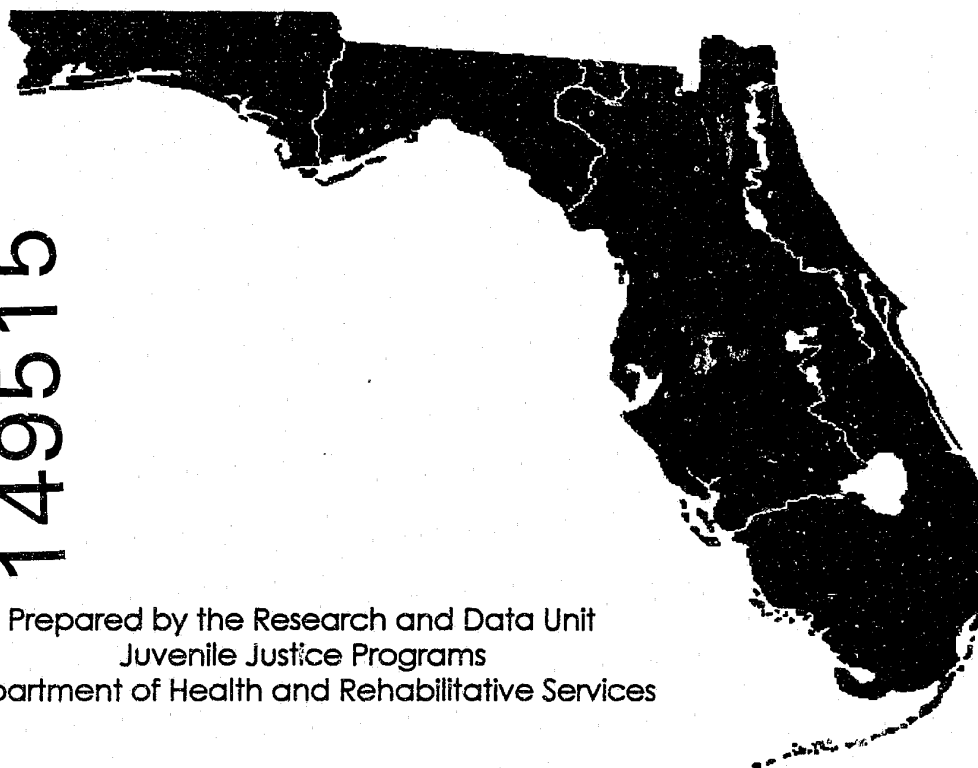




JUVENILE JUSTICE

VIOLENT JUVENILE OFFENDERS IN FLORIDA: A PROFILE

149515



Prepared by the Research and Data Unit
Juvenile Justice Programs
Department of Health and Rehabilitative Services

