



# OJJDP FACT SHEET

Jeff Slowikowski, Acting Administrator June 2009

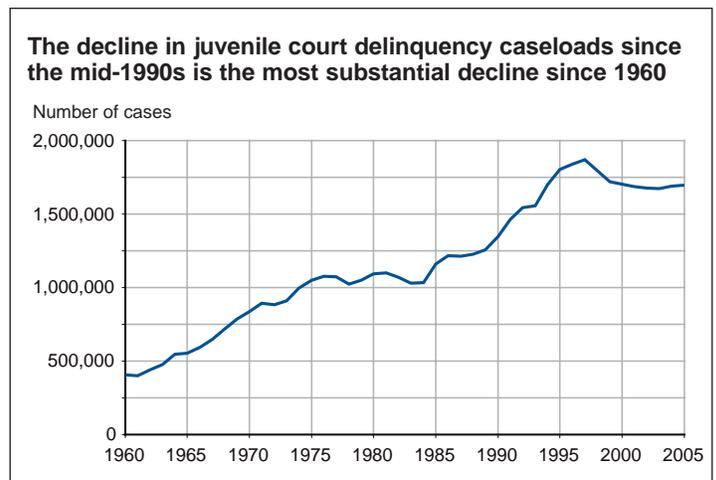
## Delinquency Cases in Juvenile Court, 2005

by Melissa Sickmund

### Counts and trends

The number of delinquency cases handled in U.S. juvenile courts remained virtually unchanged from 2000 through 2005. An estimated 1.7 million delinquency cases were handled in juvenile courts nationwide in 2005. During the two decades since 1985, however, the juvenile court caseload has been anything but static. From 1985 through 1997, the number of delinquency cases handled climbed steadily (61%) and from 1997 through 2005, the delinquency caseload dropped 9%. Juvenile courts handled 46% more cases in 2005 than in 1985.

This overall pattern of increase followed by decline and then leveling is the result of the trends of various offense categories combined. Public order offense cases increased steadily from 1985 through 2005 (146%). Person offense cases increased through 1997 (124%) and then leveled off (up just 4% from 1997 through 2005). Drug law violation cases were relatively flat from 1985 through 1993 (increasing 17%), rose sharply (up 109% from 1993 through 1997), and then leveled off through 2005 (down just 3% from 1997 through 2005). Although these patterns were different, each showed generally increasing trends. In contrast, property offenses showed quite a different trend. Between 1985 and 1992, the number of property offense cases increased 26%. After 1992, the number of property offense cases declined steadily (down 33% from 1992 through 2005). Thus, property offenses were the one general offense category that showed an overall decline from 1985 through 2005 (down 15%).



### Gender

Although their numbers have increased, females remain a relatively small proportion of the delinquency caseload nationwide. Juvenile courts handled 464,700 cases involving females in 2005, more than twice the 1985 number. In comparison, the number of cases involving males in 2005 (1,233,200) was just 32% more than the 1985 number. As a result of these trends, the female proportion of the delinquency caseload has risen steadily, from 19% in 1985 to 27% in 2005.

Most serious offense	Female proportion	
	1985	2005
Total delinquency	19%	27%
Person	20	30
Property	19	27
Drugs	17	20
Public order	22	28

Females accounted for a larger proportion of cases in 2005 than in 1985 for each of the four general offense categories. From

#### Delinquency data estimates

The 1985–2005 estimates are based on data from more than 2,100 courts with jurisdiction over 80% of the Nation's juvenile population (youth age 10 through the upper age of original juvenile court jurisdiction in each State). Each case represents the most serious offense of one youth processed by a court with juvenile jurisdiction on a new referral, regardless of the number of offenses contained in that referral. A youth may be involved in more than one case during the calendar year.

1985 through 2005, female caseloads increased more than male caseloads for each of the four general offense categories. There was a large increase in person offense cases for both sexes from 1985 through 2005; however, the relative increase was greater for cases involving females. Property offense cases involving females grew from 1985 through 2005, while the number of cases involving males declined. There was a sharp increase in drug offense cases involving males during the early 1990s, followed by a leveling off after 1997. However, for females, there was no leveling off, so their overall increase was relatively greater. For public order offense cases, both males and females saw large increases from 1985 through 2005—the caseload more than doubled for males and more than tripled for females.

