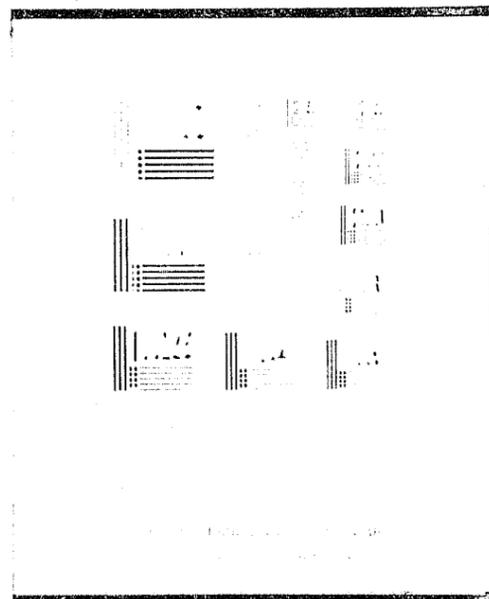


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U.S. DEPARTMENT OF JUSTICE  
NATIONAL CRIMINAL JUSTICE RESEARCH SERVICE  
WASHINGTON, D.C. 20535

## THE JUVENILE JUSTICE SYSTEM SUNY-ALBANY COUNTY, NEW YORK

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## ABSTRACT

Monroe County, New York is comprised of one city, 19 towns, and 10 villages with a total population of approximately 711,980. The juvenile population between the ages of 7 and 16 at the time of the 1970 census was 125,922 or 17.7% of the total county population. Of this juvenile population, 65.6% lived in the towns and villages and 34.4% in the City of Rochester. This juvenile population was distributed fairly evenly between the sexes - 52.3% male and 47.7% female.

The part of this juvenile population which is of concern in this report is that small portion which comes into contact with the family court system either as a juvenile delinquent (JD) - a person over seven and under sixteen who commits an act, which if committed by an adult, would be a crime - or a person (juvenile) in need of supervision (PINS) - one whose behavior is determined to be ungovernable or one who is habitually absent unjustifiably from school. Truancy problems can come through any one of the approximately 140 public, 36 parochial, or 10 private schools within the towns and villages, or the approximately 63 public, 28 parochial, or 6 private schools within the city. Ungovernable complaints come from the juveniles' parents or other relevant agencies (e.g., Department of Social Services). Delinquency complaints may come through any one of the thirteen police agencies in the county (1 city, 7 town, 3 village police departments, the county sheriff, or the state police). Only five of the town departments have officers specialized in juvenile work. The Rochester Police Department has a staff of 13 in their Persons' Unit, and while that unit handles all

of the juvenile problems, those are not the 'only issues' that that staff deals with.

In 1973 there were 1,157 male and 144 female juvenile arrests. Of those, 41.6% were felonies, 55.7% misdemeanors, 1.5% violations, and 1.2% were arrests for other agencies. Juvenile arrests were 5.8% of the total arrests in the county (including adults and juveniles) for that year. Not all of the juveniles who committed offenses were arrested; some because they were not apprehended and others because the matters were settled informally at the precourt stage. There are three methods by which juveniles are diverted from the court system: 1.) many police departments have prevention programs where they go into schools or to other community groups and give talks to juveniles and/or parents on what happens when young people get into trouble with the law, bicycle safety, etc., 2.) the police try working with the juvenile and the parents and, possibly, the complainant to settle the matter informally at the precourt level, and 3.) there are some special federally funded and community funded projects which attempt to divert juveniles from the court stage.

Those juveniles not diverted at the precourt stage have an unofficial petition filed against them which is sent on into the family court intake probation (or to the family court screener in the case of unofficial JD petitions; the screener then reviews them and sends them on into intake probation with certain recommendations). Once again diversion methods are employed at intake probation in another attempt to avoid processing the juvenile further into the court system. In 1973 family court intake probation diverted approximately 39.9% of the unofficial JD and PINS petitions.

After all possible diversion methods at this level in 1973, there were a total of 1,172 unofficial petitions sent on to the court calendaring clerk to become official (750 JD's, 256 PINS, and 166 Violations of either a previous official JD or PINS petition). These official petitions were on 800 unique juveniles (569 had only one official petition and 231 had more than one just during the year 1973). These 800 unique juveniles were 71.2% male and 28.8% female. The sex ratio by status of petition showed that the PINS were 48.8% male and 51.2% female; the Violations were 52.4% male and 47.6% female; while the JD's showed a slightly different picture - 86.9% male and 13.1% female. These 800 unique juvenile offenders represented only 0.6% of the county's 1970 juvenile population (125,922).

These 1,172 official petitions were all heard by one of the four family court judges at arraignment, which is the first part of the adjudication hearing. Those petitions that were not dismissed at that point went on into the next part of adjudication called the trial or major fact finding. The county's three law guardians defended 736 unique juveniles on 994 (84.8%) of the official petitions. Another 130 (11.1%) official petitions on 111 unique juveniles were handled by 85 different private attorneys.

Those cases that were not dismissed during or after the fact finding phase entered the postcourt stage of the juvenile justice process and were turned over to probation personnel to have a social history investigation and counseling prior to the dispositional hearing. In 1973 these 1,172 official petitions received a disposition of

suspended judgment or were dismissed in 51.7% of the cases; another 19.6% received probation; and another 20.2% received placement. Again, counting the total official petitions, approximately 82.8% of the juveniles remained in Monroe County (including all extremes of placement, i.e., returned to their own homes to placement at the State Training School at Industry). Those juveniles most likely to be placed outside of their own homes were those who had violated previous official petitions - approximately 47.0% of all dispositions made on official Violation petitions.

The Monroe County Family Court is presently undergoing many changes so that the specific description of its structure and function at each stage is subject to change even before this report is published. A general overall feeling for the processing of a juvenile offender through the system is, however, established.

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## FOREWORD

This report on the juvenile justice system is one of several "Information Papers" on various facets of the local justice system prepared by the Pilot City Program staff.<sup>1</sup> This description is concerned only with the juvenile offenders (juvenile delinquents and persons in need of supervision), and is not concerned with the total functioning of the family court. Moreover, it is well to keep in mind that this is a description and not an evaluation. In like manner, the data for the calendar year 1973 which are presented here are descriptive of that year and are not necessarily predictive of the present state.