November 1993

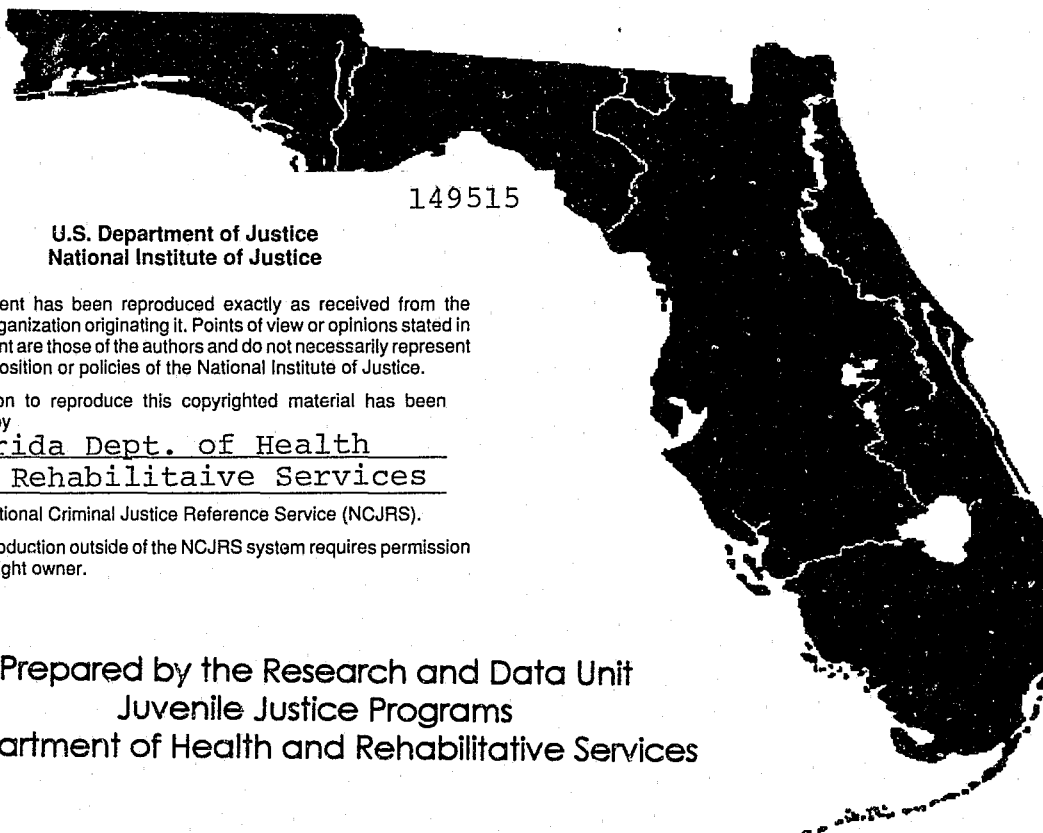
Lawton Chiles
Governor



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Violent Juvenile Offenders In Florida: A Profile

**A Description of Violent Offenders,
Their Families and Backgrounds,
And Their Juvenile Justice Experience**

Juvenile Justice

**State of Florida
Department of Health and Rehabilitative Services**

October 1993

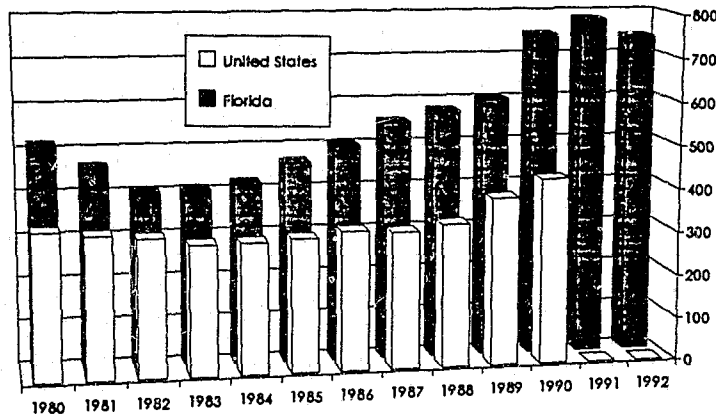
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Violent Juvenile Offenders in Florida: A Profile

During the 1990's, the **juvenile arrest rate** for violent crimes (number of arrests per 100,000 Americans between the ages 10-17) has reached a level well above those of the previous two decades. During the 1980's, the rate plateaued, and even declined slightly. However, in the late 1980's, the rate began to climb dramatically, reaching 388 per 100,000 in 1989, and 430 per 100,000 in 1990 (U.S. Federal Bureau of Investigation, 1992). The figure below graphically presents arrest rates for the state of Florida by offense type for the years 1980 to 1992, compared to national rates. Note that although the trend in violent offenses in Florida is similar to that for the nation, the total rate is clearly higher in Florida.¹

Comparison of Violent Offender Arrest Rates, 1980 - 1992*



*U.S. figures for 1991 and 1992 are unavailable.

Because violent juvenile offenders are the subject of a growing amount of media scrutiny, policy makers are asking questions in reference to the extent of violent juvenile crime, who the offenders are, where they come from, what happens to them, which rehabilitation programs are most effective, and to what extent these juveniles continue to pose a threat after completion of a rehabilitation program.

Who Are Violent Juvenile Offenders?

