



Widening the Lens: A Panoramic View of Juvenile Justice in New York State

System Indicators for State and Local Planning

Reported for all 62 Counties
2004 Data

New York State Task Force on
Juvenile Justice Indicators
February 2007

Albany
Allegany
Bronx
Broome
Cattaraugus
Cayuga
Chautauqua
Chemung
Chenango
Clinton
Columbia
Cortland
Delaware
Dutchess
Erie
Essex
Franklin
Fulton
Genesee
Greene
Hamilton
Herkimer
Jefferson
Kings
Lewis
Livingston
Madison
Monroe
Montgomery
Nassau
New York
Niagara
Oneida
Onondaga
Ontario
Orange
Orleans
Oswego
Otsego
Putnam
Queens
Rensselaer
Richmond
Rockland
St. Lawrence
Saratoga
Schenectady
Schoharie
Schuyler
Seneca
Steuben
Suffolk
Sullivan
Tioga
Tompkins
Ulster
Warren
Washington
Wayne
Westchester
Wyoming
Yates

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Executive Summary

As in many other states, New York's juvenile justice system is fragmented across a number of agencies. Each of these agencies plays its respective role at the county level, collecting and reporting data to one or more state agencies in the process. Although a wealth of data is therefore available, until now it has not been reported back to the counties in a systematic way designed to inform local planning.

In April 2005, the New York State Office of Children and Family Services established the New York State Task Force on Juvenile Justice Indicators and asked it to examine the available data to develop a set of statewide indicators that could provide county and state officials with a comprehensive picture of the juvenile justice system. This report—the outcome of that process—presents the first multi-agency set of juvenile justice indicators for the state of New York.

The report identifies and calculates key data—indicators—in five central areas of the juvenile justice system: arrest, referral to court, detention, court processing, and disposition. These indicators provide insight into how state and local juvenile justice systems operate, from arrest through disposition, and how local systems compare across county lines. It is the hope of Task Force members that this information—and annual reports to follow—will empower stakeholders at every level to conduct collaborative systemwide analyses, identify areas ripe for reform, and design and implement appropriate responses.

Three sections are included in this report. Section I describes each of the five system areas, provides a synopsis of the indicators for each area, and highlights some initial observations revealed by 2004 data. These observations are provided as examples to stimulate stakeholders to examine the data themselves with an eye toward local needs and concerns. The sample observations include, but are not limited to, the following:

- The proportion of juvenile delinquency cases that are referred to court—whether immediately or after an attempt at diversion—varies dramatically statewide, from 19 to 91 percent.
- The highest rates of juvenile delinquency detention usage are clustered in, but not limited to, large counties that have a secure facility in their jurisdiction.
- The disproportionate representation of black youth increases as youth advance through the juvenile justice system.
- Median processing times (from petition to disposition) in juvenile delinquency original court petitions vary widely from county to county, from 22 to 120 days.
- In large counties, the proportion of juvenile delinquency placements (from original petitions) that involve a felony adjudication ranges from 36 to 73 percent.

Section II presents statewide aggregate juvenile justice indicators. Section III provides local-level data for each of the state's 62 counties.

Table of Contents

A Systemwide Approach to Juvenile Justice Planning	1
Section I: Synopsis and Analysis of the Indicators: What Do They Show Us?	
Arrest	2
Referral to Court	5
Detention	7
Court Processing	9
Disposition	11
Section II: The Complete Set of System Indicators	16
Section III: County Snapshots	39
Appendix: Data Sources and Notes on Indicators	

A Systemwide Approach to Juvenile Justice Planning

In April 2005, the New York State Office of Children and Family Services (OCFS) established the New York State Task Force on Juvenile Justice Indicators and charged it with developing a set of indicators to support juvenile justice planning across the state.¹ The Task Force's membership is drawn from a variety of state and local stakeholder agencies. In addition to OCFS, these include the Division of Criminal Justice Services, the Division of Probation and Correctional Alternatives, the Office of Court Administration, the Juvenile Detention Association of New York State, the Council on Children and Families, local probation and social services agencies, mental health commissioners, family court judges, and the New York City Department of Juvenile Justice.

An indicator is a statistic that provides insight into an organization's work or the environment in which it operates. Effective indicators can be used in a variety of ways. Among other things, they can help oversight bodies monitor systems and, when necessary, correct system assumptions or standards; alert managers to demographic shifts or policy changes impacting a system; and provide benchmarks for stakeholders interested in improvement and reform. Although interest in system indicators has grown in every area of public administration in recent times, the juvenile justice field has yet to develop a strong tradition of using them.

This report presents the first-ever set of statewide juvenile justice system indicators for New York State. These indicators represent data collected from stakeholder agencies throughout the system, reflecting each of five points within juvenile justice operations: arrest, referral to court, detention, court processing, and disposition. Combined, these data present an unprecedented panoramic view of the state's juvenile justice system, which may be examined county by county or as state, New York City, and non-New York City totals. It is important to note, however, that while this consolidated information represents the first systemwide snapshot of juvenile justice in New York State, the information comes from a collection of state agencies that do not necessarily follow identical reporting protocols. In other words, the data is juxtaposed, not integrated.

This report is expected to be the first in an ongoing series. The Task Force plans to release an updated, Internet-accessible version each year, based on the most recent data available. The annual format will have the additional benefit of helping juvenile justice stakeholders draw conclusions about trends over time.

For ease of use, the report is organized into three sections and an appendix. Section I offers a synopsis of the indicators and highlights some key analytical observations. The highlighted observations are not comprehensive. Rather, they are provided to stimulate analysts' and policymakers' own use of the data presented in the subsequent sections. Section II presents the combined set of juvenile justice indicators for all 62 counties, using 2004 data, the most recent year comprehensive statistics were available at the time of the Task Force's launch. Section III provides standardized county-level synopses of the indicators. This provides local stakeholders with an opportunity to explore and analyze their system in more detail as well as compare their system to those of other counties. Finally, the appendix contains information regarding data sources, conceptual definitions, and important reporting limitations of the indicators.

One limitation to be noted early on is that 2004 arrest and detention data for New York City is not included in this report. A key organizing principle of the Task Force's work was that data should be comparable across different counties. For this reason, the Task Force selected indicators drawn from statewide data systems; this ensures that data for all counties conform to a tightly standardized structure. The New York City Police Department and the New York City Department of Juvenile Justice both collect extensive and high quality juvenile arrest and detention data. However, at the time this report was produced, neither agency was using data systems that matched the statewide reporting systems. Because of the structural difference, the New York City agencies' data are not included here.

¹ Through a grant from OCFS, the Vera Institute of Justice (Vera) worked in collaboration with OCFS to convene the Task Force and then played an active role to support the deliberative process. Vera staff facilitated Task Force meetings and provided technical support in the development of statewide indicators by requesting and analyzing state data, compiling draft indicators for the first year of dissemination, and generally supporting the group in establishing the outlines of a strategy under which the state will analyze and disseminate the data going forward.

Section I: Synopsis and Analysis of the Indicators: What Do They Show Us?

In order to develop indicators that describe the entire juvenile justice system in New York State, the Task Force identified five points in the system that it considers to be central to juvenile justice process and policymaking: arrest, referral to court, detention, court processing, and disposition. In New York, as in many states, the juvenile justice system is fragmented across a number of agencies. These include law enforcement, probation, detention, family court, and social services. As each of these agencies plays its respective role in responding to young people and their families, it is required to collect and report particular data elements. A wealth of data is therefore housed at numerous juvenile justice agencies in New York State. While local and state officials frequently identify a need for sharing data, it has historically occurred with little regularity. In fact, New York State's juvenile justice data has never before been compiled or disseminated to offer a cross-system overview.

In developing its systemwide set of indicators, the Task Force first assessed the types of juvenile justice data collected and maintained at the state level. Next, out of this available data the Task Force selected discrete indicators in each of the five system points that it deemed would be most helpful for local and state juvenile justice planners. The full list of indicators appears in Section II of this report. The discussion in Section I summarizes the set of indicators that will be available at each system point and highlights some sample analytical observations from the 2004 data.