In the process of compiling material for this paper, it was found that there was a paucity of data in some areas and at some agencies. An attempt was made in this report, therefore, to provide a substantial amount of data for use by various agencies.

The format of the four chapters follows a simple path. After a very brief discussion of some of the historical aspects of juvenile justice, the focus is gradually narrowed from the federal perspective to that of New York State, and finally to that of Monroe County. Chapter 2 begins with a definition of Monroe County in terms of population characteristics, which serves as a framework for the data presented on the local juvenile

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<sup>1</sup>After June 30, 1975 when the Pilot City Program is officially discontinued, copies of publications may be obtained from the Office of Public Relations, Graduate School of Management, The University of Rochester, Rochester, New York 14627.

justice system. The population information was taken from the standard 1970 federal census data; figures specific to the local juvenile justice system were collected from various relevant county agencies for the calendar year 1973. Chapter 2 continues with a discussion of the precourt stage of the juvenile justice system. Chapters 3 and 4 respectively proceed to track the juvenile on into the court and postcourt stages of the system.

ACKNOWLEDGEMENTS

Any writer is always grateful to the many people whose help and contributions make a research project of this nature possible. Special appreciation is due to many who gave generously both of their time and information.

POLICE DEPARTMENTS

Investigator Emilie Mansler, Monroe County Sheriff  
Captain Jay Rogers, Persons' Unit, Rochester  
Officer Spencer Kennedy, Juvenile Officer, Brighton  
Chief Donald Hare, Brockport  
Ms. Sally Schneider, Secretary, East Rochester  
Chief Joseph Picciotti, Fairport  
Lt. James Keltz, Juvenile Officer, Gates  
Officer Joseph W. Gendron, Youth Officer, Greece  
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Ms. Bonita H. Mayer, Principal Administrative Analyst  
Ms. Judy Kerr (now with the Monroe County Office of Crime Control)  
Mr. Paul Reiter, Family Court Screener  
Mr. Joseph Platania, Family Court Screener  
Detective Donald Hartung, Family Court Liaison, Rochester Police Department  
Mr. James Boyle, Senior Law Guardian  
Mr. John Rivoli, Law Guardian  
Ms. Mary Stewart, Court Calendaring Clerk  
Ms. Madeline O'Neil, Director, Legal Records

OTHER AGENCIES

Mr. John Farie, Director, Monroe County Department of Social Services  
Mr. Ross Hayman, New York State Board of Social Welfare

Mr. Vincent Tomeo, New York State Division for Youth  
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Mr. Andrew Thomas, Director, Youth Services System

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It should be added, however, that these people are in no way responsible for any errors or misinterpretations of the data or information in this report.

Historical and Legal Aspects of the Juvenile Justice System

The juvenile justice system is only one of several systems defined<sup>2</sup> in the United States to deal with deviant behavior that results in the commission of acts against society or members of our society which are considered illegal according to rights and privileges stated in constitutions or codes of law at any level of government (national, state, or local). Two other such systems are the adult (21 years or over) civil and criminal justice systems and the system for dealing with mentally ill persons of all ages. While this report is concerned with only the juvenile justice system, there are at times certain aspects of juvenile behavior which fall into one of these other categories.

History

Historically, the origins of the juvenile justice movement which began in the late nineteenth century are most commonly accredited to "the humanitarian impulse and initiative of many lawyers, social workers, clergymen, and others who had become increasingly troubled by the treatment of the children under the criminal law".<sup>3</sup> Dissatisfaction with the criminal justice system, with its emphasis on conviction and punishment, as applied to juveniles, plus a positive orientation to the rehabilitation ideal led

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<sup>1</sup>The author wishes to thank Dr. W. Vaughan Stapleton for his assistance in writing this chapter of the report.

<sup>2</sup>Frank J. Remington, Donald J. Newman, Edward L. Kimball, Marygold Melli, and Herman Goldstein, Criminal Justice Administration, New York: The Bobbs-Merrill Company, Inc., 1969, p. 951.

<sup>3</sup>American Bar Association, Standards for Juvenile and Family Courts, New York: Institute of Judicial Administration, 1966, p. 2.

proponents of the juvenile court movement to the ideological position that the state had both a right and duty to intervene on behalf of the juveniles.

The concern over the welfare of juveniles has formally expressed itself in the formulation of specialized tribunals having jurisdiction over juvenile misconduct, with the first such court having exclusive jurisdiction over juveniles being established in Illinois in 1899. "In 1912, only thirteen years after the creation of the Illinois Juvenile Court, the U. S. Children's Bureau was established within the Department of Labor. This bureau has worked for the development of the social work approach to the juvenile court."<sup>1</sup>

Attention also was directed to the corrections aspect of the system because of opposition to the placement of juveniles in institutions with hardened adult criminals. Late in the nineteenth century, Massachusetts was initiating an experimental program which placed juveniles on probation.<sup>2</sup> Prior to that time, youths violating the law were treated in much the same manner as an adult once the following conditions were established:

- 1.) Children below the age of seven were conclusively presumed incapable of forming a criminal intent;
- 2.) Youths between the ages of seven and fourteen were rebuttably thought incapable, i.e., they were treated as being capable of having criminal intent, but this assumption could be contested; and

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<sup>1</sup>W. V. Stapleton and L. E. Teitelbaum, In Defense of Youth: A Study of the Role of Counsel in American Juvenile Courts, New York: Russell Sage Foundation, 1972, p. 12.

<sup>2</sup>*Ibid*, p. 11. See also, "Brief for the National Council of Juvenile Court Judges as American Curiae", pp. 10-12, in R. A. Whittingham, 391 U. S. 347 (1968) as quoted in In Defense of Youth, p. 2.

- 3.) Those beyond the age of fourteen were presumed capable of criminal intent and were held responsible for criminal acts to the same degree as an adult.

The foregoing illustrate the major themes, interwoven with others, that predominate in justifications and apologies for the juvenile justice system; youths, determined by age limits, are not adults, rather they are developing personalities who will enter adulthood at a specified time.<sup>1</sup> This theme, common in all cultures, sets juveniles apart from, and subject to different norms of social control from "adults". The transition period from infancy to adulthood is marked by formalized training (acculturation) and specific rites de passage signaling the entry of the individual into the formal duties and privileges of the adult status.

The legal rationale for special courts for juveniles lies in the concept of pater (or parens) patriae<sup>2</sup>, in which English courts of chancery acted on behalf of the King over those children whose parents deprived them of proper care.<sup>3</sup> The American juvenile justice movement extended the doctrine of parens patriae from the original conception of protection of children with property to the general supervision of all wayward youths.

