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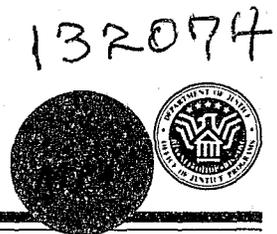
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OJJDP Update on Statistics

Robert W. Sweet, Jr., Administrator

December 1991

Juvenile Court Drug and Alcohol Cases: 1985-1988

by Melissa Sickmund, Ph.D.

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From 1985 through 1988, juvenile courts saw an increase in both drug and alcohol cases. During those years, in the jurisdictions studied, the drug case rate increased nearly 12 percent, while the alcohol case rate increased by 8 percent. The juvenile court's handling of drug cases changed noticeably over this time period. By 1988, drug cases were more likely to be handled formally, were more likely to result in residential placement, and were less likely to be dismissed

outright. While the severity with which drug cases were handled increased, not much changed in the way alcohol cases were processed.

At the request of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the National Center for Juvenile Justice (NCJJ) conducted a National Juvenile Court Data Archive study of nearly 300,000 court records describing drug and alcohol cases processed from

1985 through 1988 in 841 courts in 17 States. The cases selected for analysis were those that had a drug or alcohol offense as the most serious charge. In these jurisdictions:

- The drug case rate for whites decreased 15 percent from 1985 through 1988. For nonwhites, the drug case rate increased 88 percent. By 1988 the rate for nonwhites was more than 2.5 times the rate for whites.

From the Administrator

Some years ago, drug use was viewed by many young people as a harmless, socially acceptable activity. But, more and more young people today consider drug use an unacceptable, dangerous, and even deadly behavior. Because of changing American attitudes about drugs, today's youth are less likely to try drugs in the first place, despite the continued widespread availability of illegal substances. However, the battle is not yet won. There are far too many youth in this country who remain involved with drugs—youth we cannot afford to ignore.

A key agent of intervention in the war against youth drug use is the juvenile court. Policymakers can examine juvenile court handling of drug cases to assess current intervention strategies.

This is the second *OJJDP Update* to present statistics on the juvenile court's handling of drug and alcohol cases. An earlier report looked at 1984 cases; this report presents 1985 through 1988 data on recent trends.*

Trends have changed since 1984. In 1985, crack hit the streets in full force. Nevertheless, surveys since 1984 show a substantial overall decline in youth drug use. Because juvenile courts joined the war on drugs by increasing the severity with which they handle drug cases, a progressively larger caseload has placed a great strain on juvenile court resources.

* Sickmund, Melissa, "Juvenile Courts Vary Greatly in How They Handle Drug and Alcohol Cases," *Update on Statistics*, OJJDP, 1989.

In contrast, not much has changed since 1984 in processing juvenile alcohol cases. Although alcohol use is considered by many to be a "gateway" to illicit drug use, juvenile drinking cases are generally handled on an informal basis while driving-under-the-influence cases are typically handled formally.

Each jurisdiction, each community, and each neighborhood must seek its own solutions to the problems of youth drug and alcohol use. While data in this *Update* raise issues of concern about differences in the handling of white and nonwhite youth, they do not explain these differences.

Robert W. Sweet, Jr.
Administrator

Methods

This report is based on analyses of automated case-level data for calendar years 1985 through 1988. Cases were identified as drug or alcohol cases based on their most serious offense. Drug offenses include possessing or selling a controlled substance or drug paraphernalia or being in a place where controlled substances are used or sold. In the jurisdictions in which drug possession could be distinguished from trafficking, about one in seven drug cases could not be classified as either drug possession or trafficking. The majority of these cases involved the possession of paraphernalia and were not included in possession-trafficking comparisons. Alcohol offenses included public drinking, drunkenness, liquor law violations, underage drinking, and driving under the influence. Youth involved with drugs or alcohol, but not charged with a drug or alcohol offense as their most serious offense, were not included. Case disposition information was based on the most severe disposition.

Jurisdictions were selected for inclusion if their data represented the complete reporting of both petitioned and nonpetitioned cases handled by the juvenile court for each year studied. Data from 841 jurisdictions in 17 States (Arizona, California, Connecticut, Florida, Hawaii, Iowa, Maryland, Mississippi, Missouri, Nebraska, New Jersey, North Dakota, Pennsylvania, South Carolina, South

Dakota, Utah, and Virginia) were included. These jurisdictions represented 37 percent of the youth-at-risk population in the United States in 1988. These jurisdictions had a slightly larger proportion of nonwhite youth, compared to the Nation as a whole. Detention information was provided by jurisdictions covering 33 percent of the U.S. youth-at-risk population. These jurisdictions also had a somewhat larger percentage of nonwhite youth.