Arrests for Violent Offenses

Violent juvenile offenses include murder, manslaughter, sexual battery, other felony sex offenses, armed robbery, other robbery, and aggravated assault. During 1992 juveniles accounted for 13% of all arrests for murder in Florida. Juveniles made up 15% of all arrests for rape, 26% of all arrests for robbery, and 14% of all arrests for aggravated assault.²

Number of Violent Juvenile Offenders

Violent juvenile crime is increasing: the number of violent juvenile offenders has increased 70% in the last five years, while the entire juvenile population increased by 26%, indicating a higher rate of violent juvenile crime.³

Although arrest rates in the state of Florida are higher for violent juvenile crime than the national average, the percentages of each type of crime are similar. Aggravated assault is by far the most frequent charge for violent offenders, making up 57% of the total for fiscal year 1992-1993.⁴

Distribution of Violent Juvenile Offenders Disposed by Offense Type, Fiscal Years 1987-88 through 1992-93⁵

Offense Charged	FY 87-88	FY 88-89	FY 89-90	FY 90-91	FY 91-92	FY 92-93
Murder/Manslaughter	122	143	152	150	151	143
Attempted Murder	104	139	197	207	204	225
Sexual Battery	716	727	833	801	809	852
Other Feiorny Sex Offense	317	383	392	439	493	594
Armed Robbery	906	1,120	1,284	1,311	1,463	1,395
Other Robbery	888	1,101	1,347	1,499	1,707	1,882
Aggravated Assault	4,008	4,246	5,020	5,770	6,223	6,631
Total	7,061	7,859	9,225	10,177	11,050	11,722

Robbery (armed robbery and other robberies combined) is the second most frequent offense committed, 28% of the 1992-1993 total. Murder made up only 1% of the total.⁶

Distribution of All Cases Received by Type and Fiscal Years, 1982-83 through 1992-93⁷

	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89	1989-90	1990-91	1991-92	1992-93
*Murder/Manslaughter	69	83	88	81	109	149	153	185	167	155	160
*Attempted Murder	13	34	30	77	100	128	171	246	240	259	268
*Sexual Battery	529	584	786	782	782	822	854	951	909	915	1,005
*Other Felony Sex Offenses	176	197	269	309	363	331	402	450	477	596	658
*Armed Robbery	642	583	595	768	986	1,085	1,427	1,543	1,608	1,953	1,654
*Other Robbery	772	951	984	1,243	1,077	1,041	1,403	1,574	1,855	2,144	2,326
*Aggravated Assault	2,687	2,818	3,233	3,441	3,957	4,247	4,491	5,468	6,121	7,110	7,366
Arson	237	282	332	341	320	345	366	374	411	505	490
Burglary	13,404	12,698	13,168	14,777	16,300	17,035	17,411	18,377	19,368	20,798	20,918
Auto Theft	1,771	1,872	2,473	3,502	4,481	6,085	7,551	7,378	7,111	7,508	7,807
Grand Larceny	5,354	5,392	6,024	6,572	3,727	3,686	3,642	3,470	3,702	3,729	3,799
Receiving Stolen Property	503	399	488	506	455	481	472	506	642	557	561
Concealed Firearm	308	277	415	498	699	1,046	1,180	1,167	1,195	1,320	1,226
Forgery	325	320	296	389	443	448	458	427	409	431	406
Felony Non-Marijuana Drugs	493	503	566	842	1,844	3,360	4,645	4,003	3,190	3,403	2,849
Felony Marijuana	419	465	385	351	329	492	386	430	432	518	616
Escape	720	801	1,068	1,101	1,118	1,116	1,163	1,266	1,154	1,326	1,540
Resisting Arrest with Violence	217	183	237	270	304	320	317	359	379	396	428
Shooting/Throwing a Missile	394	455	497	557	596	706	635	725	921	1,050	1,109
Other Felonies	1,269	1,172	1,289	1,402	1,670	1,946	2,165	2,569	2,766	3,556	3,812
Total Felonies	30,302	30,069	33,223	37,809	39,660	44,869	49,292	51,468	53,057	58,229	58,998
Total Misdemeanors	38,038	38,171	42,114	43,472	51,465	54,320	56,077	59,110	62,152	67,785	67,060
Total Other Delinquency**	4,328	5,016	5,378	6,496	7,305	8,369	9,151	10,171	13,038	14,895	14,410
TOTAL OF ALL OFFENSES	72,668	73,256	80,715	87,777	98,430	107,558	114,520	120,749	128,247	140,909	140,468
 Total Violent Offenses	 4,888	 5,250	 5,985	 6,701	 7,374	 7,803	 8,901	 10,417	 11,377	 13,132	 13,437
Percentage of All Offenses	6.7%	7.2%	7.4%	7.6%	7.5%	7.3%	7.8%	8.6%	8.9%	9.3%	9.6%