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<sup>1</sup>Stapleton, op. cit.

<sup>2</sup>"Father of his country . . . In England the king. In the United States, the state, as a sovereign -- referring to the sovereign power of guardianship over persons under disability." Henry Campbell Black, Black's Law Dictionary, St. Paul Minnesota: West Publishing Company, 1968, p. 1269.

<sup>3</sup>D. Matza. "Position and Behavior Patterns of Youth," In Edward Faris (Ed.), Handbook of Modern Sociology, Chicago: Rand McNally, and Company, 1964, p. 191. Matza emphasizes that the status of youth in American culture is primarily a "dependent" status.

## United States Juvenile Courts

There is no national juvenile court system; each state devises its own in accordance with its own needs;

"Relatively few are separate, independent courts. Most are part of a circuit, district, superior, county, common pleas, probate, or municipal court. In a few jurisdictions, family courts have been established to deal with both children's and domestic relations cases. Even where the jurisdiction of children's cases is in a court that is organizationally part of a larger system, however, the judge assigned to hear children's cases often operates his court quite independently."<sup>1</sup>

The definition of juvenile also varies among the states. Some problems with age guidelines are:

"Age, objective and readily ascertainable, has traditionally served to delimit the population subject to juvenile court jurisdiction. At present, the upper age jurisdiction of juvenile courts varies from 16 to 21. Eighteen is the upper limit recommended by the Children's Bureau, and it has gained acceptance in about two-thirds of the States. In the remaining one-third the age is 16, 17, or 21 -- different, in some for boys and girls. In the one or two states in which it is 21, jurisdiction above 18 is concurrent with the criminal court, and in practice youths over 18 are almost invariably referred to the criminal court.

But age is inevitably arbitrary and fails to take account of individual differences in maturity, past and present conduct, and other factors relevant to choosing between juvenile and adult court handling of a given youth. About 40 states, therefore, provide for waiver or transfer by the juvenile court to the adult courts, thus giving the juvenile court some discretion and flexibility in exercising its jurisdiction. Waiver laws vary greatly."<sup>2</sup>

<sup>1</sup>The President's Commission on Law Enforcement and Administration of Justice. Task Force Report: Juvenile Delinquency and Youth Crime. Washington, D. C.: U. S. Government Printing Office, 1963. p. 4.

<sup>2</sup>Ibid.

## New York State System

### The Family Court:

"On September 1, 1962, the new Unified Court System became effective in New York State. The changes made constituted the first major overhaul of judicial machinery that dated back to just before the middle of the 19th Century. Some courts were abolished, some were created, judicial administration was generally revitalized."<sup>1</sup>

Included in the revision was the replacement of the former Children's Court Act of 1922 with the new Family Court Act. This new civil court<sup>2</sup> act did the following: 1.) created a new court structure and procedure; 2.) revised and restated the substantive law in juvenile delinquency, neglect, and paternity proceedings; 3.) created two new proceedings dealing with conciliation and family offenses, and 4.) provided for the court's jurisdiction in adoption and support proceedings. The Administrative Board of the Judicial Conference rules and forms for the Family Court.

### Judges:

The judges of the family court in the counties of New York City are appointed by the mayor, whereas in the 57 other counties in the state,

<sup>1</sup>McKinney's Consolidated Laws of New York, Judiciary-Part I, Court Acts, Family Court, Brooklyn, New York: Edward Thompson Co., 1963, p. III.

<sup>2</sup>For a discussion of the other courts in Monroe County see: Roberta C. Cronin and Lois K. Horwitz, The Criminal Court System in Rochester and Monroe County, New York. Rochester-Monroe County Criminal Justice Pilot City Program, Graduate School of Management, The University of Rochester, June, 1975.

the judges are elected. Family court judges serve for a term of ten years. If a vacancy occurs in one of the counties outside of New York City within three months of a general election, the replacement occurs through an election; otherwise, the vacancy is filled by governor's appointment.<sup>1</sup>

The number of judges in each county varies. There are 39 in New York City, but some of the small counties only have a judge who is part-time with family court. For example, in some small counties (Chautauqua, Jefferson, and Oneida) the judge of the county court is also the family court judge. Such designations are made and may be revoked by the Appellate Division of the Supreme Court. Family court judges may also be temporarily assigned to counties other than the one to which they were elected, either because of need or just to increase communication among the courts.<sup>2</sup>

#### Services and Counsels:

The Act also required that each family court provide probation and other auxiliary services which may be deemed necessary (e.g., medical examinations), as well as stipulated that all minors be represented by counsel either of their own choice or court appointed. Counsels appointed by the court are referred to as law guardians, and they are designated in

<sup>1</sup>McKinney's Consolidated Laws of New York, Cumulative Annual Pocket Part, For Use in 1974-75, Sections 121 and 131; also, McKinney, Family Court, 1963, Section 133.

<sup>2</sup>Ibid, 1974-75, Sections 137 and 146.

one of three ways: 1.) The office of court administration may enter into an agreement with a legal aid society for the society to provide law guardians for the family court; 2.) the appropriate appellate division of the Supreme Court may enter into an agreement with any qualified attorney(s) to served as law guardian(s); and 3.) the appropriate appellate division may designate a panel of law guardians for the family court in that county, subject to the approval of the administrative board of the judicial conference and recommendations may be solicited from the local bar association.<sup>1</sup>

#### Jurisdiction:

The jurisdiction of the Family Court is very broad including juveniles as both victims and offenders, and is currently stated as:

- "(a) The family court has exclusive, original jurisdiction<sup>2</sup> over (1) abuse and neglect proceedings. . . (2) support proceedings. . . (3) proceedings to determine paternity and for the support of children born out-of-wedlock. . . (4) proceedings permanently to terminate custody of a child by reason of permanent neglect. . . (5) proceedings concerning juvenile delinquency and whether a persons is in need of supervision . . .
- (b) The family court has such other jurisdiction as is set forth in this act, including jurisdiction over habeas corpus proceedings and over applications for support and custody in matrimonial actions when referred to the family court by the supreme court, conciliation proceedings, and proceedings concerning physically handicapped and mentally defective or retarded children. . .

<sup>1</sup>Ibid, Sections 243, 251, and 252.