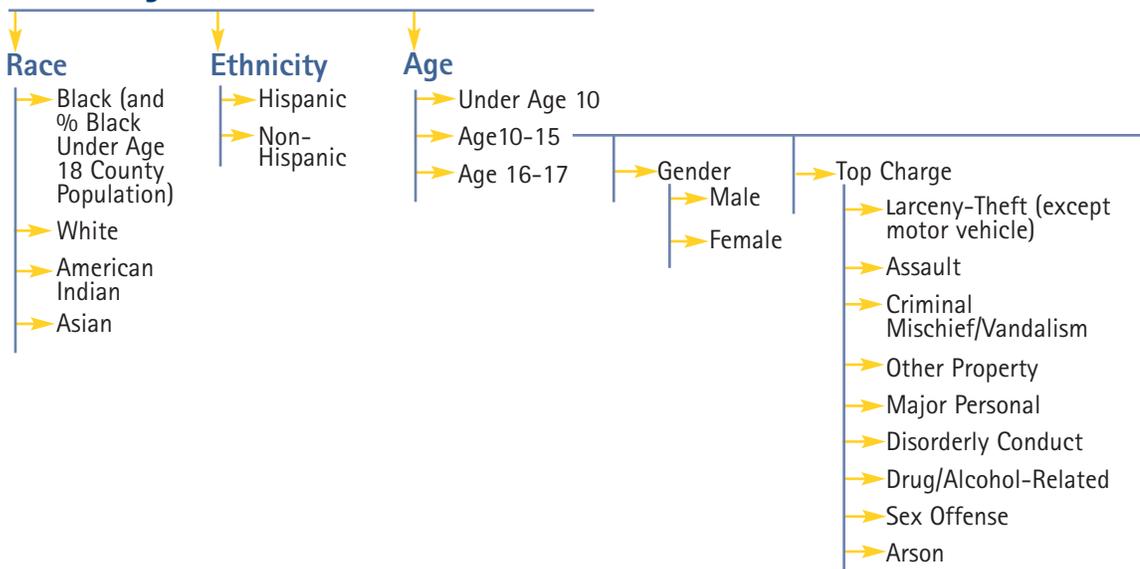
Arrest (data source: DCJS)

Arrest is the gateway to the juvenile justice system. In New York State, the Division of Criminal Justice Services (DCJS), a multi-function criminal justice support agency, houses juvenile arrest statistics from across the state. Among its many responsibilities, DCJS advises the governor and the director of criminal justice on ways to improve the effectiveness of New York's justice system. It also analyzes statewide justice data, administers federal and state funds earmarked for justice purposes, conducts research on criminal justice issues, and provides training and legal guidance to the state's law enforcement and prosecution communities.

DCJS maintains arrest data in several forms. Its most comprehensive arrest data for juveniles is drawn from Uniform Crime Reports (UCR), a standardized national data collection program through which each state passes its aggregate arrest data (both adult and juvenile) to the Federal Bureau of Investigation. UCR data is aggregated by local law enforcement agencies and submitted monthly to DCJS. It includes 48 crime categories as well as demographic information.

As of the publication of this report, DCJS had UCR juvenile arrest data from all of the state's counties except the five boroughs of New York City. Working with this data, the Task Force recommended the following arrest data be selected as the most useful indicators for juvenile justice officials:

→ Under Age 18 Arrests

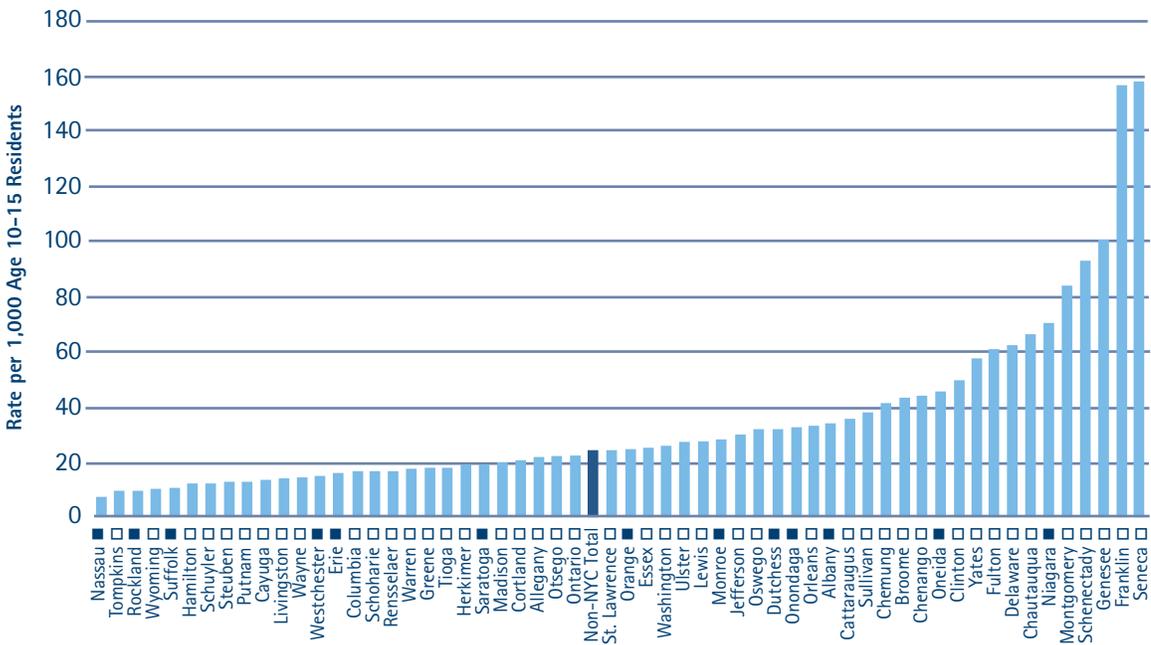


Our initial collection of these data suggests the following observations, which we provide as examples to stimulate local stakeholders to examine the data with an eye toward their own needs and concerns.

1. Juvenile arrest rates vary widely across the state, with many low-population counties exhibiting comparatively higher rates.

Juvenile delinquency jurisdiction in New York State ends at age 16.² In 2004, 22,539 youth between the ages of 10 and 15 were arrested in the state, excluding New York City.³ Rather than compare raw numbers, the Task Force recommended that the indicators reflect arrest rates based on the number of 10- to 15-year-olds arrested per 1,000 county residents of the same age.⁴ As illustrated in Figure 1, these arrest rates vary widely, from a low of 6.54 in Nassau County to a high of 157.22 in Seneca County.

Figure 1: Juvenile arrest rates (excluding New York City)



(For all graphs in this report, counties with populations less than 200,000 are marked with a hollow square; counties with populations equal to or greater than 200,000 are marked with a solid square.)

Counties at the extreme ends of this range have quite different populations. Nassau County has the lowest arrest rate and one of the largest populations in the state, with nearly 1.5 million residents and more than 100,000 youth between the ages of 10 and 15. Other counties with large populations, such as Suffolk and Erie, also have relatively low arrest rates.

In contrast, Seneca County, the jurisdiction with the highest arrest rate, is fairly small and rural, with approximately 35,000 county residents and fewer than 3,000 residents age 10 to 15. Except for Niagara County, every other county with a juvenile arrest rate in the top 10 has a population below 200,000 (Yates, Fulton, Delaware, Chautauqua, Montgomery, Schenectady, Genesee, and Franklin).

2. Throughout the state, youth of color are disproportionately represented at the point of arrest (as compared to their representation in the general population).

As figure 2 illustrates, black youth account for only 11 percent of the general population but nearly 29 percent of all arrests in 2004 (excluding New York City).⁵ Their greater representation as arrestees,

² New York, Connecticut, and North Carolina are the only three states with this age jurisdiction. Connecticut and North Carolina are currently exploring legislation to raise the age of juvenile jurisdiction.

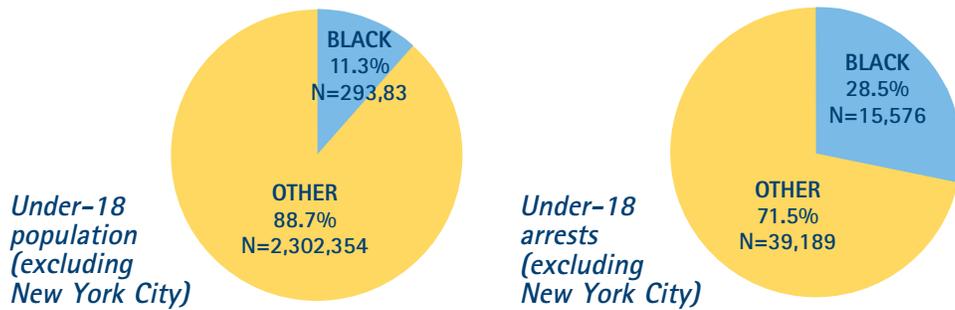
³ Youth under the age of 10 accounted for an additional 926 arrests in 2004—4 percent of juvenile delinquents entering the system that year. Also, the age 10-15 arrests include youth who may be later convicted as Juvenile Offenders (see Penal Law Article § 10.18)—juveniles ages 13-15 who have committed a crime deemed serious enough to merit adult criminal court prosecution.

⁴ The firm of Woods & Poole produces population estimates for periods between the decennial census years. This report uses 2004 county-level Woods & Poole data in order to calculate rates based on overall population or racial group.

⁵ The sources cited in this report that include race data use various terminologies—black alone, African American or black, and African American alone. For consistency in the written text, we refer to this racial category as black.

