

Appendix 14

Juvenile Court Statistics Methodology, definitions of terms, and offenses within categories

This information was excerpted from M. Sickmund, A. Stahl, and W. Kang, "Easy Access to Juvenile Court Statistics: 1985-2008" [Online]. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 2011. Available: <http://www.ojjdp.ncjrs.gov/ojstatbb/ezajcs/> [June 29, 2011]; and Charles Puzzanhera et al., *Juvenile Court Statistics 1998*, NCJ 193696 (Washington, DC: U.S. Department of Justice, 2003), pp. 59, 60. Non-substantive editorial adaptations have been made.

Methodology

These data are national estimates of juvenile delinquency cases handled by U.S. courts with juvenile jurisdiction. The estimates are derived from data provided to the National Center for Juvenile Justice's National Juvenile Court Data Archive by State and county agencies responsible for collecting and/or disseminating information on the processing of youth in juvenile courts.

Courts with juvenile jurisdiction also may handle other matters, including status offenses, i.e., behaviors that are considered an offense only when committed by a juvenile (e.g., running away from home), traffic violations, child support, adoption, and child abuse and neglect. However, the data presented in SOURCEBOOK focus on the courts' handling of juveniles charged with criminal law violations. These data are not the result of a uniform data collection effort. They are not derived from a complete census of juvenile courts or obtained from a probability sample of courts. These national estimates are developed using compatible information from courts that are able to provide data to the Archive. Data collection is an ongoing process and estimates for previous years are updated as more detailed case-level data are provided to the Archive.

The Archive collects data in two forms: court-level aggregate statistics and detailed case-level data. Court-level aggregate statistics are either abstracted from the annual reports of State and local courts or are contributed directly to the Archive. These data typically are counts of the delinquency and status offense cases handled by courts in a defined-time period (calendar or fiscal year). Case-

level data are usually generated by the automated client-tracking systems or case-reporting systems managed by juvenile courts or other juvenile justice agencies. These systems provide detailed data on the characteristics of each delinquency and status offense case handled by courts.

The structure and content of each data set is examined in order to design an automated restructuring procedure that will transform each jurisdiction's data into a common case-level format. The aggregation of these standardized case-level data files constitutes the national case-level database. The compiled data from jurisdictions that contribute only court-level statistics constitute the national court-level database. Together, these two multi-jurisdiction databases are used to generate national estimates of delinquency and status offense cases. Although juvenile courts with jurisdiction over more than 98% of the U.S. juvenile population contribute either case-level data or court-level aggregate statistics to the Archive, not all of this information can be used to generate the national estimates. To be used, the data must be in a compatible unit of count (i.e., case disposed), the data source must demonstrate a pattern of consistent reporting over time (at least 2 years), and the data file contributed must represent a complete count of cases disposed in a jurisdiction during a given year.

The national estimate of 1,653,300 total delinquency cases processed in 2008 was generated by data received from the following two sources:

(1) Detailed case-level data describing 1,194,994 delinquency cases that met the criteria for inclusion in the development of national estimates.

(2) Compatible court-level aggregate statistics on an additional 54,827 delinquency cases reported from jurisdictions that were unable to provide detailed case-level data.

In all, compatible case-level data and court-level statistics on delinquency cases were received from 2,284 jurisdictions containing 82% of the Nation's youth population at risk in 2008.

A multivariate weighting procedure is employed that adjusts for a number of factors related to juvenile court caseloads, e.g., the court's jurisdictional responsibilities (upper age); the size and demographic composition of the community; the age, sex, and race profile of the youth involved in juvenile court cases; and the offenses charged against the youth. The basic assumption underlying the estimation procedure is that similar legal and demographic factors shape the volume and characteristics of cases in reporting and non-

reporting counties of comparable size and features.

The unit of count is a case disposed by a court with juvenile jurisdiction. A case represents a youth processed by a juvenile court on a new referral regardless of the number of charges contained in that referral. A youth charged with four burglaries in a single referral represents a single case, whereas a youth referred to court for three burglaries and referred again the following week on another burglary charge represents two cases, even if the court eventually merges the two referrals for efficient processing.

The offense coded was the most serious offense for which the youth was referred to court. Attempts to commit an offense were included under that offense category except attempted murder, which was included in the aggravated assault category.

The term disposed means that a definite action has been taken or that a plan of treatment has been selected or initiated. It does not necessarily mean that the case is closed or terminated in the sense that all contact between the court and the youth has ceased.

Definitions of terms

Adjudicated--Judicial determination that a juvenile is or is not responsible for the delinquency or status offense charged in the petition.

Delinquent act/offense--An act committed by a juvenile for which an adult could be prosecuted in a criminal court, but when committed by a juvenile is within the jurisdiction of the juvenile court.

Detention--The placement of a youth in a restrictive facility between referral to court intake and case disposition.