Data from jurisdictions representing 27 percent of the country's youth-at-risk population were used in the drug possession versus trafficking comparisons. These jurisdictions had the same proportion of nonwhite youth as the Nation as a whole. The use of detention comparisons involving these more detailed offense categories was based on fewer jurisdictions (with 25 percent of the population at risk).

The drinking versus driving-under-the-influence comparisons were based on data from jurisdictions covering 30 percent of the U.S. youth-at-risk population. These jurisdictions, like the larger sample, were somewhat overrepresentative of nonwhite youth. The use of detention comparisons involving these more detailed offense categories were based on jurisdictions with 26 percent coverage.

- Drug case rates for 16- and 17-year-olds increased steadily from 1985 through 1988. For younger youth, drug case rates declined.
- In 1985, about 5 out of 10 drug cases were handled formally by a judge, compared to more than 6 in 10 in 1988.
- While the drug case rate for nonwhites was 2.5 times the white rate in 1988, the

alcohol case rate for whites was nearly 4 times the nonwhite rate.

- In 1988, as in previous years, more than three-quarters of all drinking cases were handled informally by an intake department, but three-quarters of all driving-under-the-influence cases were handled formally by a judge.

Trends in drug case rates

In 1985, juvenile courts processed 3.69 drug cases for every 1,000 youth at risk living in their jurisdictions (figure 1).¹ The drug case rate increased nearly 12 percent to 4.12 cases per 1,000 youth at risk in 1988. The 8-percent increase in the drug case rate between 1987 and 1988 accounted for most of the overall increase.

In each year studied, the rate of youth referral to juvenile court for drug offenses increased continuously and substantially with age (table 1). However, from 1985 through 1988 the gap between the rates of younger and older youth widened. While drug case rates for 16- and 17-year-olds increased steadily from 1985 through 1988, they declined slightly for younger youth over the same time period.

The gap between male and female drug case rates widened from 1985 through 1988. While the male rate increased steadily (a 13-percent increase overall), the female rate declined (an 8-percent decline overall). In 1985 the female rate was about 20 percent of the male rate, but by 1988 it was only about 16 percent of the male rate.

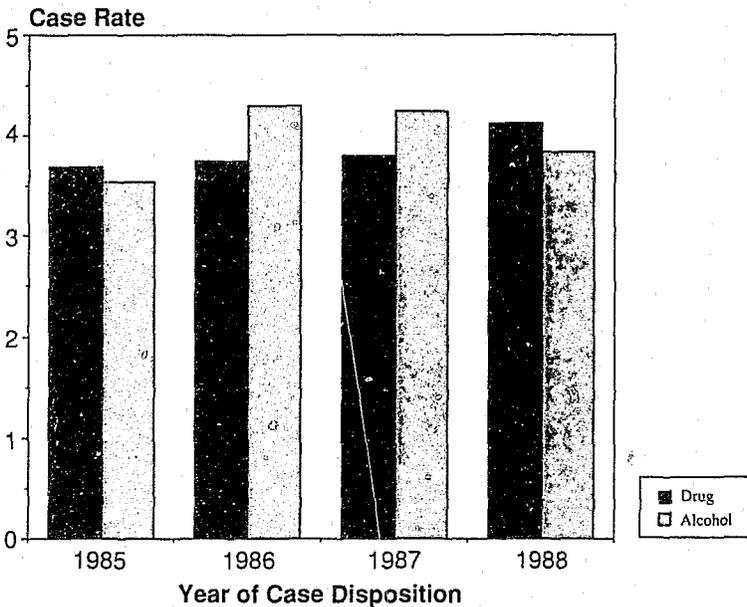
The gap between white and nonwhite drug case rates increased substantially from 1985 through 1988 (figure 2). In 1985, the white rate was about 80 percent of the nonwhite rate. From 1985 through 1988 the drug case rate for whites decreased by 15 percent. However, for nonwhites the drug case rate increased steadily for an overall increase of 88 percent. Therefore, by 1988 the rate for nonwhites was more than 2.5 times the rate for whites.

Possession versus trafficking. For each year studied, juvenile courts processed a larger number of drug possession cases

¹ The youth-at-risk population includes youth aged 10 through the upper age of juvenile court jurisdiction in their State. The upper age of jurisdiction was 17 in most of the States included in this analysis. In one State (Connecticut) the upper age of jurisdiction was 15, and in two States (Missouri and South Carolina) it was 16.

Figure 1

Drug and Alcohol Case Rate Trends: 1985-1988



Data Sources: AZ, CA, CT, FL, HI, IA, MD, MS, MO, NE, NJ, ND, PA, SC, SD, UT, VA

than drug trafficking cases. However, the drug possession case rate showed a slight overall increase of 3 percent, while the drug trafficking case rate increased by 8 percent overall. By 1988, approximately eight possession cases were processed by juvenile court for every seven trafficking cases.