<sup>2</sup>When used in this act "exclusive original jurisdiction" means that the proceedings over which the family court is given such jurisdiction must be originated in the family court in the manner prescribed by this act. Ibid. Section 114. Opposed to this is concurrent jurisdiction which means that proceedings may originate in more than one type of court.

- (c) The family court has jurisdiction over the civil certification of an alleged drug dependent person if such person is properly before the court pursuant to the provisions of this action. . .
- (d) The family court has such other jurisdiction as is provided by law."<sup>1</sup>

Juvenile Delinquents and Persons in Need of Supervision:

While the family court has wide jurisdiction, keep in mind that this report is concerned only with the condition a-(5) as stated above, i.e., juvenile delinquents (JDs) and persons in need of supervision (PINS). These two terms are defined legally as:

"'Juvenile Delinquent' means a person over seven and less than sixteen years of age who does any act which, if done by an adult, would constitute a crime.

'Person in need of supervision' means a male less than sixteen years of age and a female less than sixteen<sup>2</sup> years of age who does not attend school in accord with the provisions of part one of article sixty-five of the education law or who is incorrigible, ungovernable or habitually disobedient and beyond the lawful control of parent or other lawful authority."<sup>3</sup>

<sup>1</sup>Ibid, Section 115.

<sup>2</sup>The Family Court Act (Ibid, Section 712) still defines the upper age limit for a female PINS as eighteen. This difference in upper age limits for males and females was contested on the grounds that it discriminated against females (see Matter of Patricia A., 31 N.Y., 2nd, p.83, and the Matter of Louise B., 68 Miscellaneous, 2nd, p.95). The former case was ruled on by the Court of Appeals and found to be unconstitutional. This decision became effective June 2, 1972, so the legal upper limit for female PINS is now sixteen.

<sup>3</sup>Ibid.

Youthful Offender:

From the age limits defined for the JD and PINS, it can be seen that New York is one of those states in our country that does not set the upper age limit for juveniles at twenty-one. The state does, however, define a special category called Youthful Offender where "'Youth' means a person charged with a crime alleged to have been committed when he was at least sixteen years old and less than nineteen years old."<sup>1</sup> The legal procedures for handling this age group are found in the Criminal Procedure Law applicable to adults, but such offenses are usually construed to be a quasi-criminal type of action, provided that the youth is not charged with a class A felony and has not previously been convicted of a felony. These court proceedings may at the discretion of the judge and approval of the offender be held in private. In cases where a jury is used, the panel is instructed that all proceedings are confidential, and the case records remain confidential in the same manner as regular juvenile delinquents. In such instances when a youth of this age does not meet the requirements of a youthful offender, the records remain unsealed and that individual is treated as an adult criminal.

While the Youthful Offender is not the main topic of discussion in this paper, it is necessary to refer to this status on occasion, so the definition is convenient at this time. Brief explanations of some of the New York State rules and laws affecting the processing of JD and PINS petitions will be presented at appropriate places in the next chapters.

<sup>1</sup>McKinney's Consolidated Laws of New York, Criminal Procedure Law, St. Paul, Minnesota: West Publishing Co., 1971, Section 720.

## Monroe County Family Court

The discussion of the overall structure of the local family court and its function only in relation to JD and PINS petitions is left for Chapter 3. Such a discussion is a description and not an evaluation. For an evaluation of the local system, two agencies have recently finished reports<sup>1</sup> which are available to interested persons.

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<sup>1</sup>Task Force on Courts. Report to the Community on Family Court 1974. Rochester, New York: Church Women United, 1974. Monroe County Bar Association, Report of Task Force on Monroe County Family Court, Rochester, New York: Daily Record Corporation, March 11, 1975.

## CHAPTER 2

### Precourt Stage

#### Description of Monroe County

Before trying to track a juvenile<sup>1</sup> through the local justice system, it will perhaps be helpful to look at some of the geographic and population characteristics of the City of Rochester, the 19 towns, and 10 villages that comprise the county. While the tables following are largely self-explanatory, a few general comments are in order. First of all, with the great mobility characteristic of the U. S. population in recent decades, these figures on population can provide only the "best estimate" at this time. It is five years now since the last federal census, and as each year passes, the 1970 data become a less reliable measure of the present situation. In terms of data on the juvenile justice system, however, this report has confined itself to figures from the calendar year 1973, so discrepancies which occur between that year and 1970 may not be unmanageable.<sup>2</sup>

Table 1 summarizes the population characteristics for the county by towns and city. The City of Rochester has 41.6% of the total population, but only 34.4% of the total juvenile population. Figure 1 is a graphic representation of how the county's 1970 juvenile population was distributed. When the juvenile population for each town and city is

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<sup>1</sup>The term juvenile population as used in this report is the total population of individuals from 7 years of age through 15 years of age. The total juvenile population is not to be confused with one of its subgroups, i.e., the juvenile delinquency population as defined in Chapter 1.

<sup>2</sup>For more information on the status of juvenile delinquency in 1970, refer to David J. Wirschem and Patti J. Kingston, A Regional Perspective on Juvenile Delinquency. Rochester, New York: Center for Governmental Research Inc., 1972.

TABLE 1

Total Population and Juvenile Population of Monroe County by City, Towns, and Villages Showing the Estimated Changes from 1970 to 1973