*Violent Offenses

**Other Delinquency includes contempt of court, traffic offenses, non-law violations of furlough or community control and reopened cases.

Gender, Race, and Age

Most violent juvenile offenders are male. Of those arrested for violent offenses in fiscal year 1992-93, 85% were male, and 15% were female. Of the males, 43% were Caucasian, 57% were African-Americans. Of the females, 28% were Caucasian, and 72% were African-Americans.⁸

One-third of violent juvenile offenders are 14 or younger, with 188 less than 10 years of age. Of the remainder in the juvenile system during fiscal year 1992-93, juveniles age 15 and 16 made up 41.4% of the offenders, and 25.1% were 17 or older. Older juveniles are under-represented by these figures, because they enter the adult system and are not tracked by the juvenile justice data system.⁹

Distribution of Violent Juvenile Offenders By Age¹⁰

	FY 87-88	FY 88-89	FY 89-90	FY 90-91	FY 91-92	FY 92-93
0-9	123	152	165	146	189	201
10-12	538	640	710	803	941	1,022
13-14	1,464	1,660	2,016	2,293	2,544	2,710
15-16	3,041	3,255	3,781	4,237	4,611	4,872
17+	1,895	2,151	2,553	2,698	2,765	2,917
Unknown	0	1	0	0	0	0
Total	7,061	7,859	9,225	10,177	11,050	11,722

Department of Education data merged with Juvenile Justice data (the DOE-JJDP merge) yielded a sample of 4,856 violent juveniles who were enrolled in school between April, 1991 and August, 1992. Juveniles transferred to the adult system are missing from this data.¹¹

Distribution of Offense Types by Grade Level¹²

	Murder Manslaughter	Sexual Battery Other Felony Sex	Armed Robbery Other Robbery	Aggravated Assault	Total
Grades 3-5	0.0%	5.7%	1.9%	4.3%	183
Grades 6-7	9.6%	26.0%	17.3%	23.4%	1,058
Grade 8	11.8%	20.7%	17.6%	18.0%	881
Grade 9	40.4%	23.2%	30.8%	27.8%	1,370
Grade 10	24.3%	15.8%	21.0%	17.0%	877
Grade 11-12	14.0%	8.6%	11.3%	9.6%	487
Total	136 (2.8%)	768 (15.8%)	1,289 (26.5%)	2,663 (54.8%)	4,856

Family Background of Violent Juvenile Offenders

Families receiving food stamps made up 36% of a sample of 1,726 violent juvenile offenders for whom information was available.¹³

Juveniles from urban families make up the majority of violent juvenile offenders, followed by those from suburban families. Only a small percentage come from rural families or from out of state.

Distribution of Violent Juvenile Offenders by Metropolitan Area¹⁴

	FY 87-88	FY 88-89	FY 89-90	FY 90-91	FY 91-92	FY 92-93
Rural	3.1%	2.7%	2.8%	3.2%	2.6%	2.5%
Suburban	15.6%	18.4%	17.7%	16.7%	17.2%	18.5%
Urban	80.1%	77.9%	78.5%	79.2%	79.4%	78.1%
Out of State	1.1%	1.0%	1.1%	0.8%	0.8%	0.9%
Unknown	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Statewide	7,061	7,859	9,225	10,177	11,050	11,722

Only 12% of committed violent juvenile offenders come from intact homes. Of the remainder (from a sample of 624 violent juveniles from the DOE-JJDP merge), 43% live in a home with only one of their parents, and 17% live with relatives other than their parents. Foster care, group homes, or some other type of shelter arrangements make up the remaining 17%.¹⁵