Trends in alcohol case rates

Although the alcohol case rate increased 8 percent between 1985 and 1988, the more recent trend is a declining one (table 2). Between 1985 and 1986, the alcohol case rate rose 21 percent, but the rate dropped steadily between 1986 and 1988.

Like the drug case rate, the alcohol case rate increased with age. Rates for 16- and 17-year-olds were substantially higher than rates for younger juveniles. In fact, the alcohol case rate for 16-year-olds was more than double the rate for 15-year-olds for each year studied. The rates for 17-year-olds were, in turn, more than 1.5 times the rate for 16-year-olds. The case rates within individual age groups fluctuated over time in a pattern that mirrored the overall alcohol rates.

Fluctuations similar to those found in the overall alcohol case rate also were observed for both male and female alcohol case rates. Male alcohol case rates were nearly three times the female rates throughout the timeframe. The male rate peaked in 1986 then dropped steadily, resulting in an overall increase of 6 percent between 1985 and 1988. For females the peak year was 1987, with an overall increase of 12 percent.

The alcohol case rate for whites rose 23 percent between 1985 and 1986 and then declined, while the alcohol case rate for nonwhites showed no decline between 1986 and 1988 (figure 3). The rate for nonwhites rose 22 percent between 1985 and 1987 and remained at that higher level. Although in 1988 the drug case rate for nonwhites was 2.5 times the white rate, the alcohol case rate for whites was nearly 4 times the nonwhite rate.

Table 1

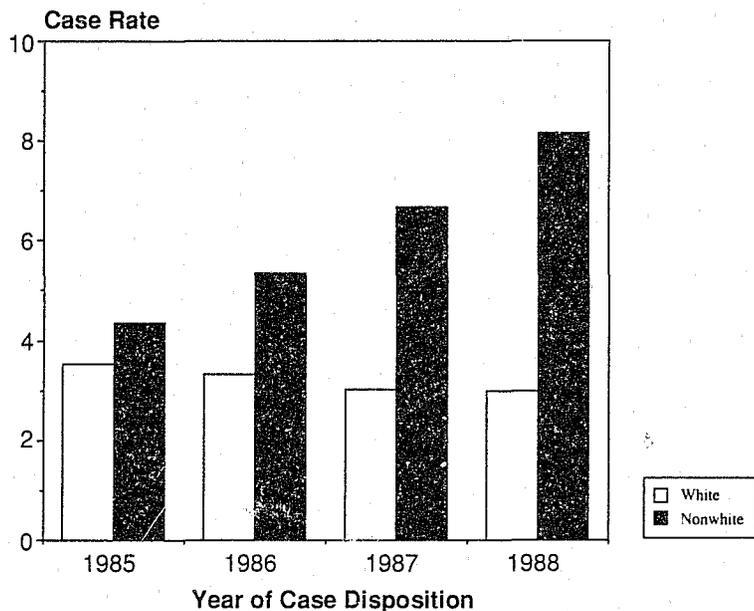
Drug Case Rates by Age, Sex, and Race: 1985-1988

	Drug Cases per 1,000 Youth at Risk			
	1985	1986	1987	1988
Total	3.69	3.75	3.80	4.12
Age				
10	0.03	0.03	0.02	0.02
11	0.09	0.06	0.07	0.08
12	0.38	0.30	0.27	0.32
13	1.19	1.18	0.98	1.11
14	2.88	2.77	2.48	2.86
15	5.27	5.14	5.05	5.71
16	7.85	7.98	8.01	8.74
17	10.46	10.60	11.41	12.05
Sex				
Male	5.79	5.91	6.03	6.57
Female	1.19	1.18	1.11	1.09
Race				
White	3.52	3.32	3.02	3.00
Nonwhite	4.35	5.36	6.67	8.17

Data Sources: AZ, CA, CT, FL, HI, IA, MD, MS, MO, NE, NJ, ND, PA, SC, SD, UT, VA

Figure 2

Drug Case Rate Trends by Race: 1985-1988



Data Sources: AZ, CA, CT, FL, HI, IA, MD, MS, MO, NE, NJ, ND, PA, SC, SD, UT, VA

Drinking versus driving under the influence. Drinking cases were referred at a substantially higher rate than driving-under-the-influence cases. In 1988, there were six drinking cases handled by the juvenile courts for every drinking-under-the-influence case processed. Both types of alcohol cases showed rate patterns similar to the overall rates—early increases followed by decline. The drinking case rate rose substantially between 1985 and 1986 and then declined, resulting in an overall growth of 7 percent between 1985 and 1988. The driving-under-the-influence case rate increased 23 percent from 1985 to 1986, but by 1988 it had returned to the 1985 level.