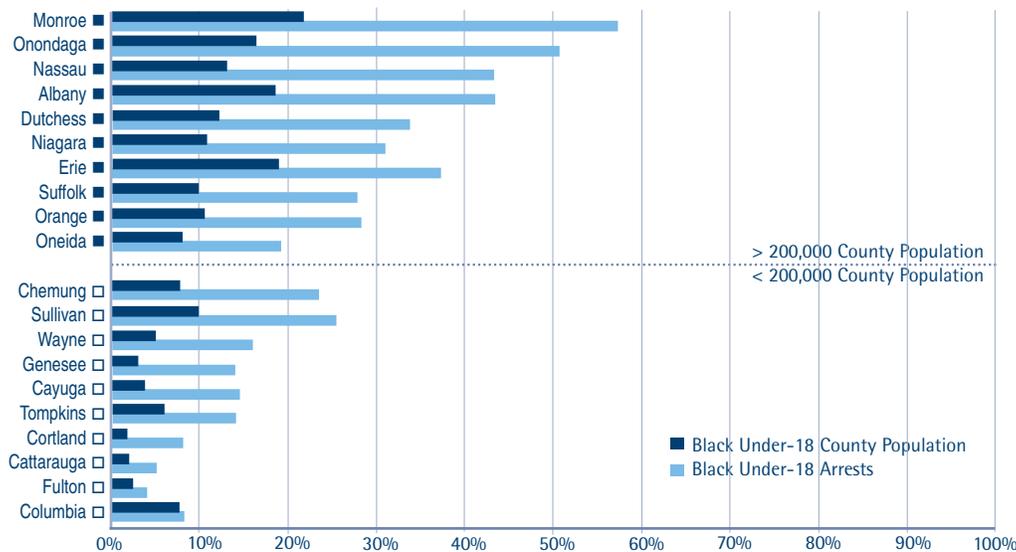
a phenomenon referred to as disproportionate minority contact (DMC),⁶ is prevalent in the indicators statewide.⁷

Figure 2: Comparative racial breakdown (excluding New York City)



Overrepresentation at arrest cannot be attributed to urban jurisdictions or regions with high concentrations of minority residents. As figure 3 shows, disproportion at arrest is evident in all but one county in a selection of 10 counties with populations under 200,000 and 10 counties with populations greater than 200,000. In fact, only four of the state's 62 counties—Franklin, Hamilton, Lewis, and Putnam—do not exhibit minority overrepresentation at arrest.

Figure 3: Disproportionate arrests of black youth



3. Girls account for nearly 29 percent of age 10 to 15 arrests statewide, with a county range from zero to 42 percent.

Over the last several years, national data has called attention to a steady increase in the proportion of girls entering juvenile justice systems across the country.⁸ In light of this trend, the Task Force

Disproportionate Minority Contact (DMC)

Jurisdictions across the country are paying more and more attention to the widespread overrepresentation of youth of color in the juvenile justice system, a phenomenon often mirrored in the criminal justice system. Federal attention to this issue began in 1988, when Congress amended the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 to require states receiving Part B Formula Grant funding to address what was then defined as disproportionate minority confinement of juveniles (as defined by state law). While no specific interventions were prescribed by the federal government, the amendment mandated that states include in their state plans a description of specific efforts to assess and respond to disproportionate confinement. More generally, the amendment cast a spotlight on an issue that had received little prior attention. In 1992, the Act was once again amended. For the first time, federal funding eligibility was tied to a state's compliance with the requirement. Ten years later, Congress extended the mandate, moving from a sole focus on disproportionate minority confinement to a more expansive focus on disproportionate minority contact at all points of the system, including arrest, court referral, detention, and disposition.

In New York State the DMC requirement of the JJDP Act applies to juveniles under 16 years of age in the jurisdiction of the Family Court. This report, however, provides DMC analyses which also include 16- to 17-year-olds who are prosecuted in the criminal court as adults.

The Division of Criminal Justice Services (DCJS) is the designated agency in New York responsible for developing the state's comprehensive plan for administering JJDP Formula Grant funds. New York State's current plan includes a strategy to reduce DMC through two primary components. First, DCJS has developed a DMC compliance management effort that includes strategic planning, outreach and training, technical assistance, and statistical monitoring. This effort is directed by a full-time state DMC coordinator. Second, Formula Grant funds are currently supporting four DMC arrest diversion programs in Albany, Syracuse, Rochester, and Niagara Falls. These programs are collaborations between local police and human service agencies to divert young offenders who are about to be arrested for a misdemeanor crime into a service program outside of the traditional juvenile justice system.

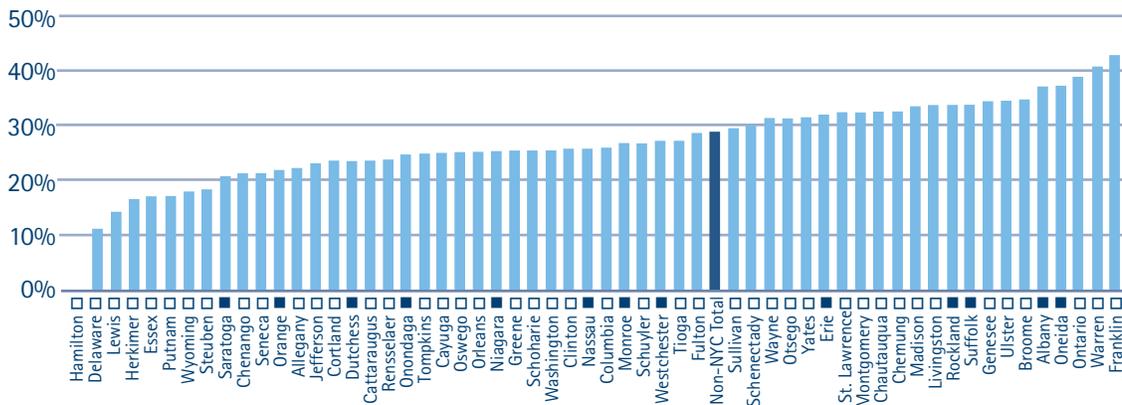
⁶ Disproportionate minority contact additionally affects non-black minorities but in New York State tends to be most pronounced for black youth.

⁷ Note that these statistics describe the juvenile justice population, as well as offenders ages 16 and 17 who are classified as adults under New York State's Penal Law. In order to comply with federal reporting requirements, New York State limits its official analysis on disproportionate minority contact to juveniles under 16 years of age in the jurisdiction of the Family Court. The reader is cautioned that the inclusion of adults (16- to 17-year-olds) in these present analyses may result in different findings and conclusions than would be obtained in juvenile-only analyses and, therefore, may want to use these data for exploratory purposes only. More rigorous analysis of the complexities of disproportionate minority contact would require further disaggregation by age, jurisdiction, offense type, and other factors.

⁸ According to the most recent national data, the proportion of female juvenile arrests increased from 20 percent in 1980 to 29 percent in 2003. Snyder, H., & M. Sickmund. 2006. *Juvenile Offenders and Victims: 2006 National Report*. Washington, D.C: United States Department of Justice, Office of Justice, Office of Juvenile Justice and Delinquency Prevention.

felt it was imperative to analyze arrest data by gender in New York State. In 2004, girls accounted for a total of 6,418 (29 percent—mirroring the national percentage in 2003) age 10–15 arrests in the state. Figure 4 indicates that several counties, large and small, exceed that percentage.

Figure 4: Percentage of Age 10–15 arrests that are female



Referral to Family Court (data source: DPCA)

The decision to recommend to the local presentment agency (prosecution) that a case be referred to court occurs at probation intake and represents the second critical decision point for arrested youth in the juvenile justice system. By and large, probation officers have discretion to refer alleged juvenile delinquents immediately for court petition or, alternatively, to divert them to services in the community. In making this decision, they often consider the severity of the case, the youth's prior legal history, and the arrestee's previous compliance with diversion services, among many other things. Cases that fall outside the discretion of the probation department and that are statutorily required to go directly to the presentment agency include: the most serious crimes, known as designated felonies; offenses in which the victim or arresting precinct demands court access; and crimes where the offender has previously received diversion services for the same category of offense.⁹

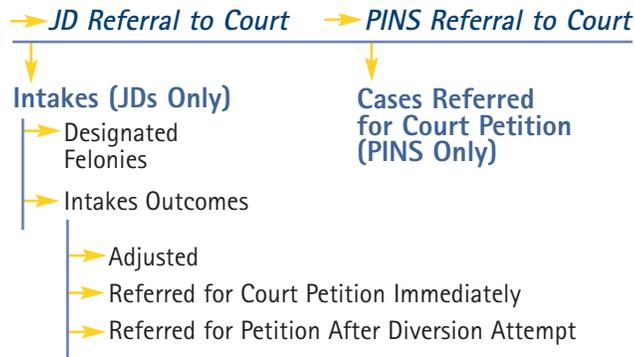
The Division of Probation and Correctional Alternatives (DPCA) supervises county probation department operations and the use of correctional alternative programs throughout the state. DPCA also maintains aggregate data on court referrals for juvenile delinquents.

