

Youth and the Juvenile Justice System

Definition

Youth successfully diverted is the number of youth directed to an alternative program in lieu of formal adjudication. *Youth referred by petition* is the number of youth referred to the court system for a juvenile offense. *Cases with informal judgment* is the number of cases handled without formal court action. *Youth detained* is the number of youth detained in Kentucky juvenile detention centers.

Data in context

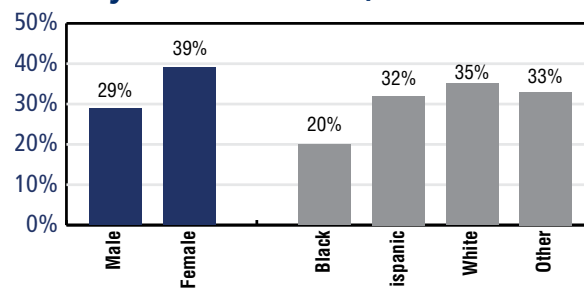
Youth need engaging preparation for work and education, as well as caring adults and connections to employment networks, as they transition to successful adulthood. Without such supports, youth are more likely to become involved with the juvenile justice system.

In Kentucky, first- and second-time offenders and those committing less serious offenses may be eligible for a diversion program with monitoring by a Court Designated Worker (CDW).¹ The objectives of diversion are “accountability, education, and deterrence from further involvement in the juvenile justice system.”² During 2002-2005, about one in three cases was diverted, while the majority became petitions with the formal court system.³ In 2006, 8,765 youth were successfully diverted in Kentucky, with the highest numbers in Boone, Campbell, Daviess, Fayette, and Jefferson Counties. Diversion was most successful in cases with charges for theft by unlawful taking/shoplifting and possession of an alcoholic beverage by a minor.⁴

Charges are petitioned to the court when diversion is not appropriate. Nationally, the number of delinquency petitions grew 80 percent, compared to a 41 percent increase in the total number of delinquency charges, between 1985 and 2002.⁵ In Kentucky, 21,360 youth were referred by petition in 2006. Once petitioned, cases may be handled informally or formally. Courts use informal adjustment when they believe the same results of “accountability and rehabilitation” can be achieved without formal court involvement.⁶ In Kentucky, 3,301 cases were handled informally in 2006, with the largest numbers of cases informally processed in Christian, Hardin, Jefferson, and Kenton Counties.

Juvenile detention is “the strongest predictor of future incarceration,” and lack of proper treatment and support

Percent of Charges Resulting in Diversion by Gender and Race, 2002–2005



Source: May, D., and Chen, Y. *Kentucky Juvenile Crime Analysis: 2005*.

increases the likelihood youth will re-offend.⁷ National research suggests many youth are inappropriately confined during the justice process, with profound consequences, such as negatively impacting future chances for employment and education.⁸ In 2006, more than 10,000 Kentucky youth were detained. The number of youth detained that year ranged from fewer than 6 in Cumberland, Lyon, Magoffin, Robertson, and Trimble, to more than 200 in nine counties, primarily the most populous counties. Youth in Kentucky are detained at the second highest rate in the nation for status offenses, actions not considered a crime if committed by an adult, such as habitual truancy, habitual runaway, and beyond control of parents or school.⁹

Although the Juvenile Justice and Delinquency Prevention Act (JJDP) requires states to work to prevent and reduce disproportionate minority confinement (DMC) at all stages of the juvenile justice process, disparate treatment still occurs.¹⁰ Even with the same type of offense and similar histories with the juvenile justice system, African-American youth are formally charged and incarcerated at rates significantly higher than for White youth.¹¹ Kentucky data reflect these disparities, with African-American youth less likely to be diverted and more likely to be petitioned than White youth, as well as a disproportionate number of African-American youth incarcerated.¹²

Proven strategies exist for reducing disparities and addressing the issue of youth detention. When authorities within the system apply culturally-informed criteria to their decisions, disparities are shown to decrease without any compromise to community safety.¹³ Strategies focused on

detention include integrating local data to learn more about at-risk populations in overlapping systems and intervene before problems accumulate; streamlining case processing so detained youth move through the system as quickly as possible; and reducing overcrowding in detention facilities.¹⁴

Data Sources: Administrative Office of the Courts; Kentucky Department of Juvenile Justice, Division of Juvenile Services; and Louisville Metro, Youth Detention Services.

Date Note: Counts reflect youth rather than complaints, though youth may be counted more than once if they were charged with offenses in more than one county. Youth detained counts youth each time they are booked into a facility.