Use of detention

Youth may be placed in a detention facility by the court at some point between referral to court and case disposition. There are several reasons a court may decide to place a youth in detention. Detention is often deemed necessary to protect the community from the youth, to protect the youth, or both. Detention is also ordered to ensure the youth's appearance at an upcoming hearing. A period of detention may also be required to evaluate the youth for treatment purposes.

In 1985, detention was ordered in slightly more than a quarter of the drug cases (figure 4). By 1988, the proportion of drug cases detained had increased to more than one-third. The use of detention was more likely in 1988 than in 1985 for both drug possession and drug trafficking cases. Although youth in drug trafficking cases were more likely to be detained than youth in drug possession cases across all years, the increase in the proportion of cases detained was greater for trafficking than for possession.

Detention was far less likely in alcohol cases than in drug cases, and the proportion of alcohol cases detained actually declined from 1985 through 1988. The declining trend in the proportion of alcohol cases detained was seen for both drinking and driving-under-the-influence cases.

Table 2

Alcohol Case Rates by Age, Sex, and Race: 1985-1988

	Alcohol Cases per 1,000 Youth at Risk			
	1985	1986	1987	1988
Total	3.54	4.30	4.25	3.84
Age				
10	0.01	0.01	0.01	0.01
11	0.03	0.02	0.03	0.03
12	0.14	0.16	0.15	0.11
13	0.52	0.58	0.53	0.45
14	1.57	1.83	1.75	1.50
15	3.83	4.28	4.23	3.67
16	8.46	10.07	9.60	8.66
17	12.82	15.61	15.45	14.43
Sex				
Male	4.97	6.08	5.90	5.28
Female	1.72	2.07	2.15	1.93
Race				
White	4.21	5.16	5.09	4.58
Nonwhite	0.95	1.10	1.16	1.16

Data Sources: AZ, CA, CT, FL, HI, IA, MD, MS, MO, NE, NJ, ND, PA, SC, SD, UT, VA

Racial differences. There are increasing numbers of minority youth confined in detention facilities. An earlier *OJJDP Update* linked the disproportionate increase in minority detentions to a change in the court's use of detention in drug cases and the disproportionate increase in the number of drug cases for nonwhites.² However, this change in the court's response to drug cases has been more pronounced for cases involving nonwhites. That is, the likelihood of detention in drug cases increased more for nonwhites than for whites. Between 1985 and 1986, the proportion of white youth detained in drug cases increased slightly from 24 percent to 25 percent and remained at that level through 1988 (table 3). However, among nonwhites the detention rate increased from 36 percent in 1985 to 48 percent in 1987 and 1988. Thus, the gap between whites and nonwhites, in terms of the likelihood of detention, has widened markedly. By 1988, the likelihood of detention in drug cases was almost twice as great for nonwhites as it was for whites.

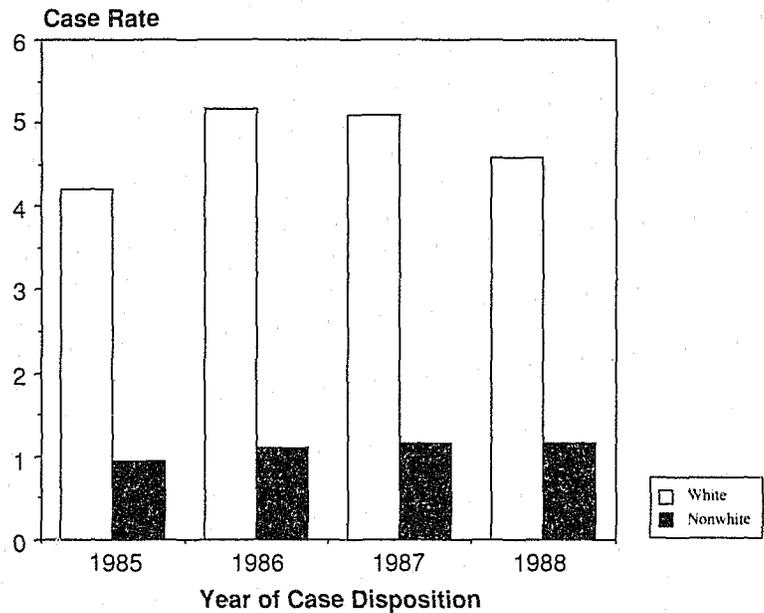
The relative difference in the use of detention for whites and nonwhites was greater for drug trafficking cases than for drug possession cases (table 4). However, from 1985 through 1988 this racial difference increased for drug possession cases but not for drug trafficking cases. Among drug possession cases handled in 1988, 36 percent of nonwhites were detained, compared to 24 percent of whites. Looking at drug trafficking cases that year, 61 percent of nonwhites were detained, compared to 35 percent of whites.