DPCA's statewide juvenile justice data source is the DPCA-30, which is based on workload reports that local probation departments submit each month. The DPCA-30 summarizes aggregate information regarding probation intakes and court referrals for all 62 counties. DPCA-30 does not track demographic data, however. The Task Force was therefore unable to assess probation intake and court referral rates by demographics through this data source.¹⁰

⁹ Designated felonies include the following acts committed by youth between the ages 13 and 15: murder 1 and 2, kidnapping 1 and 2, arson 1 and 2, assault 1 (and 2, only for youth between the ages 14 and 15 who have had a prior finding by a court of assault 2 or other designated felony), manslaughter 1, rape 1, criminal sexual act 1, sodomy 1, aggravated sexual abuse 1, robbery 1 and 2, and burglary 1 and 2. In addition, the following attempted acts are included as designated felonies for the 13 to 15 age group: murder 1 and 2, kidnapping 1, and burglary 1.

¹⁰ In 2005, DPCA distributed an update of the Youth Assessment and Screening Instrument (YASI) software, a screening, assessment, and case planning protocol that is used in 49 of the state's 58 jurisdictions (excluding New York City and eight upstate counties). This software update added a quick report function, which enables counties to readily retrieve YASI information regarding race. DPCA is currently working to integrate the YASI software with Caseload Explorer, a web-based case management information system, which will increase county and state access to individual level PINS and JD demographic data as well as intervention services, and process and outcome information. This integration will also be an important milestone toward developing a real-time data system available for use in all jurisdictions.

Based on an assessment of the available data regarding juvenile probation intakes and court referrals, the Task Force selected the following indicators:

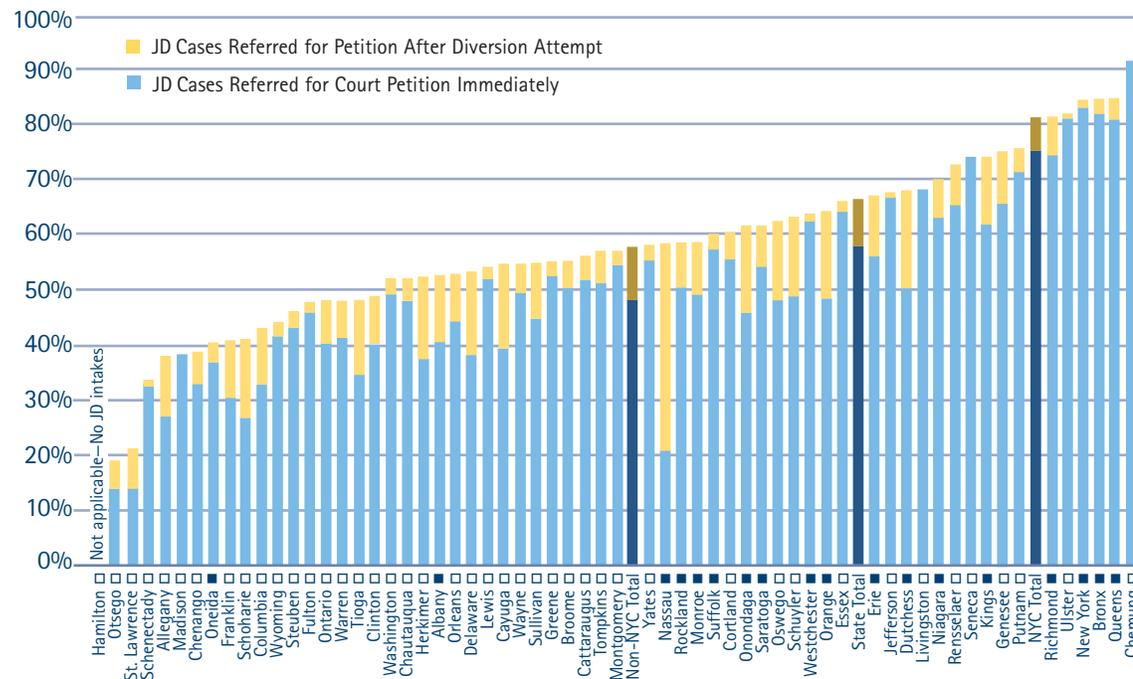


Our initial analysis of these indicators suggested the following observation.

4. The proportion of juvenile delinquency cases that are referred to court—whether immediately or after an attempt at diversion—varies dramatically statewide, from 19 to 91 percent.

New York State saw 16,137 juvenile delinquency cases referred to court in 2004, or 66 percent of all intakes. Figure 5 shows the percentage of JD probation intakes in each county that resulted in a court referral (with all other cases being adjusted, diverted from court, or closed with the matter not pursued).

Figure 5: Percentage of JD intakes resulting in a court referral



As with the juvenile arrest rates discussed earlier, rates of referrals to family court range widely, from a low of 19 percent of delinquency intakes referred to court in Otsego County to 91 percent referred to court in Chemung County. While some more populous counties (e.g., Erie, Onondaga, and Suffolk) exhibit relatively low arrest rates, their court referral rates tend to fall on the higher end of the range. Small counties with high relative arrest rates—Seneca County, for example—can also exhibit court referral rates on the high end of the spectrum. Yet Schenectady, another small county with a high arrest rate, refers a relatively low proportion of delinquency intakes to court (33 percent).

The indicators also reveal how cases are referred to court at different points in the intake process. In several counties, including Livingston, Jefferson, Ulster, Queens, Bronx, and New York (Manhattan), the overwhelming majority of referrals occur immediately at the point of intake. Some counties, such as Dutchess, Orange, and Cayuga, have a more significant minority of referrals occurring after a preliminary attempt at diversion. And in Nassau County, well over half of all court referrals occur after attempted diversion.

Detention (data source: OCFS)

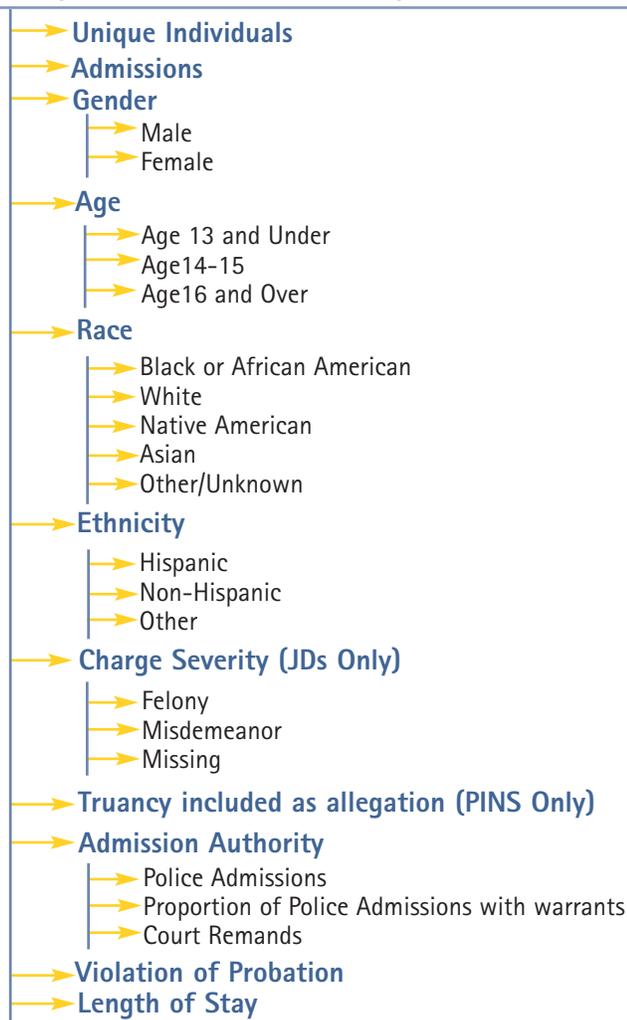
The decision to incarcerate an arrested youth prior to adjudication, whether in a secure or non-secure juvenile detention facility, is one of the most critical decisions in the juvenile justice system.¹¹ Pre-trial detention primarily occurs at one of two points: after court hours if the arresting officer recommends immediate detention and the detention facility authorizes the stay; or during court hours as a result of a judicial order.

Research findings indicate that a stay in a detention facility may increase the chances that a youth will further penetrate the juvenile justice system, even after controlling for other factors.¹²

The Office of Children and Family Services (OCFS) is the primary agency responsible for maintaining juvenile detention data in New York State. These data are housed in the agency's newly designed Juvenile Detention Automated System (JDAS). As of the writing of this report, all counties except the five New York City boroughs submit data to JDAS.