Dismissed--Cases dismissed (including those warned, counseled, and released) with no further action anticipated. Among cases handled informally, some cases may be dismissed by the juvenile court because the matter is being handled in another court.

Juvenile--Youth at or below the upper age of juvenile court jurisdiction. See Upper age of jurisdiction and Youth population at risk.

Nonpetitioned cases--Informally handled cases that duly authorized court personnel screen for adjustment without the filing of a formal petition. Such personnel include judges, referees, probation officers, other officers of the court, and/or an agency statutorily designated to conduct petition screening for the juvenile court.

Petitioned cases--Formally handled cases that appear on the official court calendar in response to the filing of a petition or other legal instrument requesting the court to adjudicate the youth delinquent or to waive

(transfer) the youth to criminal court for processing as an adult.

Placement out-of-home--Cases in which youth were placed in a residential facility for delinquents, or were otherwise removed from their homes and placed elsewhere.

Probation--Cases in which youth were placed on informal/voluntary or formal/court-ordered probation or supervision.

Race--The race of the youth referred as determined by the youth or by court personnel.

White--A person having origins in any of the original peoples of Europe, North Africa, or the Middle East. (Nearly all Hispanics were included in the white racial category.)

Black--A person having origins in any of the black racial groups of Africa.

Other--A person having origins in any of the original peoples of North America (including Alaskan Natives), the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands.

Transfer/waiver--Cases that were waived or transferred to criminal court as the result of a waiver or transfer hearing in juvenile court. Cases are included in this category only if the transfer resulted from judicial actions alone. Some cases can be transferred to criminal court through the actions of prosecutors. However, these data report judicial waivers only. Excluded are cases that were transferred to criminal court under concurrent jurisdiction provisions.

Upper age of jurisdiction--The oldest age at which a juvenile court has original jurisdiction over an individual for law-violating behavior. For example, in 2008, in 3 States (Connecticut, New York, and North Carolina) the upper age of jurisdiction was 15, in 10 States (Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, New Hampshire, South Carolina, Texas, and Wisconsin), the upper age of jurisdiction was 16, and in the remaining 37 States and the District of Columbia the upper age of jurisdiction was 17. It must be noted that in most States there are exceptions to the age criteria that place or permit youth at or below the State's upper age of jurisdiction to be under the original jurisdiction of the adult criminal court. For example, in most States if a youth of a certain age is charged with one of a defined list of what are commonly labeled "excluded offenses," the case must originate in the adult criminal court. In addition, in a number of States, the district attorney is given the discretion of filing certain cases either in the juvenile or in the criminal court. Therefore, while the upper age of jurisdiction is commonly recognized in all States, there are numerous exceptions to this age criterion.

Youth population at risk--For delinquency and status offense matters, this is the number of children from age 10 through the upper age of jurisdiction. In all States the

upper age of jurisdiction is defined by statute. In most States individuals are considered adults when they reach their 18th birthday. Therefore, for these States, the delinquency and status offense youth population at risk would equal the number of children who are 10 through 17 years of age living within the geographical area serviced by the court.

Offenses within categories

Crimes against persons--This category includes criminal homicide, forcible rape, robbery, aggravated assault, simple assault, and other person offenses defined below.

Criminal homicide--Causing the death of another person without legal justification or excuse. Criminal homicide is a summary category, not a single codified offense. The term, in law, embraces all homicides where the perpetrator intentionally killed someone without legal justification, or accidentally killed someone as a consequence of reckless or grossly negligent conduct. It includes all conduct encompassed by the terms murder, nonnegligent (voluntary) manslaughter, negligent (involuntary) manslaughter, and vehicular manslaughter. The term is broader than the Crime Index category used in the Federal Bureau of Investigation's Uniform Crime Reports (UCR) in which murder and nonnegligent manslaughter does not include negligent manslaughter or vehicular manslaughter.

Forcible rape--Sexual intercourse or attempted sexual intercourse with a female against her will by force or threat of force. The term is used in the same sense as in the UCR Crime Index. (Some States have enacted gender-neutral rape or sexual assault statutes that prohibit forced sexual penetration of either sex. Data reported by these States do not distinguish between forcible rape of females as defined above and other sexual assaults.) Other violent sex offenses are included in the "other offenses against persons" category.

Robbery--Unlawful taking or attempted taking of property that is in the immediate possession of another by force or the threat of force. The term is used in the same sense as in the UCR Crime Index and includes forcible purse snatching.

Assault--Unlawful intentional inflicting, or attempted or threatened inflicting, of injury upon the person of another.

Aggravated assault--Unlawful intentional inflicting of serious bodily injury, or unlawful threat or attempt to inflict bodily injury or death, by means of a deadly or dangerous weapon with or without actual infliction of any injury. The term is used in the same sense as in the UCR Crime Index. It includes conduct included under the statutory names aggravated assault and battery, aggravated battery, assault with intent to kill, assault with intent to

commit murder or manslaughter, atrocious assault, attempted murder, felonious assault, and assault with a deadly weapon.