Most serious offense	Percent change, 1985–2005	
	Female	Male
Total delinquency	108%	32%
Person	247	104
Property	24	–24
Drugs	191	145
Public order	221	125

#### Delinquency cases disposed by most serious offense, 2005

Most serious offense	Number of cases	Percent change		
		1985–1997	1997–2005	1985–2005
<b>Total delinquency</b>	<b>1,697,900</b>	<b>61%</b>	<b>–9%</b>	<b>46%</b>
<b>Person offenses</b>	<b>429,500</b>	<b>124</b>	<b>4</b>	<b>133</b>
Criminal homicide	1,400	76	–37	11
Forcible rape	4,400	42	–14	22
Robbery	26,000	39	–27	2
Aggravated assault	49,900	80	–18	48
Simple assault	298,600	161	13	193
Other violent sex offenses	17,700	72	27	118
Other person offenses	31,600	178	5	192
<b>Property offenses</b>	<b>598,600</b>	<b>22</b>	<b>–30</b>	<b>–15</b>
Burglary	97,600	2	–34	–32
Larceny-theft	265,800	23	–35	–20
Motor vehicle theft	32,900	31	–36	–16
Arson	8,500	31	–8	20
Vandalism	100,900	36	–13	18
Trespassing	52,000	24	–22	–4
Stolen property offenses	19,900	17	–38	–28
Other property offenses	20,900	74	–32	17
<b>Drug law violations</b>	<b>195,300</b>	<b>144</b>	<b>3</b>	<b>153</b>
<b>Public order offenses</b>	<b>474,400</b>	<b>111</b>	<b>16</b>	<b>146</b>
Obstruction of justice	222,400	192	16	238
Disorderly conduct	129,600	107	40	191
Weapons offenses	43,600	125	–4	117
Liquor law violation	24,600	–16	52	28
Nonviolent sex offenses	13,700	–1	10	8
Other public order offenses	40,400	59	–17	31
<b>Violent Crime Index*</b>	<b>81,600</b>	<b>62</b>	<b>–21</b>	<b>27</b>
<b>Property Crime Index**</b>	<b>404,900</b>	<b>18</b>	<b>–34</b>	<b>–22</b>

**Notes:** Detail may not add to totals because of rounding. Percent change calculations are based on unrounded numbers.

\* Violent Crime Index includes murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault.

\*\* Property Crime Index includes burglary, larceny-theft, motor vehicle theft, and arson.

## Race

In 2005, white youth accounted for 78% of the U.S. juvenile population, black youth 17%, Asian youth (including Native Hawaiian and other Pacific Islander) 4%, and American Indian youth (including Alaska Native) 1%. Sixty-four percent of delinquency cases handled in 2005 involved white youth, 33% black youth, 1% Asian youth, and 1% American Indian youth.

#### Race profile of delinquency cases, 2005

Most serious offense	Total	American			
		White	Black	Indian	Asian
Total delinquency	100%	64%	33%	1%	1%
Person	100	57	41	1	1
Property	100	67	29	2	2
Drugs	100	74	24	2	1
Public order	100	63	34	1	1

The racial disparity in delinquency cases varied across offense categories. White youth accounted for a larger proportion of drug offense cases (74%) than they did for any of the other three general offense categories. In contrast, white youth were involved in just 57% of person offense cases. Person offenses had the greatest proportion of cases involving black youth (41%). Asian and American Indian youth accounted for a very small proportion of cases across all offense categories.

A comparison of the rate at which cases involving different groups of youth proceed from one decision point to the next as they go through the court system shows the unique contributions made by each decision point to the overall disparity in the system. The rate at which black youth were referred to juvenile court for a delinquency offense was about 140% greater than the rate for white youth. The rate at which referred cases were petitioned for formal processing was 18% greater for black youth than for white youth. The rate at which petitioned cases were adjudicated was about 9% less for black youth than for white youth. The rate at which petitioned cases were waived to criminal court was 10% greater for black youth than the rate for white youth. The rate at which youth in adjudicated cases were ordered to residential placement was 24% greater for black youth than for white youth, but the rate at which they were ordered to probation was 10% less for black youth than for white youth.

## Age

In 2005, juveniles younger than age 16 at the time of referral to court accounted for 57% of all delinquency cases handled. This age group accounted for 64% of person offense cases, 59% of property offense cases, 54% of public order offense cases, and 42% of drug law violation cases.

Person offense cases had the largest proportion of juveniles younger than age 14 at referral (24%), followed by property offense cases (20%). There were smaller proportions of cases involving juveniles younger than age 14 among public order offense (15%) and drug offense (8%) cases.

## Detention

A juvenile may be placed in secure detention at various times during case processing. In general, a juvenile is detained when there is reason to believe he or she is a threat to the community, will be at risk if returned to the community, or may fail to appear

at an upcoming hearing. Intake staff may also detain juveniles for diagnostic evaluation purposes. All States require that a detention hearing be held within a few days of admission to detention (usually within 24 hours). At this hearing, the judge reviews the initial detention decision and decides whether to continue the youth's detention or to release the youth. The youth may be detained and released more than once between referral to court and case disposition. These court data count the number of cases that involve detention of the juvenile at some point between referral to court and case disposition. In most delinquency cases, the juvenile is not detained (79% in 2005).