The Task Force identified the following juvenile detention indicators:

→ *JD Secure Detention / JD Non-Secure Detention / PINS Non-Secure Detention*



→ *JO Secure Admissions*

These indicators suggested the following sample observations concerning the detention phases of the juvenile justice system.

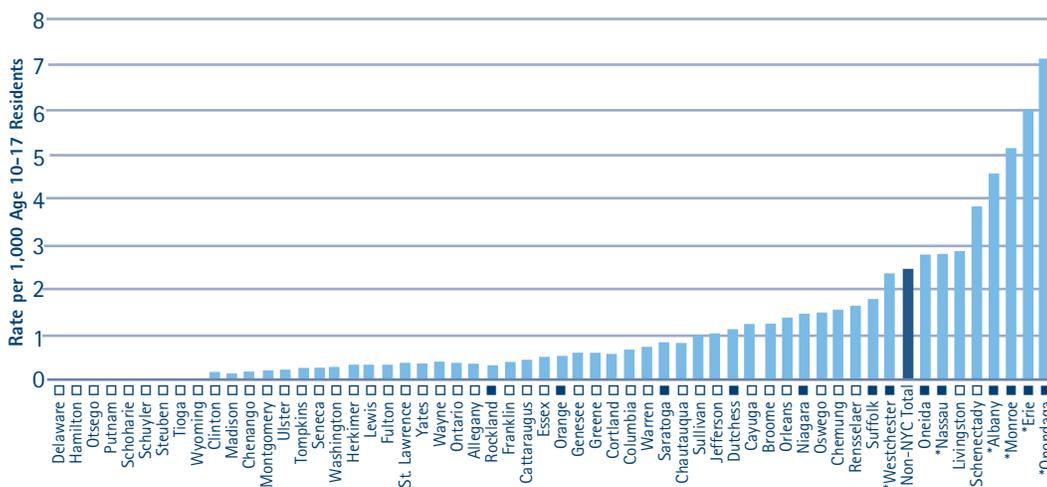
¹¹ There are nine secure juvenile detention facilities in New York state, located in seven jurisdictions: Albany, Erie, Monroe, Nassau, Onondaga, Westchester, and New York City. Counties that do not have their own secure option rely on out-of-county detention facilities. In addition, there are more than 40 non-secure detention facilities across the state. Most counties have one or two non-secure facilities, often group homes that provide beds solely to the county. These facilities are typically privately run and staffed.

¹² Holman, B., & J. Ziedenberg. 2006. *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities*. A Justice Policy Institute Report. Washington, DC: Justice Policy Institute.

5. The highest rates of JD secure detention use are clustered in, but not limited to, large counties that have a secure facility in their jurisdiction.

OCFS recorded a total of 2,985 JD admissions to secure detention in 2004 (excluding New York City). As figure 6 shows, counties that house secure facilities (marked with an asterisk) account for 74 percent of secure detention admissions statewide.¹³ These same counties account for only 42 percent of the state's juvenile population.¹⁴

Figure 6: JD secure detention admission rates

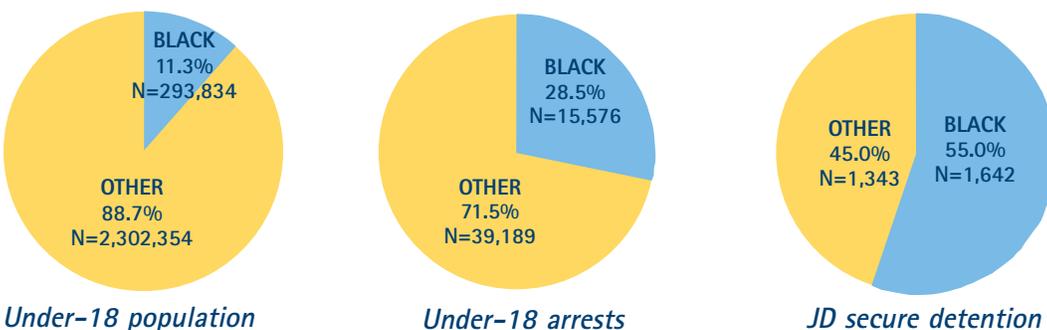


This suggests that the proximity of a detention facility may drive pretrial decisions. It is worth noting, however, that a handful of counties without a secure facility in their jurisdiction, including Schenectady, Livingston, and Oneida, also have relatively high usage of secure detention for their JD population, particularly as compared to counties of similar size.

6. The disproportionate representation of black youth increases as youth advance through the juvenile justice system.

The indicators reveal that from the point of arrest to the point of detention, the proportion of black youth in the system increases. As figure 7 shows, black youth accounted for 55 percent of all JD secure detention admissions in 2004, even though they represented 29 percent of juvenile arrests and only 11 percent of the state under-18 population. (All three of these figures exclude New York City.)

Figure 7: Comparative racial breakdown (excluding New York City)



New York State Juvenile Detention Technical Assistance

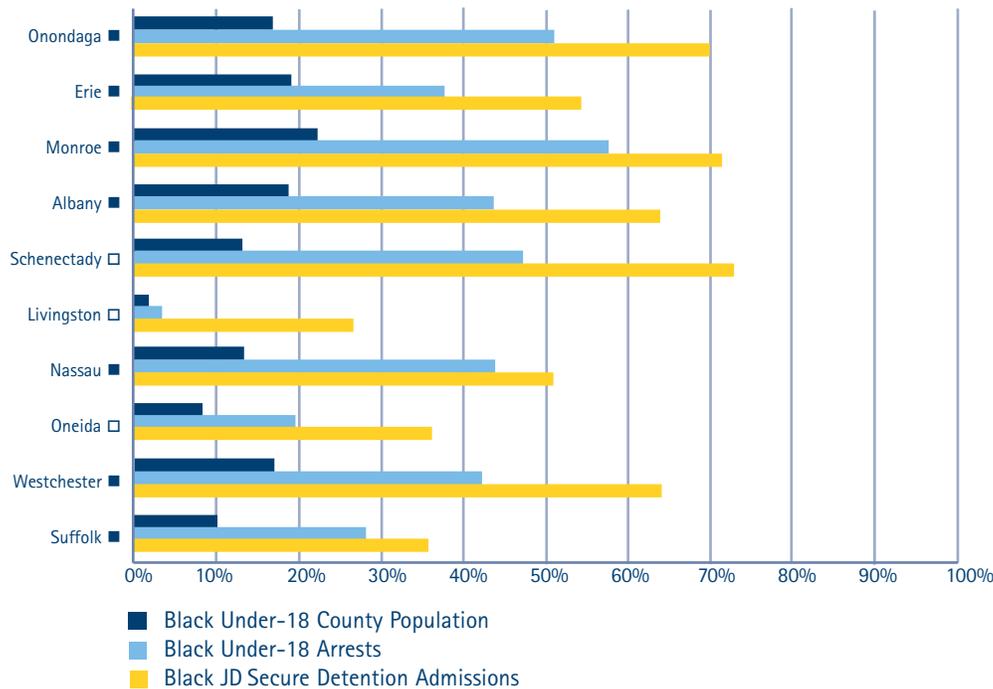
Beginning in early 2005, OCFS funded the Vera Institute of Justice to help designated counties across the state of New York reform their juvenile detention policies. With this funding, local officials in four jurisdictions with high rates of secure detention—Albany, Erie, New York City, and Onondaga—have begun to reexamine their juvenile detention policies and practices with the goal of identifying viable alternatives for young people who may not need to remain in custody. Each of the four jurisdictions is developing its own objective risk assessment instrument to guide local detention decisions and is implementing an array of community-based alternatives to detention.

¹³ The JD secure detention rate is calculated based on the number of admissions of JD youth residents in that county to a secure detention facility (which may be elsewhere) per 1,000 county residents between the ages of 10 and 17.

¹⁴ Juvenile population is defined here as youth between the ages of 10 and 17.

In the 10 counties with the highest secure detention rates for juvenile delinquents, overrepresentation steadily increases from arrest to detention, as illustrated by figure 8. These New York State DMC data mirror national statistics.¹⁵

Figure 8: Disproportionate minority contact (DMC), arrest to JD secure detention



Court Processing (data source: OCA)

Family court cases go through a series of court processes, including arraignment, fact-finding, adjudication, and disposition. Some cases take longer to move through this process than others. The span of time that elapses from the start of the court process to the end can have a significant effect on both the youth and the outcome of the case.

The Office of Court Administration (OCA) is the administrative arm of the court system and tracks and houses data relating to all juvenile justice court cases in New York State. It was established by and functions under the auspices of the chief administrative judge, who is responsible for supervising the administration and operation of the trial courts. The Universal Case Management System (UCMS) is OCA's comprehensive, centralized database. UCMS collects information about all docketed cases, including records of court events, their purpose (e.g., first appearance, trial, and disposition), and their outcomes. Race, ethnicity, and gender data are not available in UCMS.

