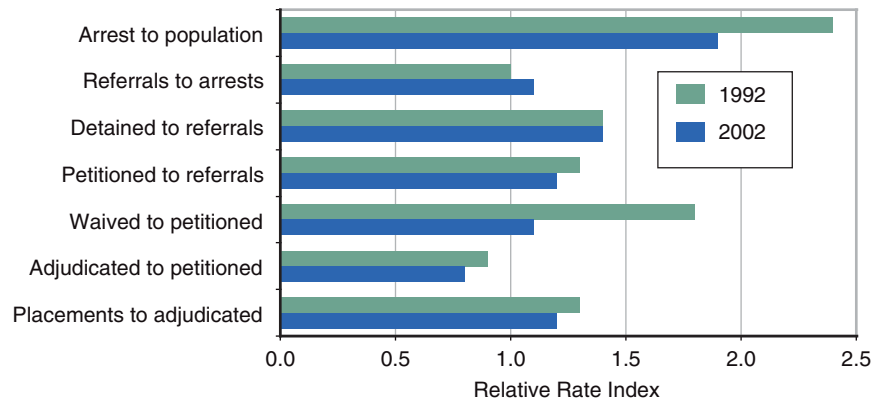
Research is necessary to reveal the decision points at which disparity occurs and to uncover the dynamics that lead to overrepresentation.

The RRI measures disparity at each decision point

The RRI tests for disparity at a series of decision points, typically arrest, referral to juvenile court, detention, petitioning, transfer to criminal court, adjudication, and out-of-home placement following adjudication. (The actual set of decision points used by states and local jurisdictions depends on the structure of their juvenile justice systems and the quality of available data.) The key idea behind the RRI is to quantify the nature of the decisions at each decision point for each racial group and then compare these decisions.

For example, after arrest, law enforcement must decide if the youth should be referred to juvenile court intake. The RRI compares the proportions (or rates) of white and black arrests that are referred to court intake. If, for example, the rate of referral to court intake was 60 out of 100 arrests for whites and 80 out of 100 for blacks, then black arrests were more likely than white arrests to result in referral to juvenile court. There is disparity at this decision point. If the rates had been similar, there would be no evidence of disparity at this decision point. To simplify the comparison of these statistics, the RRI divides the black rate by the white rate at each decision point, and if this ratio (i.e., the Relative Rate Index) is near or equal to 1.0, there is no evidence of disparity; if the ratio is greater than 1.0 (i.e., if the black rate is larger than the white rate), there is evidence of disparity, and this decision process needs further study to understand why.

The degree of racial disparity in the juvenile justice system declined between 1992 and 2002, especially at two decision points: arrest and waiver to criminal court



Source: Authors' analysis of Puzzauchera et al.'s *Easy access to juvenile populations* [online analysis], Stahl et al.'s *Easy access to juvenile court statistics 1985–2002* [online analysis], and the FBI's *Crime in the United States 1992* and *Crime in the United States 2002*.

Each decision point has a preceding stage with which it is compared (e.g., arrests are compared to population, court referrals to arrest, detentions to court referrals, petitions to court referrals, adult court transfers to petitions, adjudications to petitions, and out-of-home placements to adjudications). Together this set of decision points and their relative rate indexes form the Relative Rate Index Matrix, a table that can reveal the nature of decision disparities—including their magnitude and differences—in a juvenile justice system that is interdependent though fragmented.

The Relative Rate Index Matrix is a diagnostic tool that can be used by juvenile justice professionals to assess decisionmaking disparity within a jurisdiction for subgroups

other than those defined solely by their racial/ethnic classification. For example, the tool could compare the processing of white and minority youth charged with a drug offense or the processing decisions for white and minority youth at their first referral to juvenile court intake. Or it could compare the processing of juvenile males and females, older and younger juveniles, youth from different neighborhoods or school districts, youth with different family structures, or youth with different needs and/or risks. Disparity can exist for many reasons. Although the Relative Rate Index does not diagnose the reasons for disparity, it distills data into statistics that decisionmakers can use to assess the vital signs of the local juvenile justice system and, in doing so, target areas of concern.



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