The downward trend in the likelihood of detention in drinking and driving-under-the-influence cases occurred for both whites and nonwhites (table 5). As with drug cases, nonwhites were more likely to be detained than whites; however, the differences between racial groups were not as great for alcohol cases. Among drinking cases, the difference in the likelihood of detention between whites

² Snyder, Howard, N., "Growth in Minority Detention Attributed to Drug Law Violators," *Update on Statistics*, OJJDP, 1990.

Figure 3

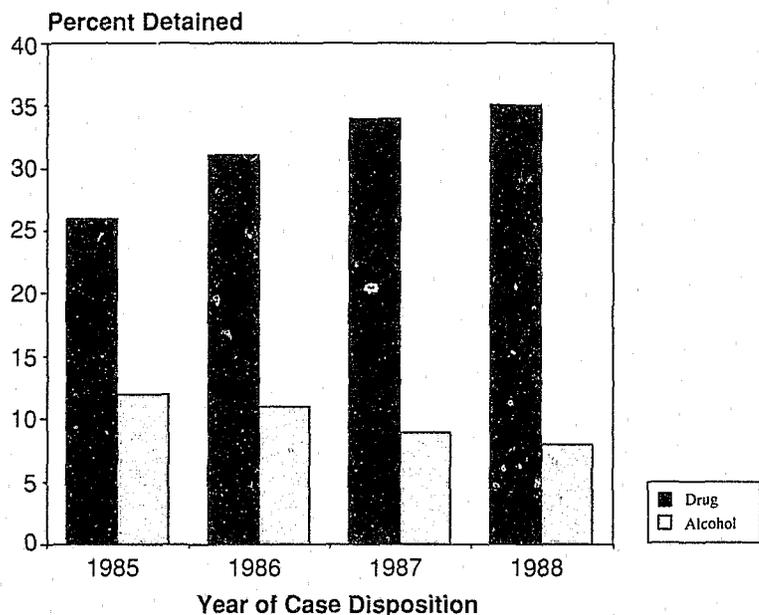
Alcohol Case Rate Trends by Race: 1985-1988



Data Sources: AZ, CA, CT, FL, HI, IA, MD, MS, MO, NE, NJ, ND, PA, SC, SD, UT, VA

Figure 4

Trends in the Use of Detention in Drug and Alcohol Cases: 1985-1988



Data Sources: AZ, CA, FL, IA, MS, MO, NE, NJ, ND, PA, SC, SD, VA

Table 3

Use of Detention in Drug and Alcohol Cases: 1985-1988

	Percent of Cases Detained			
	1985	1986	1987	1988
Drug Cases	26	31	34	35
White	24	25	25	25
Nonwhite	36	45	48	48
Alcohol Cases	12	11	9	8
White	12	11	9	7
Nonwhite	20	16	13	12

Data Sources: AZ, CA, FL, IA, MS, MO, NE, NJ, ND, PA, SC, SD, VA

Table 4

Use of Detention in Drug Possession and Trafficking Cases: 1985-1988

	Percent of Cases Detained			
	1985	1986	1987	1988
Drug Possession Cases	26	32	32	28
White	26	29	27	24
Nonwhite	30	44	44	36
Drug Trafficking Cases	34	41	43	46
White	29	32	33	35
Nonwhite	51	58	60	61

Data Sources: AZ, CA, MO, NJ, PA, SC, VA

Table 5

Use of Detention in Drinking and Driving-Under-the-Influence Cases: 1985-1988

	Percent of Cases Detained			
	1985	1986	1987	1988
Drinking Cases	12	10	8	7
White	12	10	8	7
Nonwhite	21	16	11	11
Alcohol Cases	25	22	19	18
White	25	22	18	17
Nonwhite	27	26	28	24

Data Sources: AZ, CA, IA, MS, NE, NJ, PA, SC, SD, VA

and nonwhites remained about the same. For driving-under-the-influence cases, the percentage of cases detained dropped for whites but not for nonwhites.

