



Juvenile Offenders and Victims

National Report Series

Fact Sheet

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Delinquency Cases in Juvenile Court, 2009

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Counts and trends

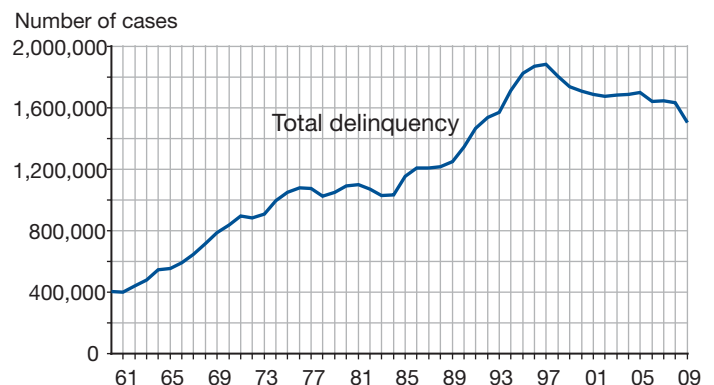
In 2009, juvenile courts in the United States handled an estimated 1.5 million delinquency cases that involved juveniles charged with criminal law violations. From 1985 through 1997, the number of delinquency cases climbed steadily (63%) and, from 1997 through 2009, the delinquency caseload dropped 20%. Juvenile courts handled 30% more cases in 2009 than in 1985.

This overall pattern of increase followed by decline is the result of the trends of various offense categories combined. Public order offense cases increased steadily from 1985 through 2009 (108%). Person offense cases increased through 1997 (129%) and then leveled off. Drug law violation cases were relatively flat from 1985 through 1993 (increasing 17%), rose sharply (up 110% from 1993 through 1997), and then leveled off through 2009 (down 12% from 1997). Although these patterns differed, each showed generally increasing trends. In contrast, property offenses showed quite a different trend. Between 1985 and 1995, the number of property offense cases increased 31%. After 1995, the number of property offense cases declined steadily (down 38% from 1995 through 2009). Thus, property offenses were the one general offense category that showed an overall decline from 1985 through 2009 (down 19%).

Gender

Although their numbers have increased, females remain a relatively small proportion of the delinquency caseload nationwide. Juvenile

The decline in juvenile court caseloads since the mid-1990s is the most substantial decline since 1960



Delinquency data estimates

The 1985–2009 estimates are based on data from more than 2,300 courts with jurisdiction over 82% 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 that a court with juvenile jurisdiction processed 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.



Office of Juvenile Justice and Delinquency Prevention

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Working for Youth Justice and Safety

Delinquency cases disposed by most serious offense, 2009

Most serious offense	Number of cases	10 year 2000–2009	5 year 2005–2009	1 year 2008–2009
Total delinquency	1,504,100	–12%	–11%	–8%
Person offenses	365,700	–8	–16	–9
Criminal homicide	1,300	–10	–4	–9
Forcible rape	4,000	–5	–11	–8
Robbery	29,500	35	16	–9
Aggravated assault	45,500	–18	–17	–8
Simple assault	243,900	–10	–18	–8
Other violent sex offenses	13,200	3	–17	–7
Other person offenses	28,300	–11	–20	–14
Property offenses	567,100	–19	–8	–8
Burglary	99,500	–15	–3	–8
Larceny–theft	273,300	–15	–1	–3
Motor vehicle theft	19,500	–49	–38	–16
Arson	6,800	–26	–19	–13
Vandalism	92,200	–10	–10	–12
Trespassing	46,800	–16	–13	–13
Stolen property offenses	15,300	–40	–22	–15
Other property offenses	13,800	–49	–35	–19
Drug law violations	167,100	–10	–10	–6
Public order offenses	404,200	–5	–13	–9
Obstruction of justice	197,400	–9	–7	–4
Disorderly conduct	109,800	7	–18	–12
Weapons offenses	32,800	–2	–23	–16
Liquor law violations	18,800	–4	–6	–12
Nonviolent sex offenses	11,200	–17	–14	–3
Other public order offenses	34,200	–12	–20	–14

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

courts handled 415,600 cases involving females in 2009, roughly twice the 1985 number. In comparison, the number of cases involving males in 2009 (1,088,600) was just 17% more than the 1985 number. As a result of these trends, the female proportion of the delinquency caseload has risen from 19% in 1985 to 28% in 2009.

Most serious offense	Female proportion	
	1985	2009
Total delinquency	19%	28%
Person	20	30
Property	19	29
Drugs	17	18
Public order	22	27

Females accounted for a larger proportion of cases in 2009 than in 1985 for each of the four general offense categories. From 1985 through 2009, female caseloads increased more than male caseloads for each of the four general offense categories.