Simple assault--Unlawful intentional inflicting, or attempted or threatened inflicting, of less than serious bodily injury without a deadly or dangerous weapon. The term is used in the same sense as in UCR reporting. Simple assault is often not distinctly named in statutes since it consists of all assaults not explicitly named and defined as serious. Unspecified assaults are included in the "other offenses against persons" category.

Other offenses against persons--This category includes kidnaping, violent sex acts other than forcible rape (e.g., incest, sodomy), custody interference, unlawful restraint, false imprisonment, reckless endangerment, harassment, and attempts to commit any such acts.

Crimes against property--This category includes burglary, larceny, motor vehicle theft, arson, vandalism, stolen property offenses, trespassing, and other property offenses defined below.

Burglary--Unlawful entry or attempted entry of any fixed structure, vehicle, or vessel used for regular residence, industry, or business, with or without force, with intent to commit a felony or larceny. The term is used in the same sense as in the UCR Crime Index.

Larceny--Unlawful taking or attempted taking of property (other than a motor vehicle) from the possession of another, by stealth, without force and without deceit, with intent to permanently deprive the owner of the property. This term is used in the same sense as in the UCR Crime Index. It includes shoplifting and purse snatching without force.

Motor vehicle theft--Unlawful taking, or attempted taking, of a self-propelled road vehicle owned by another, with the intent to deprive the owner of it permanently or temporarily. The term is used in the same sense as in the UCR Crime Index. It includes joyriding or unauthorized use of a motor vehicle as well as grand theft auto.

Arson--Intentional damaging or destruction by means of fire or explosion of the property of another without the owner's consent, or of any property with intent to defraud, or attempting the above acts. This term is used in the same sense as in the UCR Crime Index.

Vandalism--Destroying or damaging, or attempting to destroy or damage, the property of another without the owner's consent, or public property, except by burning.

Stolen property offenses--Unlawful and knowing receipt, purchase, distributing, selling, transporting, concealing, or possession of stolen property, or attempting any of the above. The term is used in the same sense as the UCR category stolen property; buying, receiving, possessing.

Trespassing--Unlawful entry or attempted entry of the property of another with the intent to commit a misdemeanor, other than larceny, or without intent to commit a crime.

Other property offenses--This category includes extortion and all fraud offenses, such as forgery, counterfeiting, embezzlement, check or credit card fraud, and attempts to commit any such offenses.

Drug law violations--Unlawful sale, purchase, distribution, manufacture, cultivation, transport, possession, or use of a controlled or prohibited substance or drug, or drug paraphernalia, or attempts to commit these acts. Sniffing of glue, paint, gasoline, and other inhalants also are included; therefore, the term is broader than the UCR category drug abuse violations.

Offenses against public order--This category includes weapons offenses, nonviolent sex offenses, nonstatus liquor law violations, disorderly conduct, obstruction of justice, and other offenses against public order as defined below.

Weapons offenses--Unlawful sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly or dangerous weapon, or accessory, or attempt to commit any of these acts. The term is used in the same sense as the UCR category weapons; carrying, possessing, etc.

Sex offenses--All offenses having a sexual element, not involving violence. The term combines the meaning of the UCR categories prostitution and commercialized vice and sex offenses. It includes offenses such as statutory rape, indecent exposure, prostitution, solicitation, pimping, lewdness, fornication, and adultery.

Liquor law violations, not status--Being in a public place while intoxicated through consumption of alcohol, or intake of a controlled substance or drug. It includes public intoxication, drunkenness, and other liquor law violations. It does not include driving under the influence. The term is used in the same sense as the UCR category of the same name. (Some States treat public drunkenness of juveniles as a status offense, rather than delinquency and therefore would not be included in the data presented. Where a person who is publicly intoxicated performs acts that cause a disturbance, he or she may be charged with disorderly conduct.)

Disorderly conduct--Unlawful interruption of the peace, quiet, or order of a community, including offenses such as disturbing the peace, vagrancy, loitering, unlawful assembly, and riot.

Obstruction of justice--This category includes intentionally obstructing court or law enforcement efforts in the administration of justice, acting in a way calculated to lessen the authority or dignity of the court, failing to obey the lawful order of a court, and violations of probation or parole other than technical violations, which do not consist of

the commission of a crime or are not prosecuted as such. It includes contempt, perjury, obstructing justice, bribing witnesses, failure to report a crime, and nonviolent resisting arrest.

Other offenses against public order--This category includes other offenses against government administration or regulation, e.g., escape from confinement, bribery, gambling, fish and game violations, hitchhiking, health violations, false fire alarms, and immigration violations.