

Youth and the Juvenile Justice System

Definition

Youth successfully diverted is the number of youth directed to an alternative program instead of formal adjudication. *Youth referred by petition* is the number of youth referred to the court system for formal processing. *Youth detained* is the number of youth detained in Kentucky juvenile detention centers.

Data in context

All youth need strong connections to caring adults and school, as well as preparation for their future, to succeed. Without strong connections, youth are more likely to become involved with the juvenile justice system. Youth who are detained face greater risk of poor education, work, and health outcomes, as well as incarceration.¹

In Kentucky, youth charged with minor offenses are typically eligible to participate in a diversion program monitored by court-designated workers.² Kentucky's diversion program seeks to educate youth, hold them accountable, and deter them from returning to the juvenile justice system.³ During 2007, 9,644 youth successfully completed diversion, representing approximately one in three youth.⁴ The number of youth successfully diverted was highest in the two most populous counties (Fayette and Jefferson), as well as Boone, Campbell, and Daviess Counties.

Charges are petitioned to the court when diversion is not appropriate or has not worked.⁵ In Kentucky, 19,927 youth were referred by petition in 2007 for a number of reasons. Ten percent were petitioned for unsuccessful diversion, 27 percent at the request of the County Attorney, and another 16 percent at the request of the Judge.⁶

A significant portion of juvenile justice spending nationally is used for detention.⁷ Despite evidence that adolescent brains are still developing, making rehabilitation a realistic goal for youth, systems too often rely on detention rather than alternative options.⁸ Kentucky's rate of detained and committed youth in custody (127 per 100,000 youth) was slightly higher than the U.S. rate (125 per 100,000 youth) in 2006.⁹ In Kentucky, a higher percentage of youth are in custody for nonviolent offenses (72 percent) compared to the national rate (66 percent).¹⁰ In 2007, more than 11,000 Kentucky youth were detained, including 2,340 status offenders.¹¹ The number of youth detained represents an increase of 12 percent from 2006. Among counties with the largest detention populations, Jefferson County had a slight decrease in the number of youth detained between 2006 and 2007 (down 3 percent), while Fayette County had a 39 percent increase and Kenton County had a 17 percent increase.

The Juvenile Justice and Delinquency Prevention Act (JJDPA) prohibits states from using secure detention for status offenders, youth charged with actions not considered a crime for adults, unless the youth has violated a court order.¹² Yet, youth charged with status offenses in Kentucky are detained at the second highest rate in the nation.¹³

The JJDPA also requires states to work to prevent and reduce disproportionate minority contact at all stages of the juvenile justice process, yet disparate treatment still occurs.¹⁴ 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 notably higher than for White youth.¹⁵ Kentucky data reflect these disparities, with African-American youth less likely to be diverted and more likely to be petitioned and detained than White youth.¹⁶ When comparing rates of detention between youth of color and white youth, Kentucky shows greater racial disparity than the nation as a whole.¹⁷

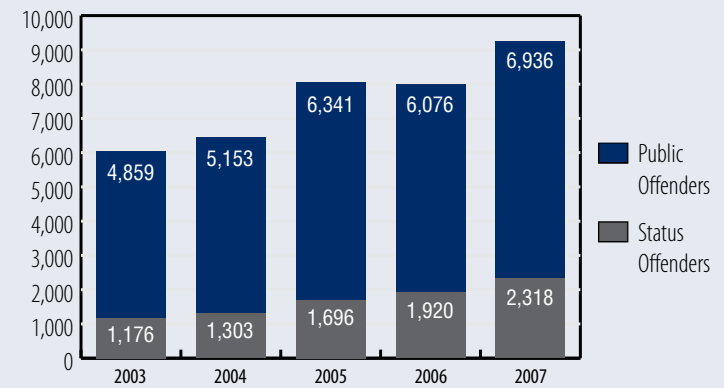
Proven strategies exist for reducing both disparities and unnecessary detention without compromising public safety. Disparities can be reduced by collecting and analyzing data by race to determine decision points where disparities occur, and then addressing any unintended bias in the underlying policies.¹⁸ Kentucky can reduce the use of detention by increasing the use of effective community-based services to address underlying causes of problem behavior.¹⁹

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 Nelson, D. (2008). "A Road Map for Juvenile Justice Reform." 2008 *National KIDS COUNT Data Book*. Annie E. Casey Foundation. Available at <http://www.aecf.org>. Accessed August 2008.
- 2 Administrative Office of the Courts website (2007). *Court Designated Workers*. Available at <http://courts.ky.gov>. Accessed October 2008.
- 3 Ibid.
- 4 Data obtained from Kentucky Administrative Office of the Courts, September 2008.
- 5 Kentucky Administrative Office of the Courts website (2007). *Court Designated Workers*. Available at <http://courts.ky.gov>. Accessed October 2008.

Youth Detained in Kentucky, 2003-2007



Source: Kentucky Department of Juvenile Justice.