- 1 Pennington, M., Illback, R., Sanders, D., and Sanders, D. (2005). *Kentucky Juvenile Crime Analysis*. REACH of Louisville. Available at <http://www.reachoflouisville.com>. Accessed August 2007.
- 2 Ibid.
- 3 May, D., and Chen, Y. *Kentucky Juvenile Crime Analysis: 2005*. Richmond, KY: Eastern Kentucky University, Department of Correctional and Juvenile Justice Studies.
- 4 Ibid.
- 5 Snyder, H., and Sickmund, M. (2006). *Juvenile Offenders and Victims: 2006 National Report*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- 6 Ibid.
- 7 Nelson, D. (2004). “Moving Youth from Risk to Opportunity.” *2004 National KIDS COUNT Data Book*. Baltimore, MD: Annie E. Casey Foundation.
- 8 Holman, B., and Ziedenberg, J. (2006). *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities*. Justice Policy Institute. Available at <http://www.justicepolicy.org>. Accessed September 2007.
- 9 Personal correspondence with Department of Juvenile Justice, August 2007.
- 10 Annie E. Casey Foundation (2006). “Unequal Opportunities for Juvenile Justice.” *Race Matters Toolkit*. Available at <http://www.aecf.org>. Accessed September 2007.
- 11 National Council on Crime and Delinquency (2007). *And Justice for Some: Differential Treatment of Youth of Color in the Justice System*. Available at <http://www.nccd-crc.org>. Accessed September 2007.
- 12 Pennington, M., Illback, R., Sanders, D., and Sanders, D. (2005). *Kentucky Juvenile Crime Analysis*. REACH of Louisville. Available at <http://www.reachoflouisville.com>. Accessed August 2007.
- 13 Hinton Hoytt, E., Schiraldi, V., Smith, B., and Ziedenberg, J. (2002). *Pathways to Juvenile Detention Reform #8*. Annie E. Casey Foundation. Available at <http://www.aecf.org>. Accessed October 2007.
- 14 Nelson, D. (2004). “Moving Youth from Risk to Opportunity.” *2004 National KIDS COUNT Data Book*. Baltimore, MD: Annie E. Casey Foundation.

Juvenile justice (number of youth successfully diverted, youth referred by petition, cases with informal judgment, & youth detained)

	2006			
	Youth successfully diverted	Youth referred by petition	Cases with informal judgment	Youth detained
Kentucky	8,714	21,101	3,301	10,100
Adair	28	54	0	27
Allen	28	39	1	40
Anderson	21	71	1	19
Ballard	10	31	7	29
Barren	100	211	4	77
Bath	13	35	5	23
Bell	113	165	0	94
Boone	335	512	57	158
Bourbon	55	161	50	39
Boyd	118	230	4	155
Boyle	37	110	1	56
Bracken	15	20	0	7
Breathitt	21	137	0	41
Breckinridge	33	30	0	19
Bullitt	101	549	79	179
Butler	21	47	0	25
Caldwell	51	61	4	22
Calloway	85	124	0	112
Campbell	271	731	75	456
Carlisle	14	20	1	9
Carrroll	30	63	17	30
Carter	34	109	4	64
Casey	53	80	0	20
Christian	154	549	158	350
Clark	87	185	11	81
Clay	21	37	1	21
Clinton	21	48	0	10
Crittenden	34	26	9	10
Cumberland	33	36	0	2
Daviess	280	563	10	410
Edmonson	18	20	0	11
Elliott	9	21	1	14
Estill	37	77	4	20
Fayette	555	951	0	528
Fleming	21	36	0	22
Floyd	88	129	0	43
Franklin	122	299	0	67
Fulton	33	81	7	18
Gallatin	18	99	28	23
Garrard	10	103	2	15

	2006			
	Youth successfully diverted	Youth referred by petition	Cases with informal judgment	Youth detained
Grant	75	178	1	64
Graves	67	181	7	84
Grayson	59	135	3	77
Green	18	21	0	13
Greenup	69	97	3	77
Hancock	16	21	0	8
Hardin	245	470	325	285
Harlan	136	256	11	16
Harrison	81	109	15	35
Hart	15	53	4	16
Henderson	269	384	0	197
Henry	31	58	4	8
Hickman	5	25	1	17
Hopkins	204	231	1	137
Jackson	2	28	1	16
Jefferson	1,036	5,005	1,627	2,108
Jessamine	106	236	3	142
Johnson	27	70	0	29
Kenton	191	885	142	611
Knott	21	61	0	13
Knox	105	187	0	115
Larue	33	57	8	20
Laurel	95	253	0	111
Lawrence	18	39	12	13
Lee	5	20	5	8
Leslie	2	43	0	17
Letcher	43	132	0	50
Lewis	30	48	0	27
Lincoln	26	136	3	24
Livingston	24	18	0	6
Logan	57	85	18	70
Lyon	21	22	0	5
McCracken	195	389	0	131
McCreary	17	55	4	22
McLean	16	47	1	47
Madison	56	98	1	56
Magoffin	31	39	0	3
Marion	45	74	0	40
Marshall	179	370	0	331
Martin	63	157	0	62
Mason	14	35	0	14

	2006			
	Youth successfully diverted	Youth referred by petition	Cases with informal judgment	Youth detained
Meade	86	124	0	61
Menifee	7	23	14	6
Mercer	19	69	0	17
Metcalfe	42	63	5	8
Monroe	31	45	0	9
Montgomery	53	175	29	97
Morgan	6	37	0	27
Muhlenberg	51	101	11	67
Nelson	27	186	34	37
Nicholas	31	38	3	17
Ohio	45	99	1	50
Oldham	161	121	21	26
Owen	31	44	1	11
Owsley	9	19	0	6
Pendleton	57	80	5	47
Perry	36	125	0	70
Pike	99	249	51	121
Powell	13	66	3	41
Pulaski	140	246	1	48
Robertson	5	10	4	5
Rockcastle	20	46	0	8
Rowan	18	80	14	51
Russell	29	52	0	22
Scott	109	221	81	69
Shelby	56	136	56	46
Simpson	50	50	70	47
Spencer	27	59	18	8
Taylor	62	72	0	53
Todd	17	29	3	33
Trigg	38	47	0	21
Trimble	18	26	9	3
Union	65	75	9	19
Warren	230	391	66	233
Washington	7	19	0	15
Wayne	65	76	2	29
Webster	22	61	0	17
Whitley	56	201	2	144
Wolfe	9	64	0	24
Woodford	42	77	47	16