Most serious offense	Percent change 1985–2009	
	Female	Male
Total delinquency	86%	17%
Person	199	74
Property	28	–30
Drugs	123	116
Public order	158	94

Race

In 2009, white youth accounted for 78% of the U.S. juvenile population, black youth 16%, Asian youth (including Native Hawaiian and

Other Pacific Islander) 5%, and American Indian youth (including Alaska Native) 1%. Sixty-four percent of delinquency cases handled in 2009 involved white youth, 34% black youth, 1% Asian youth, and 1% American Indian youth.

Race profile of delinquency cases, 2009

Most serious offense	Total	White	Black	Asian	American Indian
Total delinquency	100%	64%	34%	1%	1%
Person	100	57	41	1	1
Property	100	65	31	2	2
Drugs	100	75	22	1	2
Public order	100	62	35	1	1

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

The racial disparity in delinquency cases varied across offense categories. White youth accounted for a larger proportion of drug offense cases (75%) than they did for any of the other 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 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 that each decision point makes to the overall disparity in the system. The rate at which black youth were referred to juvenile court for a delinquency offense was more than 150% greater than the rate for white youth. The rate at which referred cases were petitioned for formal processing was 16% 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 5% greater for black youth than for white youth. The rate at which youth in adjudicated cases were ordered to residential placement was 23% greater for black youth than for white youth, but the rate at which they were ordered to probation was 11% less for black youth than for white youth.

Age

In 2009, juveniles younger than age 16 at the time of referral to court accounted for 52% of all delinquency cases handled. This age group accounted for 59% of person offense cases, 53% of property offense cases, 49% of public order offense cases, and 39% of drug law violation cases. Person offense cases had the largest proportion (21%) of very young juveniles (younger than age 14 at referral), followed by property offense cases (16%). There were smaller proportions of cases involving juveniles younger than age 14 among public order offense (13%) and drug offense (7%) cases.

Detention

A juvenile may be placed in secure detention at various times during case processing. Detention is primarily used for temporary holding while youth await adjudication, disposition, or placement elsewhere. Many states detain youth if there is reason to believe they are 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 placement in detention (usually within 24 hours). At the detention hearing, the judge reviews the initial detention decision, considers what is in the best interest of the community and/or the youth, and decides whether to continue the youth's detention. Most states also use detention for sanctioning purposes—juveniles may be committed to a detention facility as part of a disposition order or as a sanction for probation violation. Actual detention practices vary substantially across jurisdictions. These court data count the number of cases that involve detention of the juvenile at some point between referral to court and case disposition. A youth may be detained and released more than once between referral to court and case disposition. In most delinquency cases, the juvenile is not detained (79% in 2009).

The likelihood of detention varies by general offense category. In 2009, person offense cases were the most likely to involve detention (27%), followed by public order offense cases (24%). In comparison, juveniles were less likely to be detained in drug offense cases (17%) and property offense cases (17%).

Similar to the overall delinquency caseload trend, between 1997 and 2009, the number of delinquency cases in which the juvenile was detained decreased by 14%. The 1985–2009 growth in detained cases was about the same as the growth in the overall delinquency caseload (29% increase in detained cases vs. 30% increase in delinquency cases).

Intake decision

The juvenile court intake function is typically the responsibility of the juvenile probation department or the prosecutor's office. At intake, authorities decide whether to dismiss the case, handle it informally (without filing a petition), or file a petition to formally request an adjudicatory hearing or waiver hearing. In 2009, 280,200 (19% of all delinquency cases) were dismissed at intake, generally for lack of legal sufficiency. An additional 27% (400,700) were handled informally, with the juvenile agreeing to some sort of voluntary sanction (e.g., restitution). In more than half of all delinquency cases (55% or 823,200), authorities filed a petition and handled the case 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 55% in 2009.

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 probable cause exists 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. (For more information, see *Delinquency Cases Waived to Criminal Court, 2009*, available online from ojjdp.gov/ojstatbb/publications/StatBB.asp).

In 2009, juvenile court judges waived jurisdiction over an estimated 7,600 delinquency cases, sending them to criminal court. This represents less than 1% of all delinquency cases handled. The number of cases waived was relatively flat from 1985 to 1988, rose sharply from 1988 to 1994 (105%), and then fell to the levels of the mid-1980s and remained there through 2009.