Case processing

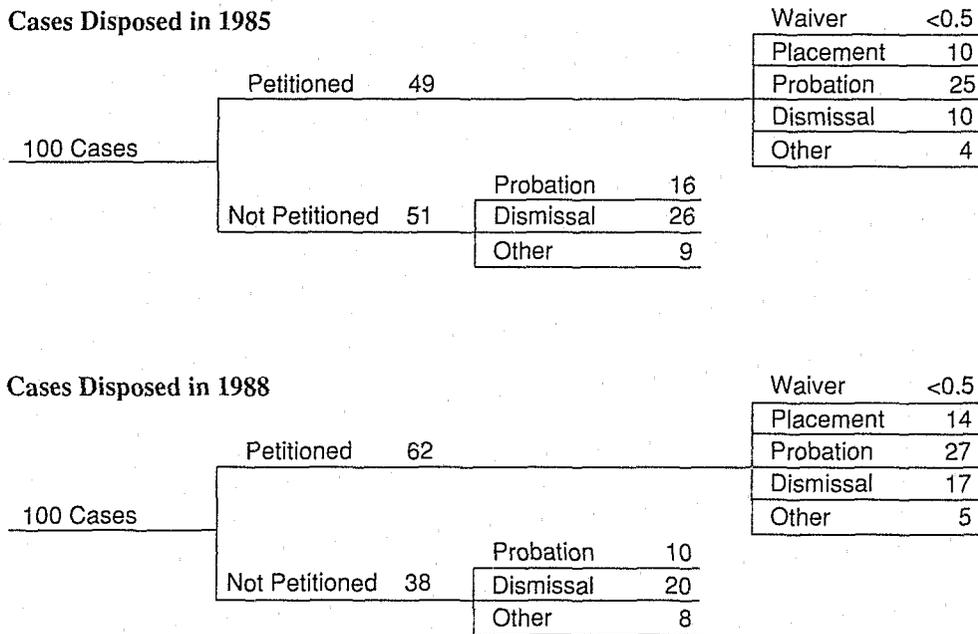
When a drug or alcohol case is referred to juvenile court, one of the first decisions made is whether the case will be handled formally or informally. Informal cases are handled by the intake department and do not involve an adjudicatory or waiver hearing. Many of these cases are dismissed outright, but others may result in informal probation, referral to another agency, payment of fines or restitution, or voluntary placement outside the home. If the intake department decides to process the case formally, a petition is filed, and the case is placed on the court calendar for a waiver or adjudicatory hearing.

At a waiver hearing the judge decides whether the juvenile court should waive its jurisdiction over the case, transferring it to criminal court where the youth can be processed as an adult. The waiver decision is based, in part, on the seriousness of the offense and whether the youth seems amenable to rehabilitation through various dispositional alternatives available to the juvenile court. Very few juvenile court cases are waived to criminal court.

At the adjudicatory hearing the judge must determine whether the youth should be adjudicated (judged) delinquent or a status offender. If the youth is adjudicated, the judge then makes a dispositional decision that could include commitment to a residential facility, probation, referral to another agency or treatment program, a fine, restitution, or community service. If the youth is not adjudicated, the case is usually dismissed or the youth may agree to some sort of voluntary sanction. Very often the court's dispositional order includes multiple sanctions, for example, probation plus community service. Only the most severe disposition in each case was included in this analysis.

Figure 5

Processing of a Typical 100 Drug Cases: 1985-1988



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

Data Sources: AZ, CA, CT, FL, HI, IA, MD, MS, MO, NE, NJ, ND, PA, SC, SD, UT, VA

Drug cases

From 1985 through 1988, drug cases were handled with increasing severity by the court. Compared to 1985, drug cases disposed in 1988 were more likely to be handled formally, and youth were more likely to be placed outside the home in a residential facility. In 1985, of a typical 100 drug cases processed, 51 were handled informally, and 26 of these were then dismissed (figure 5). In comparison, by 1988, only 38 of a typical 100 drug cases were handled informally, with 20 of those dismissed. Of 49 drug cases handled formally in 1985, 10 were placed out of the home, 25 were placed on probation, 4 received other formal sanctions, and 10 were dismissed. Of those handled formally in 1988, 14 resulted in residential placement, 27 received probation, 5 were given other formal sanctions, and 17

were dismissed. Although about the same proportion of drug cases were dismissed, overall, in 1985 as in 1988, the fact that fewer cases were dismissed at the intake level is another indication that drug cases are now considered more serious than in the past. The primary locus of dismissal decisions has shifted from intake to the courtroom.

Waiving juvenile court jurisdiction and transferring a case to criminal court is, perhaps, the most severe means of handling a case. The trend toward severe handling of drug cases in juvenile courts did not increase the likelihood of waiver. Less than half of 1 percent of the drug cases processed each year resulted in waiver.

Possession versus trafficking. Drug possession and drug trafficking cases were handled similarly in 1985. By

1988, however, youth charged with drug trafficking were handled more severely—their cases were more likely to be petitioned, and they were more likely to be placed in a residential facility. In 1985, half the drug possession cases and about half the drug trafficking cases were handled formally by the court (figures 6-A and 6-B). In 1988, 58 of 100 drug possession cases were petitioned for formal handling, compared to 66 of 100 drug trafficking cases. In 1985, in 11 of 100 drug possession cases and in 13 of 100 drug trafficking cases, youth were placed out of the home. In 1988, 14 of 100 drug possession cases resulted in residential placement compared to 20 of 100 drug trafficking cases.