City, Town or Village	1970 <sup>1</sup> Census Population	Percent of Total County Population	1970 <sup>2</sup> Juvenile Population (7-15 yrs.)	Percent of Total County Juvenile Population	Juveniles as a Percent of the Total 1970 Population	1973 <sup>3</sup> Estimated Total Population	Percent Change in the Total Population 1970-1973
City of Rochester	296,296 <sup>4</sup>	41.6	43,341	34.4	14.6	291,300	- 1.7
Irondequoit	63,675	(8.9)	11,226	(9.9)	17.6	65,990	+ 3.6
Webster	24,739	(3.5)	5,545	(4.4)	22.4	26,398	+ 6.7
Penfield	23,782	(3.3)	5,258	(4.2)	22.1	26,238	+10.3
Perinton	31,568	(4.5)	6,607	(5.2)	20.9	37,721	+19.5
Pittsford	25,058	(3.5)	5,175	(4.1)	20.7	26,980	+ 7.7
Mendon	4,541	(0.6)	940	(0.7)	20.7	4,935	+ 8.7
Brighton	35,065	(4.9)	5,558	(4.4)	15.9	38,415	+ 9.6
Henrietta	33,017	(4.6)	7,485	(5.9)	22.7	36,017	+ 9.1
Rush	3,287	(0.5)	877	(0.7)	26.7	3,421	+ 4.1
Greece	75,136	(10.6)	14,595	(11.6)	19.4	81,168	+ 8.0
Gates	26,442	(3.7)	4,829	(3.8)	18.3	29,884	+13.0
Chili	19,609	(2.8)	4,347	(3.5)	22.2	22,272	+13.6
Wheatland	4,265	(0.6)	924	(0.7)	21.7	4,492	+ 5.3
Parma	10,748	(1.5)	2,490	(2.0)	23.2	12,265	+14.1
Ogden	11,736	(1.7)	2,743	(2.2)	23.4	13,253	+13.0
Riga	3,746	(0.5)	699	(0.6)	18.7	3,868	+ 3.3
Hamlin	4,167	(0.6)	835	(0.7)	20.0	5,113	+22.7
Clarkson	3,642	(0.5)	731	(0.6)	20.1	3,935	+ 8.1
Sweden	11,461	(1.6)	1,717	(1.4)	15.0	13,548	+18.2
TOTAL Towns (including villages)	415,684	58.4	82,581	65.6	19.9	455,917	+ 9.7
TOTAL Monroe County	711,980	100.0	125,922	100.0	17.7	747,217	+ 5.0
Villages <sup>5</sup>							
Brockport <sup>6</sup>	7,878		902		11.5	8,888	+12.8
East Rochester	8,393		1,409		16.8	8,861	+ 5.6
Fairport	6,474		1,189		18.4	6,591	+ 1.9
TOTAL Villages	22,745		3,500		15.4	24,340	+ 6.6

<sup>1</sup>Source of 1970 census population data. New York State 1970 Census Small Area Planning Profiles (Monroe County by Census Tract), Data and Systems Bureau of the New York State Office of Planning Services, April, 1974.

<sup>2</sup>Data on the juvenile population was obtained from the 1970 Census of Population and Housing, Second Count, File A (on microfilm at the Monroe County Planning Office).

<sup>3</sup>Source of 1973 Estimated Population was the Housing and Population, Towns and Villages of Monroe County, New York, Monroe County Department of Planning, 1973.

<sup>4</sup>There were some discrepancies between census tract population figures in the reference #1 above and those in reference #2 above, as well as between #1 and the 1970 Census of Housing and Population, Rochester, New York, Standard Metropolitan Statistical Area, U. S. Department of Commerce, Bureau of Census, April, 1972. The totals used here were those for the source of these data (i.e., reference #1 above), and as a result, the figures for the City of Rochester, the towns, and the total for the County differ slightly from the usually quoted figures (City = 294,977; Towns = 416,940; County = 711,917).

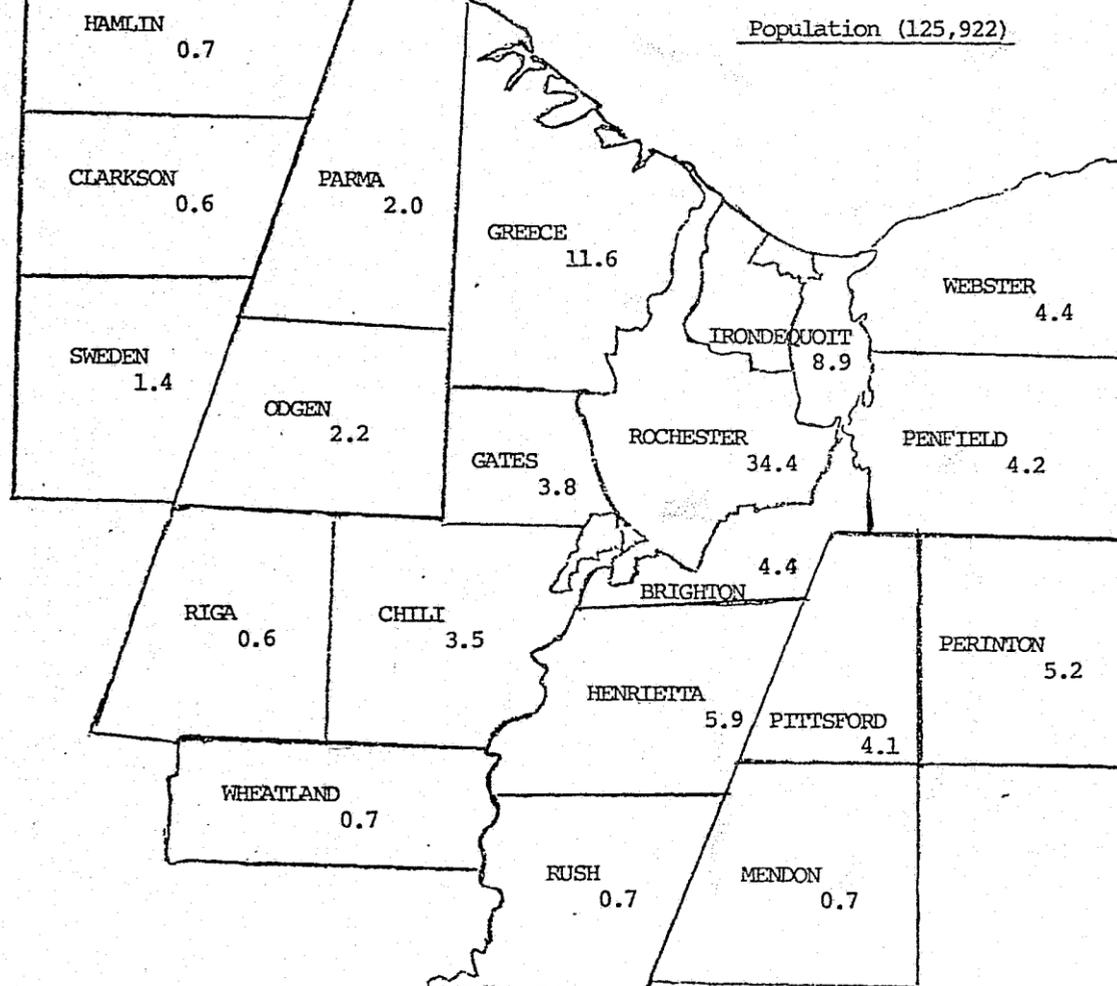
<sup>5</sup>The only villages for which census data are available are those which are themselves defined by one unique census tract. This occurs for five of the ten villages (Fairport, East Rochester, Hilton, Spencerport, and Brockport). Data for total population in the other five (Webster, Pittsford, Honeoye Falls, Scottsville, and Churchville) is available in Housing and Population, Towns and Villages of Monroe County, New York, Monroe County Department of Planning, 1973, Tables IIIA and IIIB. Since only three of the ten villages have their own police departments, they are the only ones presented individually.