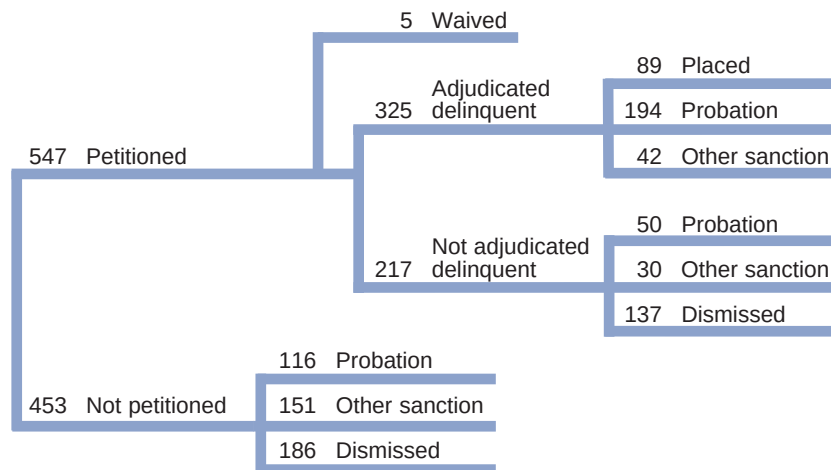
For many years, property offense cases accounted for the largest proportion of waived cases. However, since the mid-1990s, person offenses have outnumbered property offenses among waived cases. In 2009, nearly half of waived cases involved person offenses.

Most serious offense	Offense profile of cases waived to criminal court			
	Number		Percent	
	1985	2009	1985	2009
Total delinquency	7,200	7,600	100%	100%
Person	2,400	3,500	33	46
Property	3,800	2,300	53	31
Drugs	400	1,000	5	13
Public order	600	800	9	10

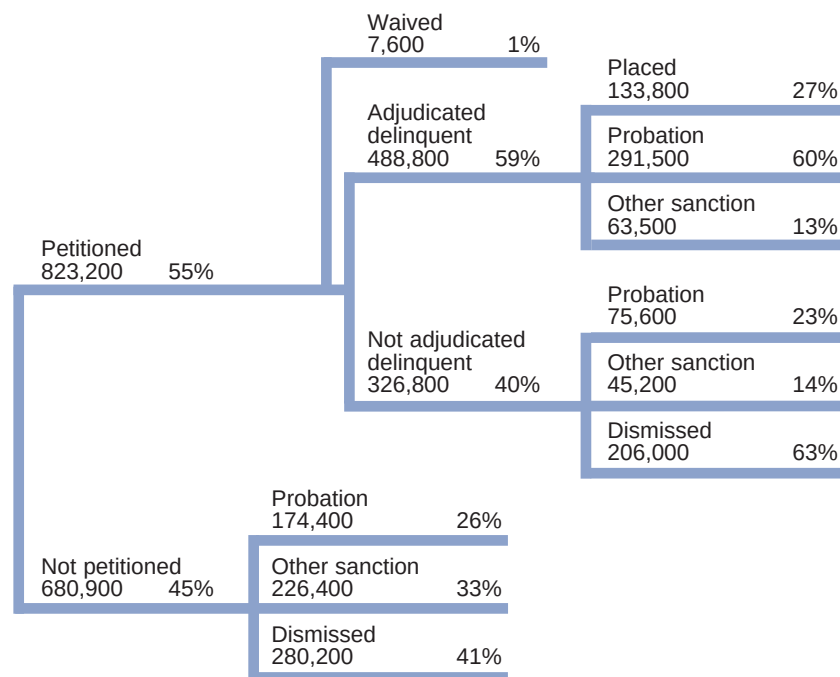
Adjudication and disposition

Adjudicatory hearings establish responsibility for an alleged delinquent act. When a juvenile is adjudicated (judged delinquent), it is analogous to conviction in criminal court. In 2009, juveniles were adjudicated delinquent in 59% (488,800) of petitioned cases, a 45% increase from 1985. 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. 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 2009, formal probation was the most severe disposition ordered in 60% of cases in which the juvenile was adjudicated delinquent, and 27% 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 (56%–60% during the 1985–2009 time period). In comparison, the proportion of cases resulting in residential placement dropped from 31% in 1985 to 27% in 2009, and the proportion receiving other sanctions increased from 11% to 13% during that time.

Case flow for a typical 1,000 delinquency cases in 2009



Case flow for 1,504,100 delinquency cases in 2009



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 2009 are available at ojjdp.gov/ojstatbb/court/faqs.asp.

For more information

This fact sheet is based on the report *Juvenile Court Statistics 2009*, which is available through OJJDP's Web site (ojjdp.gov). To learn more about juvenile court cases, visit OJJDP's online Statistical Briefing Book (ojjdp.gov/ojstatbb/) 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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