All 62 New York Counties enter data directly into UCMS. Based on the available data, the Task Force selected the following court processing indicators:

Persons in Need of Supervision (PINS)

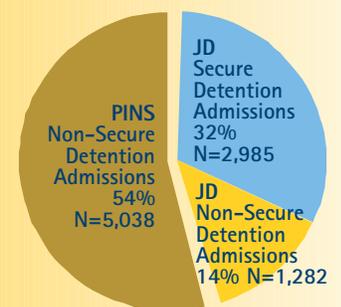
Persons in Need of Supervision (PINS)—status offenders, or youth who enter the juvenile justice system for non-criminal behavior such as truancy, “incorrigibility,” or running away—are an important factor in the juvenile justice system in New York State.

Effective April 1, 2005, New York State’s Family Court Act was amended to enhance diversion requirements for PINS cases, discourage the filing of PINS petitions, and narrow the circumstances under which PINS youth may be detained. On the heels of these legislative changes, local officials across the state are exploring strategies for responding to PINS cases outside the courtroom and in community-based alternatives.

The 2004 juvenile justice indicators included in Section II of this report offer counties a snapshot of how local PINS systems were operating prior to the legislative reforms. In future versions of this report, stakeholders will be able to consider the extent to which change is occurring and identify further areas for analysis.

In many counties, PINS non-secure detention rates tend to be significantly higher than the combined secure and non-secure detention rates for Juvenile Delinquents

New York State statute limits the detention of PINS to non-secure facilities.¹⁶ In 2004, a total of 5,038 PINS non-secure detention admissions were recorded across the state (excluding New York City). As illustrated below, this figure exceeded the number of JD secure and non-secure detention admissions combined.



¹⁵ Recent research shows that youth of color account for approximately two-thirds of juveniles in public detention facilities across the nation, twice their national proportion. Cose, E. (September 2005). “Race and Redemption.” *The American Prospect*.

¹⁶ New York City does not use non-secure detention facilities for PINS cases; rather, the city’s Administration for Children’s Services is responsible for PINS cases that are remanded prior to adjudication.

→ JD Court Processing / PINS Court Processing

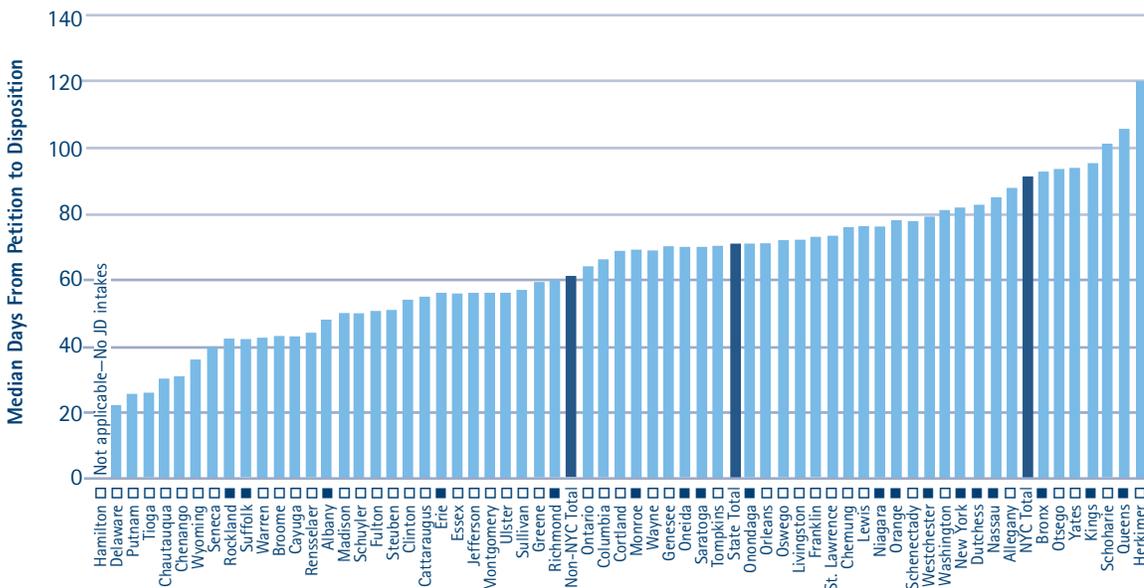
- Original Petitions
 - E Petitions (JDs Only)
 - Age at Petition
 - Cases Disposed at Initial Appearance
 - Days from Petition to Disposition (For All Original)
 - Days from Petition to Disposition (For Cases NOT Withdrawn/Dismissed) (PINS Only)
 - Days from Petition to Disposition (For Cases Withdrawn/Dismissed) (PINS Only)
 - Days from Petition to Fact Finding (For All Original) (JDs Only)
 - Days from Fact Finding to Disposition (For All Original) (JDs Only)
 - Cases Involving Detention
 - Days from Petition to Disposition (For Cases Involving Detention)
 - Adjournments
- Violation Petitions
 - Days from Petition to Disposition (For Violations)

From these data, we were able to draw the following observations:

7: Median case processing times (from petition to disposition) in juvenile delinquency original court petitions vary widely from county to county, from 22 to 120 days.

In analyzing the median days between petition and disposition across the state, both large and small counties fall on various points of the spectrum, as figure 10 shows.

Figure 10: Median days from petition to disposition in JD original court petitions



Many of the counties with shorter court processing times, such as Delaware, Tioga, Putnam, Chautauqua,

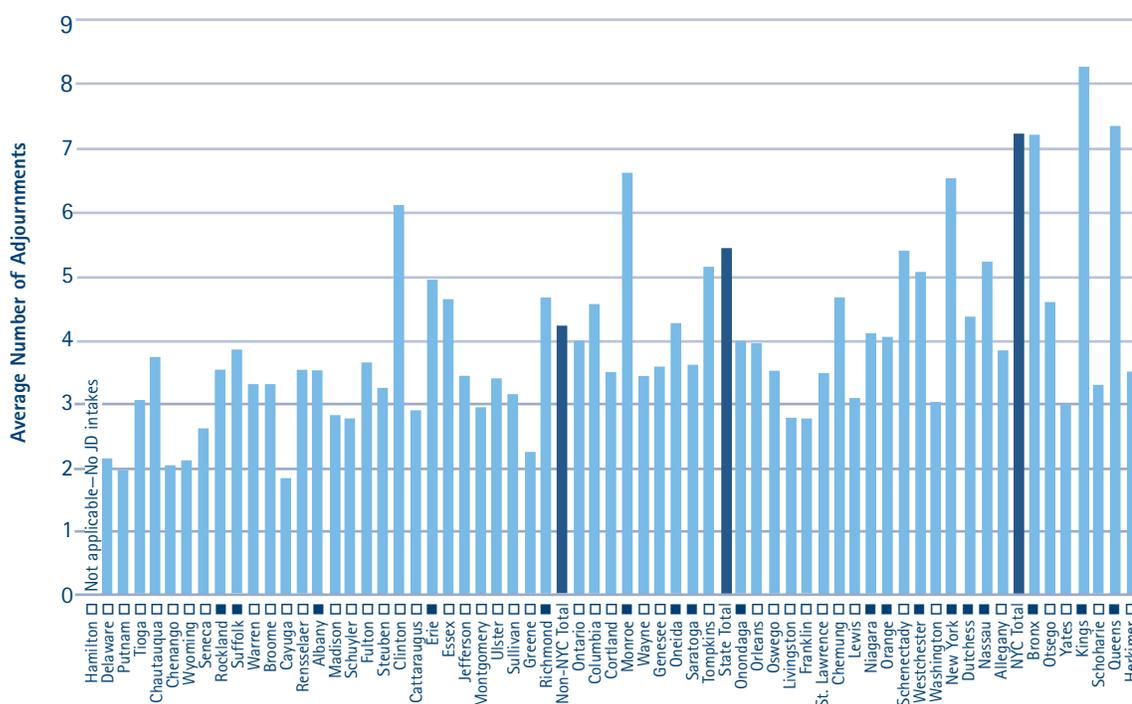
Chenango, Wyoming, and Seneca, dispose of a significant proportion of cases (between 30 and 47 percent) immediately at the initial court appearance.

The full set of indicators (see Section II) allows counties to differentiate between the median court processing time from petition to fact-finding (adjudication) and from fact-finding to disposition. This more detailed data lets officials better understand where the bulk of their court processing time is occurring. For most counties, it is in the period between fact-finding and disposition.

8. The number of JD adjournments may drive court processing time.

Figure 11 provides an analysis of the average number of court adjournments for all 62 counties, according to their court processing time.