<sup>6</sup>These figures include the population at S.U.N.Y. since that college is physically located within the Village of Brockport and is thereby under the jurisdiction of the Brockport Police Department.

FIGURE 1

1970 Juvenile Population (7-15 years) for Each Town

and City as a Percent of the Total County Juvenile



taken as a percent of that town's or city's own total population, then only 14.6% of the population for the City of Rochester consists of this juvenile age grouping, while the percentage of this juvenile population in each town ranges from 15.0% (Sweden) to 26.7% (Rush) with an overall average of 19.9%. It would appear that more families with young children live outside of the City of Rochester. The 1973 Estimated Population and Percent of Change indicate that there is a population shift from the city to the towns over this three year period. Because it was not possible to determine how much of this shift involved juveniles, an attempted estimate of the 1973 juvenile population by towns and city was assumed to be grossly inaccurate so was not included in this table. Information on three of the county's ten villages is shown separately in this table because they have their own police departments and other data for these three villages will be presented later.

Table 2<sup>1</sup> shows the juvenile population for the city and each town broken down by sex.<sup>2</sup> Each area has approximately a 50-50 population of juvenile males and females, with the exception of the town of Rush. Part of this 66.4% to 33.6% male-female ratio is accounted for because the juvenile delinquency population at the State Training School for boys at Industry is located in the Town of Rush and included in the total juvenile population for that town.

<sup>1</sup>The information in this table is shown in detail by age as well as sex in Appendix A, Table A-1.

<sup>2</sup>No data in the next chapters on the juvenile justice system are presented by race. For the county's general population characteristics on race see: Roger A. Cox and Lois K. Horwitz. Demographic Indicators for Rochester and Monroe County, New York, Rochester-Monroe County Criminal Justice Pilot City Program, Graduate School of Management, The University of Rochester, June, 1973.

TABLE 2

1970 Juvenile Population Shown by the Sex of the Juvenile for Each Town and City<sup>1</sup>

Town or City	Males		Sex <sup>5</sup> Females		TOTAL	
	N	%	N	%	N	%
City of Rochester	21,956	50.7	21,385	49.3	43,341	100.0
Irondequoit	5,658	50.4	5,568	49.6	11,226	100.0
Webster	2,807	50.6	2,738	49.4	5,545	100.0
Penfield	2,712	51.6	2,546	48.4	5,258	100.0
Perinton	3,439	52.1	3,168	47.9	6,607	100.0
Pittsford	2,646	51.1	2,529	48.9	5,175	100.0
Mendon	464	49.4	476	50.6	940	100.0
Brighton	2,800	50.4	2,758	49.6	5,558	100.0
Henrietta	3,839	51.3	3,646	48.7	7,485	100.0
Rush <sup>2</sup>	582	66.4	295	33.6	877	100.0
Greece	7,466	51.2	7,129	48.8	14,595	100.0
Gates	2,530	52.4	2,299	47.6	4,829	100.0
Chili	2,248	51.7	2,099	48.3	4,347	100.0
Wheatland	457	49.5	467	50.5	924	100.0
Parma	1,277	51.3	1,213	48.7	2,490	100.0
Ogden	1,414	51.5	1,329	48.5	2,743	100.0
Riga	347	49.6	352	50.4	699	100.0
Hamlin	421	50.4	414	49.6	835	100.0
Clarkson	376	51.4	355	48.6	731	100.0
Sweden	910	53.0	807	47.0	1,717	100.0
TOTAL Towns (Including Villages)	42,393	51.3	40,188	48.7	82,581	100.0
TOTAL County	64,349	51.1	61,573	48.9	125,922	100.0
Villages <sup>3</sup>						
Brockport <sup>4</sup>	472	52.3	430	47.7	902	100.0
East Rochester	729	51.7	680	48.3	1,409	100.0
Fairport	629	52.9	560	47.1	1,189	100.0
TOTAL Villages	1,830	52.3	1,670	47.7	3,500	100.0

<sup>1</sup>Source of Data: 1970 Census of Population and Housing, Second Count, File A, (On microfilm at the Monroe County Planning Office).

<sup>2</sup>The larger male-female ratio in Rush is due in part to the inclusion of the male juvenile delinquency population at Industry — the State Training School which is located in Rush.

<sup>3</sup>The only villages for which census data are available are those which are themselves defined by one unique census tract. This occurs for five of the ten villages (Fairport, East Rochester, Hilton, Spencerport, and Brockport). Data for total population in the other five (Webster, Pittsford, Honeoye Falls, Scottsville, and Churchville) is available in Housing and Population, Towns and Villages of Monroe County, New York, Monroe County Department of Planning, 1973, Tables IIIA and IIIB. Since only three of the ten villages have their own police departments, they are the only ones presented individually.

<sup>4</sup>These figures include the population at S.U.N.Y. since that college is physically located within the Village of Brockport and is thereby under the jurisdiction of the Brockport Police Department.

<sup>5</sup>These data are given by age in Table A-1 in Appendix A.

Table 3 shows some of the geographic characteristics of Monroe County by city and towns. Seven of the towns have a greater land acreage than the City of Rochester, but the gross population density in the city is twice as great as that of its nearest competitor (Irondequoit). Rochester and Irondequoit also have the highest gross density of juvenile population. In fact, they are the only two places which have at least one juvenile per acre - Rochester is close to two per acre. The towns of Gates, Greece, and Brighton have approximately one juvenile for every two acres. The other towns are much more sparsely populated. This, in general, is the population and land acreage that is under the jurisdiction of the police systems within the county.<sup>1</sup>

<sup>1</sup>For information on the city, county, and state road mileage that is patrolled in each town and city, see Appendix A, Table A-2.