Most families of committed violent offenders are willing to participate in their family member's treatment. Less than 20% of 5,041 families from the DOE-JJDP merge stated that they were not willing to participate in the treatment program for the violent juvenile offender from their family. Less than 15% of these families were not willing to permit their child to live at home during treatment.¹⁶

A significantly higher percentage of violent juvenile offenders come from families characterized by neglect, either indicated or verified. In a study of 3,541 juveniles released from commitment programs during the first six months of 1991, 21% of the violent juveniles compared with 15% of non-violent juveniles had prior indicated or verified referrals for neglect. No significant differences were found between the two groups with regard to child abuse referrals (10% of violent compared to 9% non-violent).¹⁷

Academic Performance and Handicapping Conditions

The majority of violent offenders do not achieve well academically. Of 1,046 juveniles from the DOE-JJDP merge, only 28% were reported to be achieving academically. Less than 2% were attending vocational school or had earned a GED. The remaining 70% did not achieve academically (54%), were expelled or suspended (8%), or had dropped out (8%).¹⁸

Distribution of Academic Outcomes of Violent Juvenile Offenders by Race-Ethnicity

	African				Native	
	Caucasian	American	Hispanic	Asian	American	Total
Achieves Academically	57	223	11	2	0	293
Does Not Achieve	105	414	44	3	1	567
Vocational School	3	2	1	0	0	6
GED Attained	3	4	1	0	0	8
16+ Older/Dropout	33	52	6	0	0	91
Expelled/Suspended	20	55	6	0	0	81
Total	221	750	69	5	1	1046

Handicapping conditions are diagnosed in only a small percentage of violent juvenile offenders. Only 365 out of 5,102 cases from the DOE-JJDP data match had a specific diagnosis reported. The greatest number of these were learning disabilities (49.5%), followed by emotional impairment (24%), severely emotionally handicapped (8%) and educable-mentally handicapped (8%). Because these conditions often are undiagnosed, these figures are probably understated.¹⁹

Handicapping Conditions and Types of Violent Juvenile Crime

	Murder	Sexual Battery	Armed/	Aggravated	
	Manslaughter	Other Felony	Other	Assault	Total
	Sex Offenses	Robbery			
Educable/Mentally Handicapped	11.1%	16.4%	6.9%	6.3%	30
Trainable/Mentally Handicapped	0.0%	0.0%	1.1%	1.0%	3
Physically Impaired	0.0%	1.6%	0.0%	0.0%	1
Speech Impaired	11.1%	4.9%	0.0%	3.8%	12
Language Impaired	0.0%	0.0%	6.9%	2.9%	12
Emotionally Impaired	11.1%	18.0%	20.7%	27.9%	88
Learning Disabled	66.7%	52.5%	56.3%	45.2%	181
Gifted	0.0%	3.3%	2.3%	1.4%	7
Severely Emotionally Handicapped	0.0%	3.3%	5.7%	11.5%	31
Total	9	61	87	208	365

What Happens When a Juvenile is Arrested?

Taking a Child into Custody

Once contact is made, each law enforcement officer must make the decision as to whether or not the juvenile in question should be taken into custody. The officer generally issues an arrest form which is submitted to the County Clerk's Office, then forwarded from there to the State's Attorney's Office and Delinquency Intake at HRS.

Intake Processing

Once an arrest form has been filed, juveniles are usually processed by Delinquency Intake. At this point, two decisions must be made. The first is the decision with regard to the detention status of the juvenile. The second is a recommendation with regard to the judicial handling.

Options for detention placement include release to parents, in-home detention, and secure detention. The delinquency intake case worker completes the Risk Assessment Instrument (RAI) to determine which action should be taken that is in the best interest of the child and that particular community. The decision with regard to detention placement rests upon the RAI score the youth receives at this screening. The most restrictive option for juvenile processing is the decision to place the juvenile in one of Florida's twenty secure detention facilities.