The likelihood of detention varies by general offense category. In 2005, person offense cases were the most likely to involve detention (25%), followed by public order offense cases (24%). In comparison, juveniles were less likely to be detained in drug offense cases (18%) and property offense cases (16%).

The number of delinquency cases involving detention did not decline when the delinquency caseload declined after 1997. In fact, between 1997 and 2005, the number of delinquency cases in which the juvenile was detained increased slightly (2%). The 1985–2005 growth in detained cases was about the same as the growth in the overall delinquency caseload (48% increase in detained cases vs. 46% increase in delinquency cases).

### Intake decision

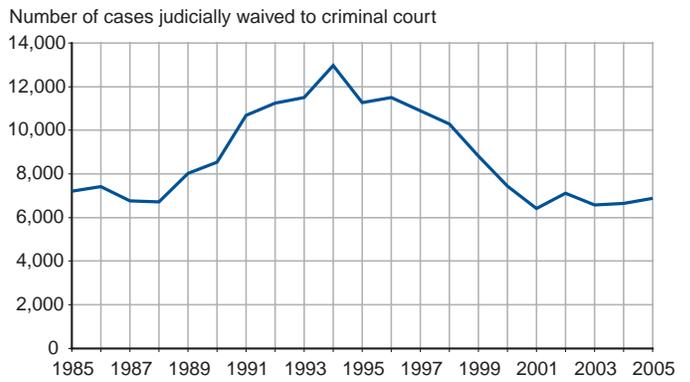
The juvenile court intake function is typically the responsibility of the juvenile probation department or prosecutor's office. At intake, authorities decide whether to dismiss the case, handle it informally (without filing a petition), or handle it formally by filing a petition requesting an adjudicatory or waiver hearing. In 2005, 301,200 cases (18% of all delinquency cases) were dismissed at intake, generally for lack of legal sufficiency. An additional 26% (447,400) were handled informally, with the juvenile agreeing to some sort of voluntary sanction (e.g., restitution). In more than half of all delinquency cases (56% or 949,300), authorities filed a petition and the case was handled formally. The proportion of delinquency cases petitioned for formal handling rose from 46% in 1985 to 58% in the late 1990s, and then declined slightly to 56% in 2005.

### Waiver to criminal court

In most States, juvenile court judges may waive juvenile court jurisdiction in certain cases and transfer jurisdiction to criminal court so the juvenile can be tried as an adult. The court decision in these matters follows a review of the case and a determination that there is probable cause to believe the juvenile committed the criminal act. The judge's decision generally centers on the issue of whether the juvenile is amenable to treatment in the juvenile justice system. The prosecutor may argue that the juvenile has been adjudicated several times previously and that interventions the juvenile court ordered have not prevented the youth from committing subsequent criminal acts. The prosecutor may also argue that the crime is so serious that the juvenile court cannot intervene for the time period necessary to rehabilitate the youth.

In 2005, juvenile court judges waived jurisdiction over an estimated 6,900 delinquency cases, sending them to criminal court. This represents less than 0.5% of all delinquency cases handled. The number of cases waived was relatively flat from 1985 to

### Juvenile courts waived 47% fewer delinquency cases in 2005 than in 1994, but 7% more than in 2001



1988, rose sharply from 1988 to 1994 (93%), then fell back to the levels of the mid-1980s and remained there through 2005.

For many years, property offense cases accounted for the largest proportion of waived cases. However, since the mid-1990s, person offenses have outnumbered property offenses among waived cases. In 2005, half of waived cases involved person offenses.

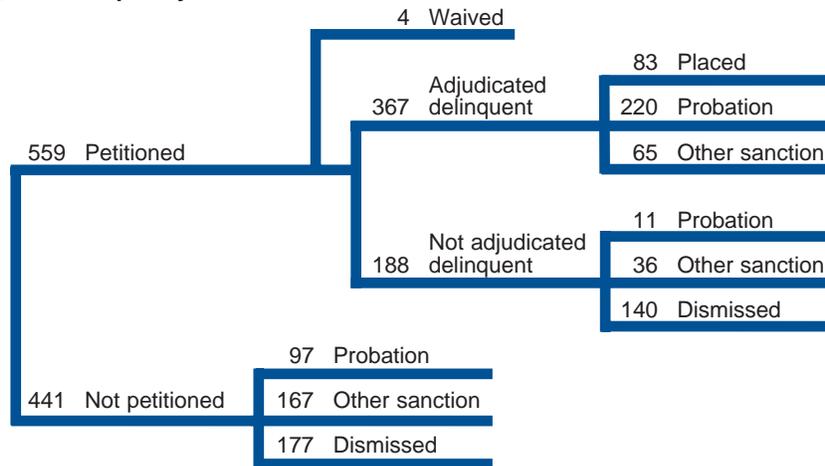
### Offense profile of cases waived to criminal court:

Most serious offense	Number of waived cases		Percent of waived cases	
	1985	2005	1985	2005
Total delinquency	7,200	6,900	100%	100%
Person	2,400	3,500	33	51
Property	3,800	1,900	53	27
Drugs	400	800	5	12
Public order	600	700	9	10

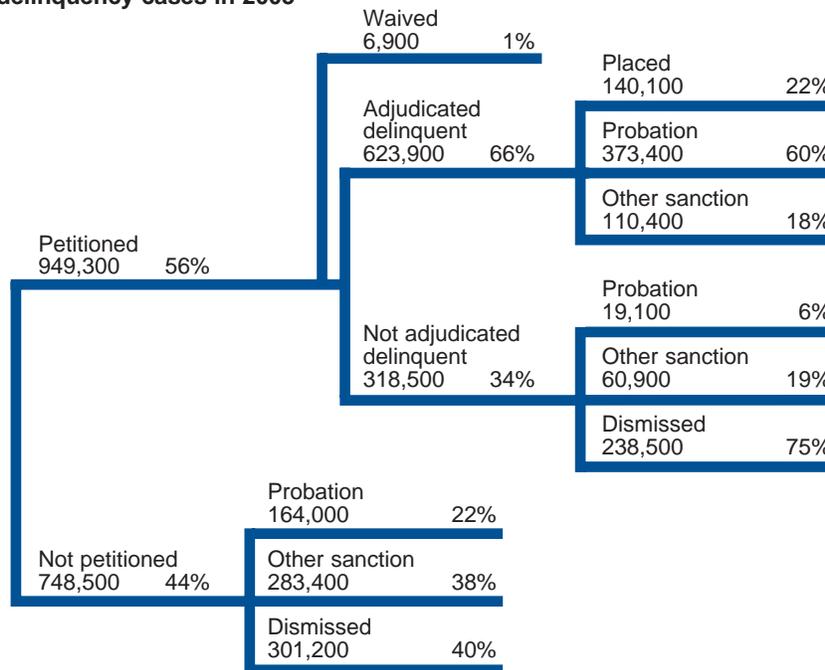
### Adjudication and disposition

Adjudicatory hearings establish responsibility for an alleged delinquent act. When a juvenile is adjudicated (judged) delinquent, it is analogous to conviction in criminal court. The court holds disposition hearings to decide what sanctions should be imposed on a juvenile who has been adjudicated delinquent and whether the juvenile should be placed under court supervision. In 2005, juveniles were adjudicated delinquent in 66% (623,900) of petitioned cases, an 85% increase from 1985. Once a juvenile is adjudicated, the court makes a disposition decision. Many cases result in multifaceted dispositions, and most involve some type of probation supervision. A probation order often includes additional requirements, such as drug counseling, restitution to the victim, or community service. In 2005, formal probation was the most severe disposition ordered in 60% of cases in which the juvenile was adjudicated delinquent, and 22% of cases were ordered to residential placement as the most severe disposition. A smaller proportion of cases received some other sanction as their most severe disposition. The proportion of adjudicated cases ordered to probation has fluctuated within a relatively narrow range over the years (55%–61% during the 1985–2005 time period). In comparison, the proportion of cases resulting in residential placement dropped from 32% in 1985 to 22% in 2005 and the proportion receiving other sanctions increased from 11% to 18% during that time.

### Case flow for a typical 1,000 delinquency cases in 2005



### Case flow for 1,697,900 delinquency cases in 2005



**Notes:** Cases are categorized by their most severe or restrictive sanction. Detail may not add to totals because of rounding. Annual case processing flow diagrams for 1985 through 2005 are available at [www.ojjdp.ncjrs.gov/ojstatbb/court/faqs.asp](http://www.ojjdp.ncjrs.gov/ojstatbb/court/faqs.asp).

### For further information

This Fact Sheet is based on the report *Juvenile Court Statistics 2005*, which is available through OJJDP's Web site ([www.ojp.usdoj.gov/ojjdp](http://www.ojp.usdoj.gov/ojjdp)). To learn more about juvenile court cases, visit OJJDP's online Statistical Briefing Book ([www.ojjdp.ncjrs.gov/ojstatbb/index.html](http://www.ojjdp.ncjrs.gov/ojstatbb/index.html)) and click on "Juveniles in Court." OJJDP also supports Easy Access to Juvenile Court Statistics, a Web-based application that analyzes the data files used for the *Juvenile Court Statistics* report. This application is available from the "Data Analysis Tools" section of the Statistical Briefing Book.

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*The Office of Juvenile Justice and Delinquency Prevention is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance; the Bureau of Justice Statistics; the Community Capacity Development Office; the National Institute of Justice; the Office for Victims of Crime; and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART).*