TABLE 3  
1970 Land Area and Population Density of Monroe County by City, Towns, and Villages<sup>1</sup>

City, Town, or Village	Total Area in Acres	Land Area in Acres <sup>2</sup>	Water Area in Acres	Non-Residential Land Acreage	Land Acreage in Special Population Concentration	Gross Density <sup>3</sup>	Gross Density of the Juvenile Population <sup>4</sup>
City of Rochester	23,514	23,390	124	3,926	308	12.67	1.85
Irondequoit	9,550	9,612	938	454	29	6.62	1.17
Webster	22,161	21,648	513	1,458	0	1.14	0.26
Penfield	24,298	24,068	230	409	0	0.95	0.22
Perinton	22,708	22,482	226	469	0	1.40	0.29
Pittsford	15,472	15,366	106	993	400	1.63	0.34
Merdon	26,616	26,467	149	1,794	0	0.17	0.04
Brighton	10,019	9,962	57	197	0	3.52	0.56
Henrietta	22,452	22,432	20	87	1,260	1.47	0.33
Rush	20,430	20,416	14	13	907	0.16	0.04
Greece	30,891	29,674	1,217	2,468	41	2.53	0.49
Gates	9,477	9,477	0	24	29	2.79	0.51
Chili	26,386	26,386	0	357	0	0.74	0.16
Wheatland	20,256	20,256	0	11	0	0.21	0.05
Parma	27,734	27,642	92	200	0	0.39	0.09
Cyden	24,239	24,239	0	3	0	0.48	0.11
Riga	23,370	23,370	0	0	0	0.16	0.03
Hamlin	28,860	28,860	0	0	0	0.14	0.03
Clarkson	21,996	21,996	0	0	0	0.17	0.03
Sweden	22,308	22,308	0	0	209	0.51	0.08
TOTAL towns (including Villages)	409,283	406,721	3,562	8,936	2,875	1.03	0.20
TOTAL County	432,797	430,111	3,686	12,862	3,183	1.66	0.29
Villages <sup>5</sup>							
Brockport <sup>6</sup>	1,655	1,655	0	0	209	4.76	0.55
East Rochester	830	830	0	16	0	10.11	1.70
Fairport	1,056	1,032	24	5	0	6.20	1.15
TOTAL Villages	3,541	3,517	24	21	209	6.47	1.00

<sup>1</sup>Source of Data: New York State 1970 Census Small Area Planning Profiles (Monroe County by Census Tract). Data and Systems Bureau of the New York State Office of Planning Services, April, 1974.

<sup>2</sup>Land Area is defined as the Total Area minus the Water Area.

<sup>3</sup>Gross Density is derived by dividing the 1970 census population by the Land Area.

<sup>4</sup>This Gross Density is derived by dividing the 1970 Juvenile Population by the Land Area.

<sup>5</sup>The only villages for which census data are available are those which are themselves defined by one unique census tract. This occurs for five of the ten villages (Fairport, East Rochester, Hilton, Spencerport, and Brockport). Data for total population in the other five (Webster, Pittsford, Honeoye Falls, Scottsville, and Churchville) is available in Housing and Population, Towns and Villages in Monroe County, New York, Monroe County Department of Planning, 1973, Table IIIA and IIIB. Since only three of the ten villages have their own police departments, they are the only ones presented individually.

<sup>6</sup>These figures include the population at S.U.N.Y. since that college is physically located within the Village of Brockport and is thereby under the jurisdiction of the Brockport Police Department.

## Precourt Processing of Juvenile Offenders

### Introduction:

This section of Chapter 2 concerns itself with the precourt stage of the local juvenile justice system. Referrals may originate from several sources, for example, a peace officer<sup>1</sup>, parents or other persons legally responsible for the juvenile, any person who has suffered injury as a result of the behavior of the juvenile, or a recognized agent of a duly authorized agency, association, society, or institution.<sup>2</sup> Such referrals or complaints lead to the filing of a specific legal document that requests a court proceeding to determine if the juvenile is a juvenile delinquent (JD) or a person in need of supervision (PINS). The document filed at this precourt stage is called a petition. Since there is much diversion of juveniles at different stages in the system, and not all of the petitions filed at the precourt stage reach the court, a distinction will be made between a petition that does reach a court hearing and one that does not. Any petition processed at the precourt stage and which goes through family court intake will be called an unofficial petition. Once the petition is sent to the court clerk for docketing and the calendaring of a hearing, it will be called an official petition.

Although unofficial petitions are filed for both JD and PINS, the main emphasis of this chapter and the bulk of the data are, for two reasons,

<sup>1</sup>A peace officer may be a police officer, certain types of court attendants, marshalls, prisoner guards, parole, warrant, or probation officers, constable, certain park rangers, railroad police, uniformed housing guards . . . McKinney's Consolidated Laws of New York, Criminal Procedure Law, 1971, Section 1.20/33; or school attendance supervisors, attendance teachers, or attendance officers . . . McKinney's Consolidated Laws of New York, Education Law, 1970, Section 3213.

<sup>2</sup>McKinney, Family Court, 1963, Sections 731 and 733.

on the police referrals of JDs. First of all, these are the more serious offenses, i.e., they would be classified as crimes if committed by adults; and secondly, there are presently movements within the juvenile justice system to remove all PINS petitions entirely from the family court system. Part of the reasoning behind this movement is the philosophy that it is wrong to stigmatize a juvenile with the proceedings of a court hearing for behavioral acts that would NOT be criminal in nature if committed by an adult. Some local programs, currently in the proposal stage, are aimed toward the goal of eliminating or diverting all PINS cases and will be discussed in the following chapters in the sections on diversion.

### Sources of Referral:

PINS Referrals - Juveniles may be referred by one of the above mentioned sources for reasons of habitual truancy<sup>1</sup> or ungovernability (behavior which is beyond the control of the adults legally responsible for the juvenile). Such conduct must be habitual and not an isolated incident.<sup>2</sup>

<sup>1</sup>The Law - The New York State Education Law requires that all juveniles between the ages of six and sixteen attend full-time instruction<sup>3</sup> provided they are mentally and physically capable of doing so.<sup>4</sup> In order to insure

<sup>1</sup>Family Court Law uses the term truancy while Education Law more frequently uses School Delinquent. In order to avoid confusion with the term juvenile delinquency, truancy will be used for the PINS offense of illegal absence from school.

<sup>2</sup>McKinney, Family Court, 1974-75, Section 732.

<sup>3</sup>McKinney, Education Law, 1970, Section 3205.