A recommendation with regard to judicial handling for each juvenile who is referred to the juvenile justice system is made by the HRS delinquency intake worker. Regardless of where the juvenile goes after referral, the delinquency intake worker will make a recommendation as to disposition of the case. Options for the intake recommendation to the state's attorney include the recommendation to file (or not to file) a petition to adjudicate the juvenile delinquent, to motion for waiver to adult court, to file charges directly with the adult criminal court, or to file a grand jury indictment. This recommendation is submitted to the state's attorney whose decision results in the juvenile moving in one of two directions: non-judicial handling or judicial handling.

Non-judicial handling allows for the diversion of delinquency cases without requiring court action. The most common disposition under non-judicial handling is referral to the Juvenile Alternative Services Program (JASP).

JASP is a diversion program which functions as an alternative to judicial handling and serves as an alternative to juvenile commitment. All JASP programs are contracted with community-based organizations. Services which should be considered when a youth is referred to JASP include family counseling, community work service, restitution programs, individual counseling, volunteer programs and community arbitration. The JASP provider will accept all referrals from the delinquency case manager, the state attorney, and the courts.

Judicial handling process by the juvenile judge takes into account the recommendations of the intake worker and the state attorney and has many options for disposition. These options include release, referral to JASP (for a limited number of cases), community control, referral to a residential or non-residential commitment program, and transfer of the case to the adult court system.

Dispositional Options

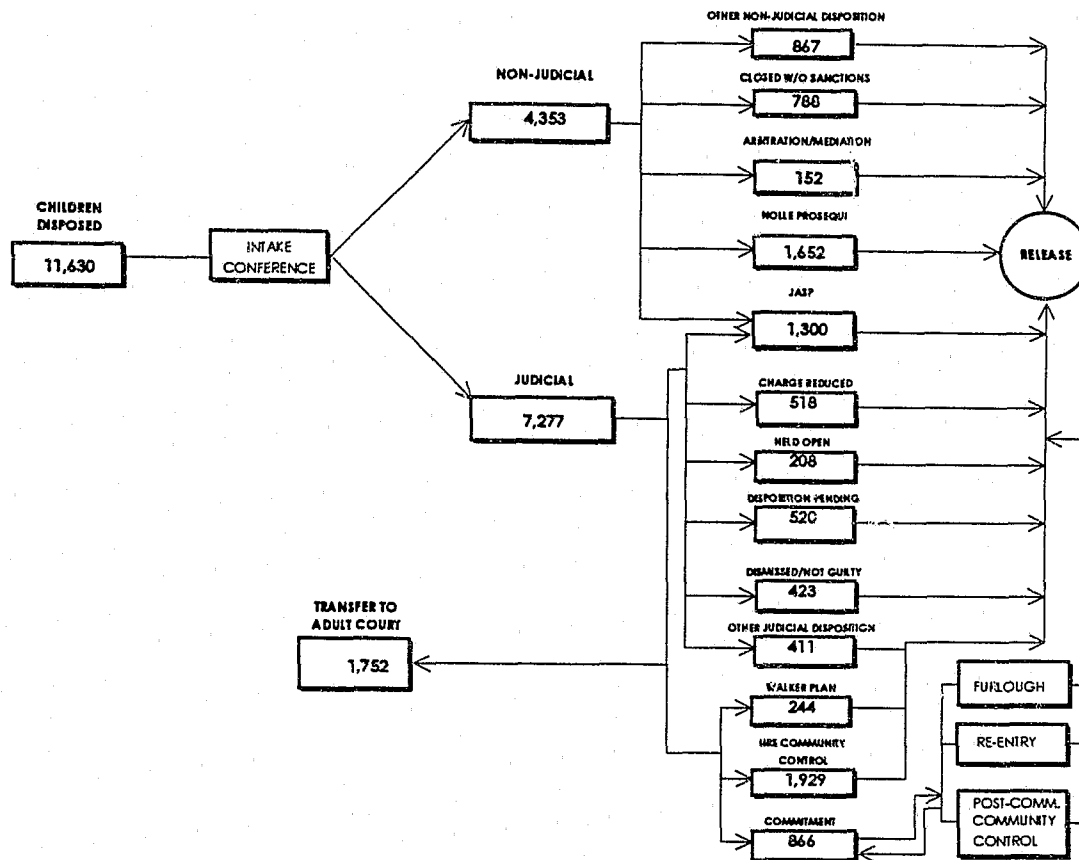
If the case manager recommends to the state's attorney that no petition be filed, the case manager must notify the complainant, the victim, and law enforcement. If the case manager recommends referral for service to a non-court agency, sanctions may be handled by allowing the parents or community-based diversion program to oversee the sanctions. It may also be handled by requiring the youth to pay restitution on his/her own with the understanding that the case manager must be supplied with proof of the youth's completion of sanctions or payment of restitution.