Figure 11: Average number of JD adjournments (with counties arranged from shortest to longest court processing time)



No definitive pattern is exhibited. However, it appears that many counties with longer court processing times, such as Queens, Brooklyn, the Bronx, and Nassau, show a higher average number of court adjournments. This suggests that in some jurisdictions adjournment frequency may drive court processing times.¹⁷

Disposition (data sources: OCA and OCFS)

Judges may dispose of a case in a number of ways. The case may result in a withdrawal or dismissal, a discharge on a conditional basis (JDs only), an adjournment in contemplation of dismissal, a period of probation supervision, or an out-of-home placement to the custody of either OCFS or a local social services department.

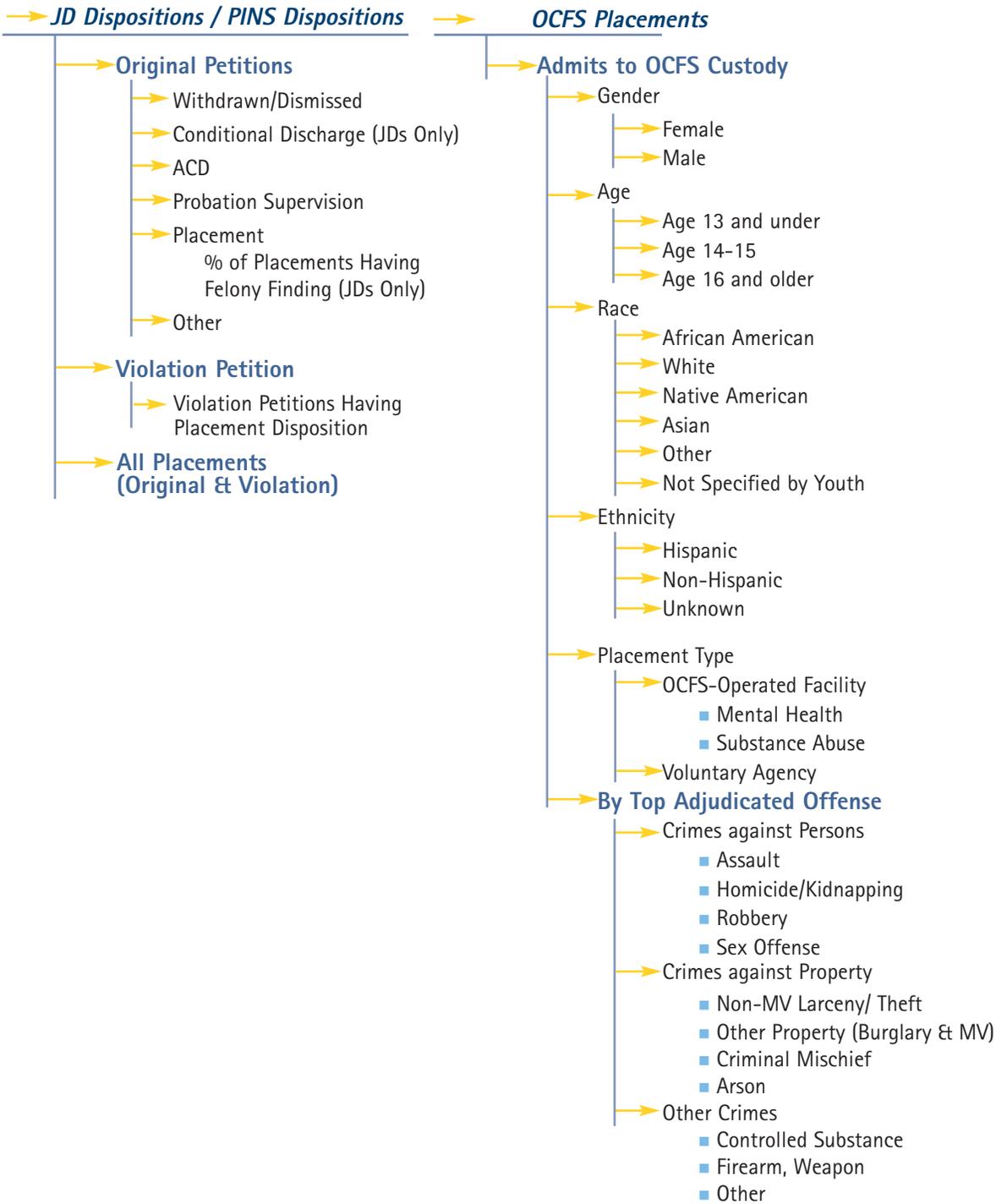
The Office of Court Administration (OCA) and the Office of Children and Family Services (OCFS) both maintain data relating to these outcomes. OCA's Universal Case Management System (UCMS) tracks juvenile justice case dispositions across the state. It does not, however, include data on gender, race, or ethnicity. On the other hand, OCFS's periodic STATPOP file¹⁸ documents JDs and juvenile offender/youthful offenders placed in OCFS

¹⁷ Adjournments can be requested by a number of constituencies involved in the case, including social services, defense, prosecutors, judges, and probation.

¹⁸ STATPOP is extracted from the KIDS database maintained by OCFS.

custody only (as opposed to those held in local custody) and includes demographic information.¹⁹

Based on available data from these two sources, the Task Force established the following disposition indicators:



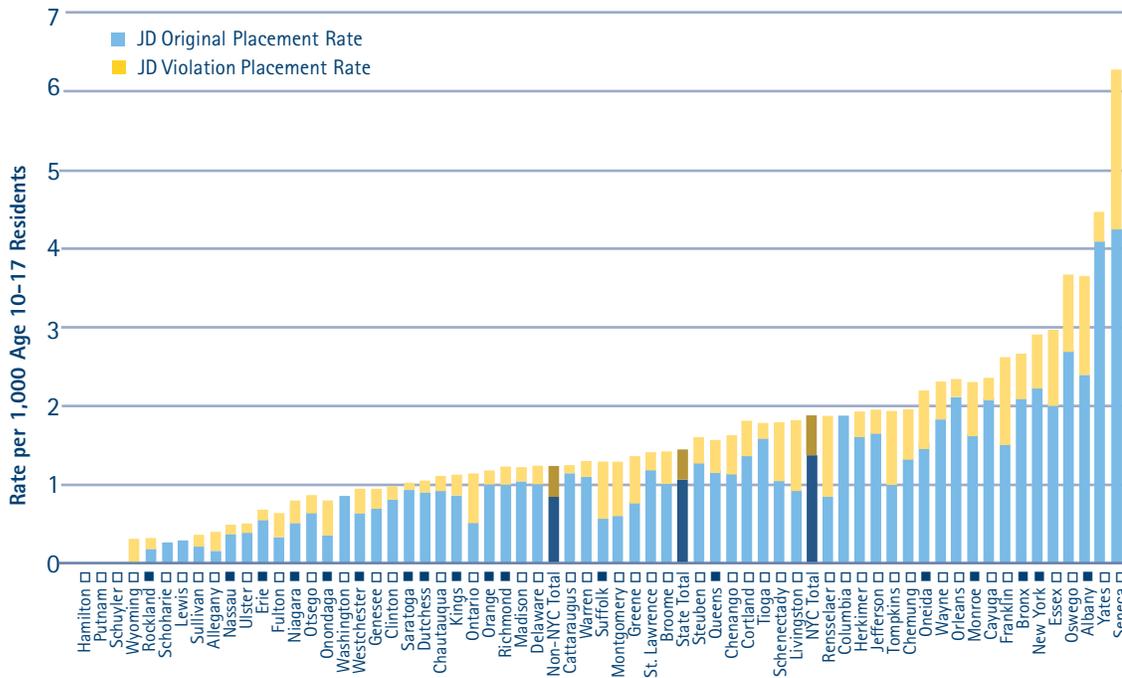
The disposition indicators lead to the following initial observations:

9. JD placement rates range widely across the state with no obvious pattern exhibited based on county size.

¹⁹ PINS cases statutorily cannot be placed in OCFS custody.

With original and violation petitions combined, a total of 3,059 JD petitions resulted in out-of-home placement in 2004. Figure 12 presents the county-specific rates.²⁰

Figure 12: JD placement rates

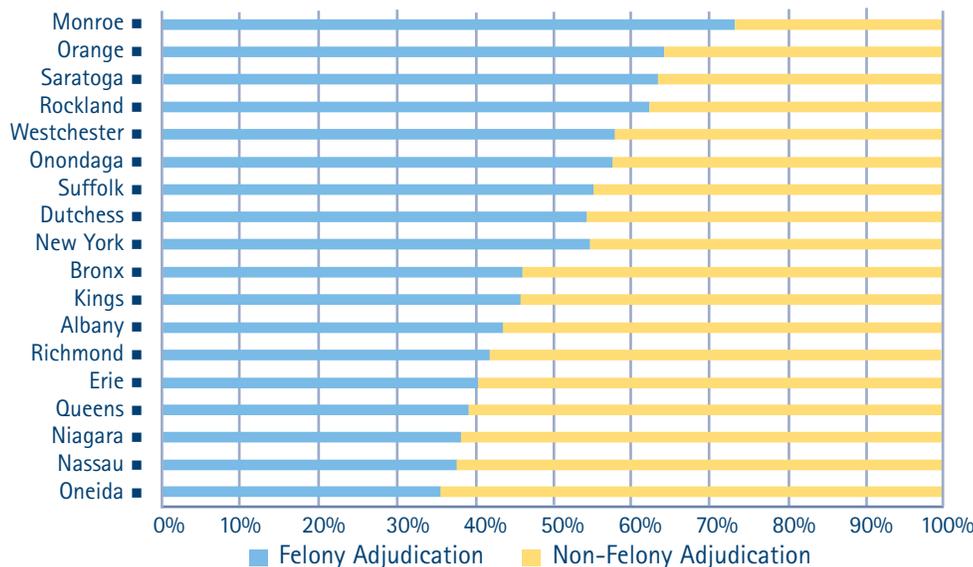


The 10 counties with the highest JD placement rates are fairly evenly split between large counties and small counties. Counties falling on the low end of the spectrum show similar diversity in population size.