Figure 6-A

Processing of a Typical 100 Drug Possession Cases: 1985-1988

Cases Disposed in 1985		100 Cases		Disposition	
Petitioned	50	Not Petitioned	50	Waiver	<0.5
				Placement	11
				Probation	25
				Dismissal	8
				Other	6
		Probation	18		
Not Petitioned	50	Dismissal	26		
		Other	6		

Cases Disposed in 1988		100 Cases		Disposition	
Petitioned	58	Not Petitioned	42	Waiver	<0.5
				Placement	14
				Probation	23
				Dismissal	16
				Other	5
		Probation	13		
Not Petitioned	42	Dismissal	23		
		Other	5		

Note: Detail may not add to totals because of rounding.
Data Sources: AZ, CA, CT, MO, NJ, PA, SC, UT, VA

Figure 6-B

Processing of a Typical 100 Drug Trafficking Cases: 1985-1988

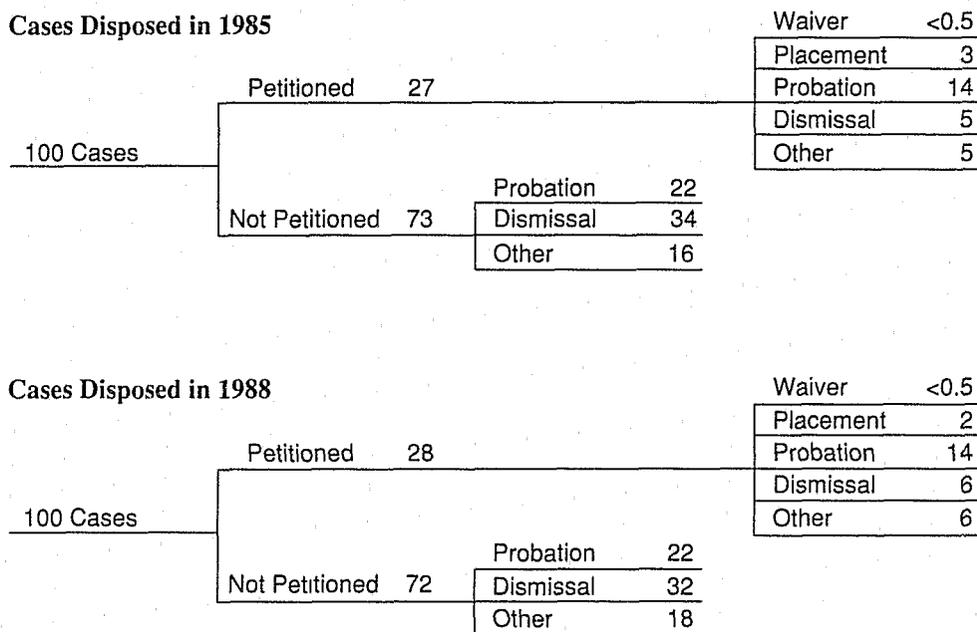
Cases Disposed in 1985		100 Cases		Disposition	
Petitioned	51	Not Petitioned	49	Waiver	<0.5
				Placement	13
				Probation	29
				Dismissal	7
				Other	2
		Probation	11		
Not Petitioned	49	Dismissal	37		
		Other	1		

Cases Disposed in 1988		100 Cases		Disposition	
Petitioned	66	Not Petitioned	34	Waiver	<0.5
				Placement	20
				Probation	28
				Dismissal	15
				Other	3
		Probation	7		
Not Petitioned	34	Dismissal	25		
		Other	2		

Note: Detail may not add to totals because of rounding.
Data Sources: AZ, CA, CT, MO, NJ, PA, SC, UT, VA

Figure 7

Processing of a Typical 100 Alcohol Cases: 1985-1988



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

Data Sources: AZ, CA, CT, FL, HI, IA, MD, MS, MO, NE, NJ, ND, PA, SC, SD, UT, VA

Alcohol cases

Unlike drug cases, the handling of alcohol cases did not change much from 1985 through 1988 (figure 7). In 1988, as in 1985 and the intervening years, the majority of alcohol cases, 72 of 100, were handled informally. Of those informal cases, 32 were dismissed, 22 were placed on probation, and the remaining cases received other voluntary sanctions. Of the 28 cases handled formally, 14 were placed on probation, 2 resulted in residential placement, 6 were dismissed, and 6 received other dispositions.