If the youth is placed on community control, authority for supervision is given to the juvenile division of the circuit court, and monitored by the case manager. When custody of a youth is committed to non-residential or residential placement by the court, the case manager must recommend the most appropriate placement and treatment plan, specifically recommending to the court the restrictiveness level most appropriate to the youth. If the case manager recommends the case be transferred to adult court, he or she must submit this recommendation in consultation with his or her unit supervisor and program administrator.

DELINQUENCY SERVICES VIOLENT OFFENDERS

FISCAL YEAR 1992-93

STATEWIDE



The figure above illustrates the disposition processing of violent offenders in Florida's juvenile justice system. Listed in the appropriate boxes are the number of individual juveniles who had been charged with violent offenses whose cases resulted in dispositions as indicated. Information for this figure was taken from the HRS Client Information System (CIS) for all juveniles charged with violent offenses in fiscal year 1992/93, and reported by August 15, 1993.

Sixty percent of violent offenders were handled judicially in 1992/93.²⁰

Since fiscal year 1987/88, there has been an overall 69% increase in the number of juveniles transferred to the adult court, from 2,943 to 4,971. During the same period, there has been a 99% increase in the number of violent juvenile offenders transferred to adult court.²¹

What Programs Receive Violent Juvenile Offenders?

Juvenile Justice Treatment Programs

Juvenile Justice treatment programs are described at length in the 1992 **Outcome Evaluation Report**. The programs are grouped according to restrictiveness level.

Level 2 Nonresidential Community-based Commitment programs are designed for committed youth who have no serious prior offending history. There are three types of Level 2 programs located around the state:

Associated Marine Institutes, Incorporated (AMI)
Treatment Alternatives for Youth Centers (TRY Centers)
Special Intensive Groups (SIG)

Level 4 Low Risk Residential Community-Based Commitment programs provide structured environments for juveniles and include a variety of treatment, supervision, education, and discipline routines in different settings. These programs are tailored to specific age groups and types of offenses. They include the following programs:

Short-Term Offender Program (STOP Camps)
Short-Term Elective Program (STEP)
Family Group Homes
Group Treatment Homes

Level 6 Moderate Risk Residential Community-Based Commitment programs, like the Low Risk programs, offer a variety of services tailored to specific age groups and types of offenses in a variety of settings. The majority of these youths are repeat offenders who have committed serious property offenses. A smaller number of the youths have committed more serious crimes against persons, but their history suggests that a moderate risk program is more appropriate to their needs. Level 6 programs include the following:

Halfway Houses
San Antonio Boys Village
Short-Term Adolescent Rehabilitation Treatment Centers (START Centers)
Dade Intensive Control Program (DIC)
Florida School for Youth Achievement

Space Coast Marine Institute
Crossroads Wilderness Institute
Eckerd Youth Challenge Program

High Risk Residential programs (Level 8 Programs) provide the most secure residential setting in the juvenile justice system for committed youths. They include the Training Schools, serious habitual offender programs, and other secure programs. Program sites include the following programs:

Arthur G. Dozier Training School
Eckerd Youth Development Center (EYDC)
Broward County Treatment Center (BCTC)
Florida Environmental Institute (FEI)
Florida Augustus Secure Care Unit (FAS U)
Palm Beach Youth Center (PBYC)
Hillsborough Alternative Residential Program (HARP).