10. In large counties, the proportion of JD placements (from original court petitions) that involve a felony adjudication ranges from 36 to 73 percent.

Counties with more than 200,000 people tend to have the highest number of JD placements, if not the highest rates. Figure 13, which focuses on the 18 largest counties (by population), provides an overview of the percent of JD placements (from original court petitions only) that included a felony adjudication.

Figure 13: Percentage of JD original petition placements with a felony adjudication



²⁰ The JD placement rate is calculated based on the number of placement dispositions of JD original or violation petitions per 1,000 county residents between the ages of 10 and 17.

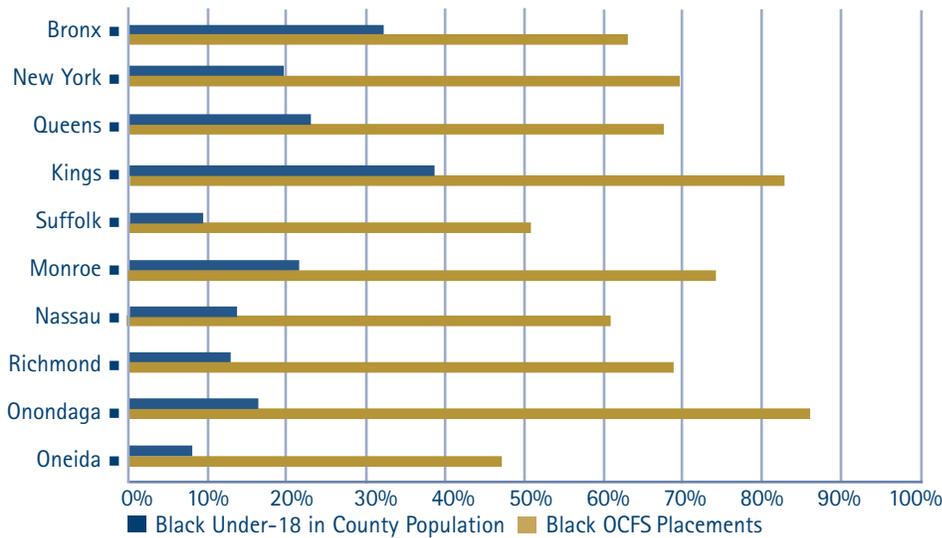
The rate of original petition placements resulting from a felony adjudication varies widely. In nine of the 18 counties—Oneida, Nassau, Niagara, Queens, Erie, Richmond, Albany, Kings (Brooklyn), and the Bronx—less than half of all JD original petition placements include a felony adjudication.

11. Counties with the highest number of OCFS placements show significant disproportionate minority contact.

OCFS data offers a view of placements that fall under state custody (as opposed to local custody). In 2004, a total of 2,104 OCFS custody placements were recorded across the state. Large counties exhibit the highest numbers.

Figure 14, which displays the 10 counties with the highest OCFS placement rates, compares the percentage of placements who are black to the percentage of black youth in the same age range (10 to 17) in the general population.

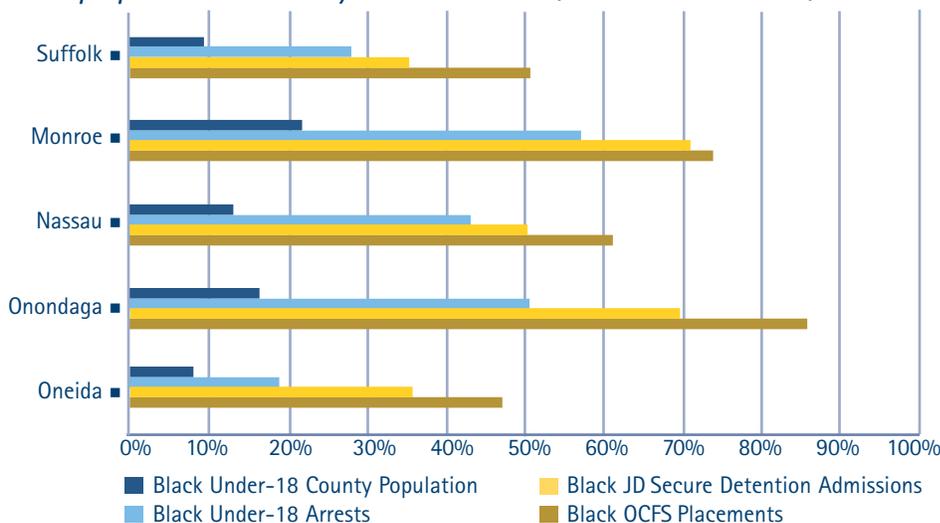
Figure 14: Disproportionate minority contact in OCFS placements



Wide overrepresentation of black youth is exhibited in each of the 10 counties.

Although comparable racial data for arrests and detentions are not available for the New York City jurisdictions, a systemwide perspective is available for the remaining five counties—Suffolk, Monroe, Nassau, Onondaga, and Oneida. Figure 15 focuses on these five counties and demonstrates black youths' growing profile as a percentage of the population in each successive stage of the juvenile justice system, from arrest, to JD secure detention, to OCFS placement.

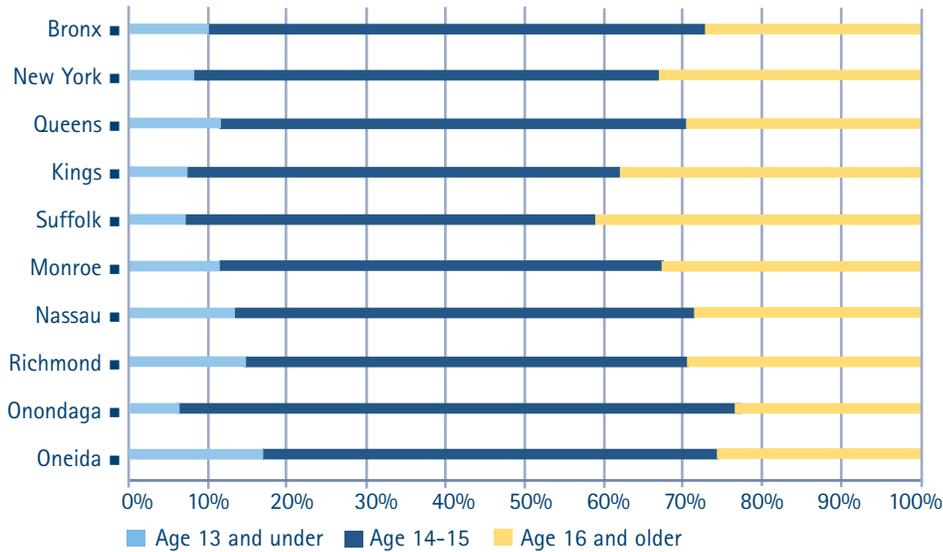
Figure 15: Disproportionate minority contact in arrest, JD secure detention, and OCFS custody



12. Youth between the ages of 14 and 15 account for the majority of OCFS placements; however, a significant proportion of placements occur for youth age 13 and under and 16 and over.

Youth ages 14 to 15 comprised 59 percent of the statewide OCFS placements in 2004. Youth ages 13 and under accounted for 9 percent, and youth ages 16 and over represented the remaining 32 percent. Figure 16 presents the age breakdown for the 10 counties with the highest numbers of OCFS placements.

Figure 16: OCFS placements by age



Conclusion

This section has provided the rationale for creating the juvenile justice indicators, our process for doing so along with references to original data sources, and some initial conclusions that may be drawn from the indicators. This inaugural publication of Widening the Lens represents the first time local and state officials have had access to a comprehensive set of indicators for the New York State juvenile justice system. Given their needs, creativity, and problem-solving instincts, we are confident that officials who read this report will discover additional patterns of interest as they delve into Section II of this report, the full set of indicators. We also look forward to future editions of this report, which will not only keep officials up to date, but also allow them to track changes over time.