Drinking versus driving under the influence. Throughout the timeframe, driving-under-the-influence cases were more likely to be petitioned and placed

in a residential facility or on probation and were less likely to be dismissed than drinking cases (figures 8-A and 8-B). For example, in 1988, only 23 of 100 drinking cases were petitioned, compared to 75 of 100 driving-under-the-influence cases. Of the 23 petitioned drinking cases, only 9 resulted in probation orders, compared to 50 of the 75 petitioned driving-under-the-influence cases. Out-of-home placement was ordered in only two of the formally handled drinking cases, compared to six of the formal driving-under-the-influence cases. Of the 100 drinking cases processed that year, 43 were dismissed either with or without a petition. For driving-under-the-influence cases, only 22 of 100 cases were dismissed. The processing of drinking

and driving-under-the-influence cases did not change much between 1985 and 1988.

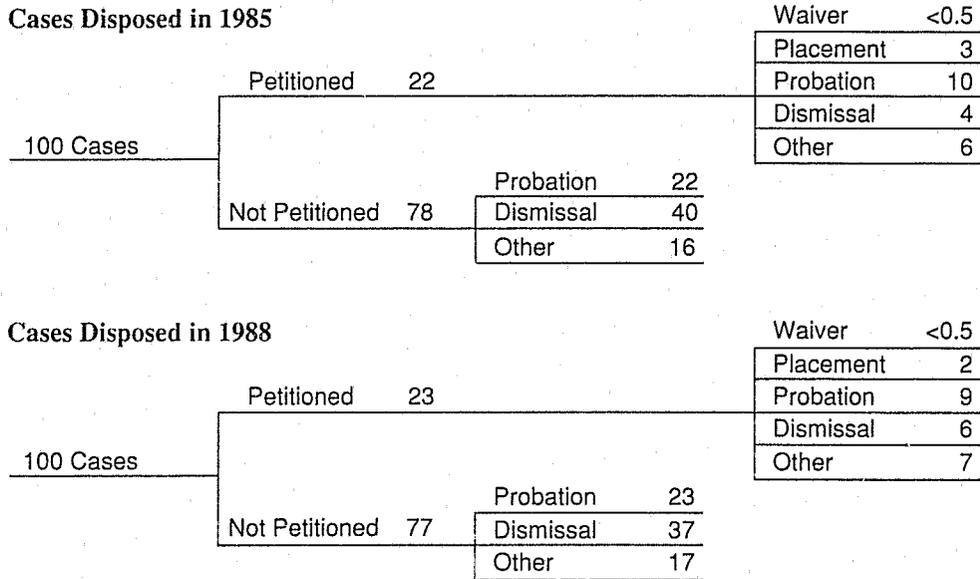
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Figure 8-A

Processing of a Typical 100 Drinking Cases: 1985-1988

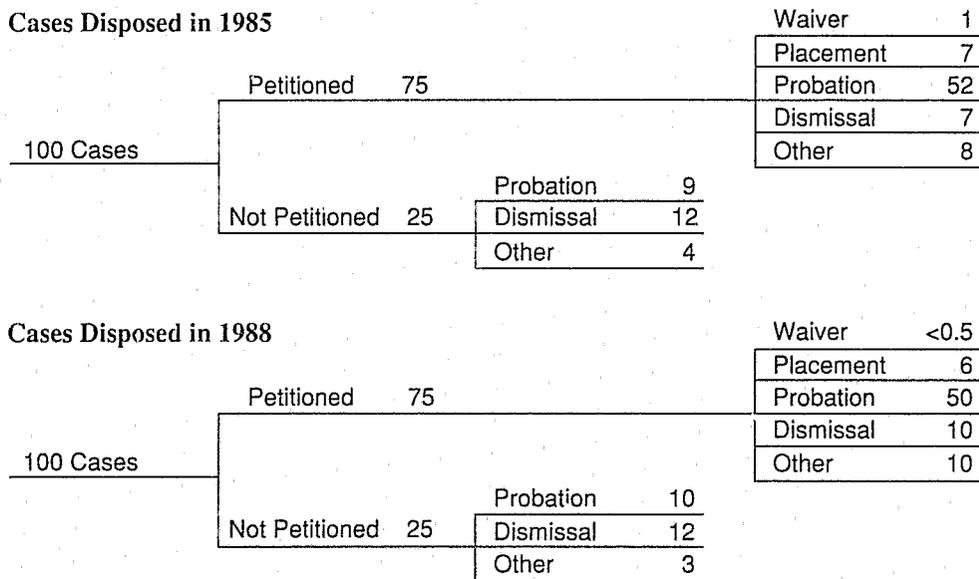


Note: Detail may not add to totals because of rounding.

Data Sources: AZ, CA, CT, HI, IA, MD, MS, NE, NJ, PA, SC, SD, UT, VA

Figure 8-B

Processing of a Typical 100 Driving-Under-the-Influence Cases: 1985-1988



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

Data Sources: AZ, CA, CT, HI, IA, MD, MS, NE, NJ, PA, SC, SD, UT, VA

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