- 6 Data obtained from Kentucky Administrative Office of the Courts, September 2008.
- 7 Nelson, D. (2008). "A Road Map for Juvenile Justice Reform." 2008 *National KIDS COUNT Data Book*. Annie E. Casey Foundation. Available at <http://www.aecf.org>. Accessed August 2008.
- 8 Ibid.
- 9 Annie E. Casey Foundation (2008). 2008 *National KIDS COUNT Data Book*. Available at <http://www.aecf.org>. Accessed August 2008.
- 10 Ibid.
- 11 Data obtained from Kentucky Department of Juvenile Justice, November 2008.
- 12 Snyder, H., and Sickmund, M. (2006). *Juvenile Offenders and Victims: 2006 National Report*. Office of Juvenile Justice and Delinquency Prevention. Available at <http://ojjdp.ncjrs.gov>. Accessed October 2008.
- 13 Personal correspondence with Department of Juvenile Justice, August 2007.
- 14 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 October 2008.
- 15 Ibid.
- 16 Data obtained from Kentucky Administrative Office of the Courts, September 2008, and Kentucky Department of Juvenile Justice, November 2008.
- 17 Annie E. Casey Foundation (2008). 2008 *National KIDS COUNT Data Book*. Available at <http://www.aecf.org>. Accessed August 2008.
- 18 Nelson, D. (2008). "A Road Map for Juvenile Justice Reform." 2008 *National KIDS COUNT Data Book*. Annie E. Casey Foundation. Available at <http://www.aecf.org>. Accessed August 2008.
- 19 Ibid.

Juvenile justice (number of youth successfully diverted, referred by petition, & detained)

	2007		
	Youth successfully diverted	Youth referred by petition	Youth detained
Kentucky	9,644	19,927	11,299
Adair	51	118	46
Allen	10	55	70
Anderson	38	70	49
Ballard	15	39	15
Barren	120	196	65
Bath	9	38	33
Bell	85	141	98
Boone	417	490	174
Bourbon	41	123	33
Boyd	83	200	227
Boyle	38	82	65
Bracken	15	20	4
Breathitt	54	83	40
Breckinridge	59	52	10
Bullitt	99	456	182
Butler	29	27	23
Caldwell	64	54	37
Calloway	90	79	46
Campbell	276	549	415
Carlisle	6	21	26
Carroll	57	75	61
Carter	28	85	72
Casey	57	63	29
Christian	201	549	408
Clark	27	153	84
Clay	55	42	10
Clinton	31	37	3
Crittenden	23	24	14
Cumberland	20	33	8
Daviess	304	498	375
Edmonson	6	8	4
Elliott	3	15	11
Estill	50	52	19
Fayette	584	1,076	733
Fleming	27	30	4
Floyd	94	141	55
Franklin	111	253	80
Fulton	16	53	16
Gallatin	38	110	21
Garrard	31	75	12

	2007		
	Youth successfully diverted	Youth referred by petition	Youth detained
Grant	58	160	53
Graves	91	129	92
Grayson	86	124	56
Green	16	30	22
Greenup	59	99	76
Hancock	35	24	5
Hardin	248	372	300
Harlan	141	207	38
Harrison	76	153	46
Hart	24	36	38
Henderson	237	363	222
Henry	32	58	21
Hickman	5	20	17
Hopkins	138	173	119
Jackson	9	32	13
Jefferson	1,265	5,002	2,051
Jessamine	91	238	174
Johnson	51	70	26
Kenton	199	902	716
Knott	52	89	17
Knox	80	142	116
Larue	33	42	35
Laurel	117	247	145
Lawrence	9	42	15
Lee	9	21	3
Leslie	11	16	11
Letcher	109	128	62
Lewis	35	49	56
Lincoln	68	103	56
Livingston	14	11	6
Logan	68	67	48
Lyon	35	23	10
McCracken	188	277	431
McCreary	71	144	120
McLean	22	32	23
Madison	215	330	207
Magoffin	18	77	32
Marion	33	59	37
Marshall	82	73	44
Martin	41	55	10
Mason	42	73	55

	2007		
	Youth successfully diverted	Youth referred by petition	Youth detained
Meade	89	86	72
Menifee	1	24	14
Mercer	13	87	26
Metcalfe	34	43	8
Monroe	14	43	11
Montgomery	69	102	98
Morgan	11	51	50
Muhlenberg	80	109	102
Nelson	34	196	43
Nicholas	27	34	14
Ohio	25	80	37
Oldham	155	171	37
Owen	30	36	36
Owsley	11	29	9
Pendleton	57	81	30
Perry	47	134	89
Pike	134	220	109
Powell	32	58	65
Pulaski	132	202	93
Robertson	12	11	1
Rockcastle	22	30	14
Rowan	30	86	56
Russell	62	44	23
Scott	88	158	90
Shelby	88	168	69
Simpson	31	63	60
Spencer	44	49	22
Taylor	99	114	74
Todd	26	43	30
Trigg	25	28	28
Trimble	24	31	11
Union	29	71	30
Warren	268	413	277
Washington	20	31	22
Wayne	61	55	13
Webster	23	39	26
Whitley	133	221	159
Wolfe	11	35	32
Woodford	32	100	18