Though the number of violent offenders has increased by 70% over the last 5 years, the total number of violent offenders placed in commitment programs during that time has increased only 12%. This is due to the trend in Florida to transfer violent offenders to adult court more frequently.²²

Commitments of Violent Juvenile Offenders by Restrictiveness Level, FY 1992/93²³

	LEVEL 2	LEVEL 4	LEVEL 6	LEVEL 8	Total
Murder/Manslaughter	5	3	5	4	17
Negligent Manslaughter	1	1	2	3	7
Sexual Battery	14	3	27	22	66
Other Felonious Sex Offenses	15	3	14	6	38
Armed Robbery	18	12	70	58	158
Other Robbery	48	26	88	44	206
Aggravated Assault	106	55	158	50	369
Total	207	103	364	187	861

Since fiscal year 1987-88, the number of violent offenders in Level 2 programs has decreased 5%, the number in Level 4 programs has increased 69%, the number in Level 6 programs has increased 17%, and the number in Level 8 programs has increased by 4%.²⁴

Of all commitments in fiscal year 1992-93, 13.3% were violent juvenile offenders.²⁵

After Treatment, How Many Violent Juvenile Offenders Repeat?

Re-commitment after Release

Since 1987, 100 juveniles have been committed to juvenile justice programs for a violent offense subsequent to having been released from another commitment program to which they had been sent for a violent offense.²⁶

Since 1987, 399 juveniles have been committed to juvenile justice programs for a non-violent offense subsequent to having been released from another commitment program to which they had been sent for a violent offense.²⁷

Of the 3,802 juveniles released from programs during the first six months of 1991, 780 (21%) had at least one violent offense. Of these, 48 (6%) were subsequently placed on adult probation or sentenced to adult prison for a violent offense. In addition, 111 (14%) were subsequently placed on adult probation or sentenced to adult prison for non-violent offenses.²⁸

Interim Offenses

Of all juveniles waiting for placement, 22% committed additional offenses during the interim. This figure is based on a study of 1,353 children during the first three months of 1993. Of the 1,353 juveniles, 298 re-offended. The longer the waiting period, the greater the likelihood that the juvenile will re-offend.²⁹

Only 40 of these juveniles (13%) committed violent offenses while awaiting program placement, mostly aggravated assault and robbery.

Notes

¹Source: U.S. Federal Bureau of Investigation, *Crime in the United States: Uniform Crime Reports, 1991*. (Washington, DC: Government Printing Office). Florida figures come from the Florida Department of Law Enforcement's annual reports, *Crime in Florida*.

²Source: Florida Department of Law Enforcement (1992).

³Source: Florida Health & Rehabilitative Services Client Information System (CIS).

⁴bid.

⁵bid.

⁶bid.

⁷bid.

⁸bid.

⁹bid.

¹⁰bid.

¹¹Data were obtained from a merge between the Florida HRS Client Information System and the Department of Education's Public School Student Records File (DOE) on individuals who entered the juvenile justice system between April 1991 and August 1992. Total sample size was 61,893. In addition, some information was obtained for this sample through merges with the HRS Division of Economic Services which maintains records on AFDC and Food Stamp recipients, and the Florida Automated Classification and Tracking System (FACTS) which maintains data on committed juveniles.

¹²Source: DOE/CIS.

¹³Source: HRS Division of Economic Services/CIS.

¹⁴Source: CIS. Categories are based on U.S. Census classifications.

¹⁵Source: Florida Automated Classification and Tracking System (FACTS).

¹⁶bid.

¹⁷Source: Data for this analysis was obtained through a merge of CIS, FACTS, and Florida Protective Services System (FPSS) databases.

¹⁸FACTS/DOE.

¹⁹Source: DOE/CIS.

²⁰Source: CIS.

²¹Ibid.

²²Source: FACTS.

²³Ibid.

²⁴Ibid.

²⁵Ibid.

²⁶Source: CIS.

²⁷Ibid.

²⁸Source: These data were obtained through a merge of FACTS data with data from the Florida Department of Corrections (DOC) and CIS data. Individuals were tracked for 12 to 18 months after their release from a Juvenile Justice commitment program. Only arrests which resulted in sentencing to adult corrections during the time period of the study (January 1, 1991 through June 30, 1991) are included.

²⁹Source: CIS.