<sup>4</sup>Ibid, Section 3208.

every child his right to educational opportunities with which to develop his potentialities to the fullest, the State Education Law also states that school districts have an attendance supervisor and a certain number of attendance teachers and officers. These are civil service positions which require certain specified training (e.g., certified teacher or social worker) and licensing. Such attendance personnel are empowered as peace officers and may arrest without warrants juveniles who are illegally not attending school. They must place the minor in attendance, notify the parents of the child's behavior, and then may even begin proceedings for the juvenile's alleged truancy and/or bring the juvenile before the family court. The attendance personnel both in the district where the juvenile lives and the district where he/she attends school have concurrent jurisdiction over the truancy problem.<sup>1</sup>

One aspect of a juvenile's ungovernable behavior manifests itself in running away from home. Any peace officer may return a juvenile under sixteen to his/her parents or guardians or take him/her to any authorized facility if there is reason to believe that this juvenile has in fact run away without just cause.<sup>2</sup> There is currently no legal way that a peace officer may pick up a youth sixteen or over, even if the parents make such a request.

2. Local School Districts - Table 4 lists the number of public, private, and parochial schools in each town and city in the county. These 283

<sup>1</sup>Ibid, Section 3213.

<sup>2</sup>McKinney, Family Court, 1974-75, Section 713.

TABLE 4  
Public, Private, and Parochial Schools in Monroe County  
1974-75 by Towns and Villages<sup>1</sup>

City, Town or Village	Public	Parochial <sup>2</sup>	Private <sup>3</sup>	Total Schools Through 12th Grade
City of Rochester	63	28	6 <sup>4</sup>	97
Irondequoit	23	9	1	33
Webster	---	---	---	---
Webster Village	1	1	0	2
Webster (Less Village)	8	1	0	9
Penfield	9	1	1	11
Perinton	---	---	---	---
Fairport Village	3	1	0	4
*Part E. Roch. Village	2	0	0	2
Perinton (Less Villages)	7	0	0	7
* (Total E. Roch. Village)	(3)	(1)	(0)	(4)
Pittsford	---	---	---	---
*Part E. Roch. Village	1	1	0	2
Pittsford Village	1	1	0	2
Pittsford (Less Villages)	7	0	1	8
Meriden	---	---	---	---
Honeoye Falls Village	35	0	0	35
Meriden (Less Village)	0	0	0	0
Brighton	9	6	2	17
Henrietta	10	2	1	13
Rush	1	0	0	1
Greene	20	7	1	28
Gates	7	3	1	11
Chili	3	1	0	4
Whitland	---	---	---	---
Scottsville Village	2	0	0	2
Wheatland (Less Vill.)	0	0	0	0
Parma	---	---	---	---
Hilton Village	5	0	1	6
Parma (Less Village)	0	0	0	0
Ogden	---	---	---	---
Spencerport Village	3	1	0	4
Ogden (Less Village)	5	0	0	5
Riga	---	---	---	---
Churchville Village	1	0	0	1
Riga (Less Village)	3	0	0	3
Hamlin	0	0	1	1
Clarkson	0	0	0	0
Sweden	---	---	---	---
Brockport Village	2 <sup>6</sup>	1	0	3
Sweden (Less Village)	4	0	0	4
<u>TOTAL Towns</u>	140	36	10	186
<u>TOTAL County<sup>7</sup></u>	203	64	16	283

<sup>1</sup>Sources: City of Rochester Public Schools = City School District; Parochial Schools = Diocese of Rochester, Superintendent of Schools; Eastern Monroe County Public Schools = Board of Cooperative Educational Services (BOCES #1); Western Monroe County Public Schools = BOCES #2; Private Schools = Rochester City School District and Rochester Telephone Book.

<sup>2</sup>Parochial schools here are Catholic only; schools sponsored by other church denominations are included in Private Schools.

<sup>3</sup>All of the local private schools may not be included in the list because there seems to be no one complete directory available.

<sup>4</sup>The Rochester School for the Deaf was the only specialized school included in this table.

<sup>5</sup>There is another public elementary school in the Honeoye Falls district, but it is physically located in the Town of Lima so was excluded from this table.

<sup>6</sup>Included in the two public schools in Brockport is the Demonstration Elementary School located on the S.U.N.Y. campus which is funded by the State.

<sup>7</sup>The County of Monroe has one City School District, 10 complete districts in BOCES #1, and 7 complete districts in BOCES #2 for a total of 18 complete districts within the County. There are, however, school districts from other counties (e.g., Kendall School District in Orleans County in BOCES #2) which extend into parts of Monroe County. Since no schools from any of these districts were physically located in Monroe County, they were excluded from this table.

<sup>8</sup>These data are presented by school name and census tract in Table A-3 in Appendix A.

schools are grouped into approximately 20 school districts.<sup>1</sup> Manpower and time limitations made it impossible to visit each of the school districts in the county and gather data on their truancy problems. Some information was obtained from the city school district to help illustrate the procedures used with truants.

The school district for the City of Rochester has an attendance staff of 18 who handle its truancy problems. This staff consists of one director, an assistant (who handles about 95% of all of the family court "in-court" work), and 16 attendance teachers who are located at various city schools. It is the practice of this office to handle work from public, private, and parochial schools whose children are legal residents of the City of Rochester, regardless of what school district they are in.

The full-time attendance staff does full-time attendance work. The duties, in a nutshell, are threefold: 1.) keep attendance records and spot the juveniles with problems, 2.) contact the juvenile and try to create an attitude of trust so that counseling may be effective, and 3.) refer the juvenile to an "in school" resource (e.g., guidance counselor) or some outside agency (mental health, drug program, etc.). There are 182 days in the school year, but the number of days of unexcused absence which defines a "problem" varies with the situation. If a juvenile moves to Rochester and starts school in February, for example,

<sup>1</sup>The County of Monroe has one City School district, 10 complete districts in the Board of Cooperative Educational Services (BOCES) District #1 and 7 complete districts in BOCES District #2 for a total of 18 complete districts within the county. There are, however, school districts from other counties which overlap small areas of Monroe County. Since no schools from any of these partial districts are physically located in Monroe County, those partial districts are considered here not to be Monroe County districts.

then twenty or so days of truancy could constitute a problem. If a juvenile is on probation or parole, the signal could be just six or seven days. If the juvenile comes from a family where other brothers and sisters have had severe truancy problems, the attendance teachers will step in quickly on the new offender.

Once the problem is spotted, the attendance teacher contacts the youth for counseling and possibly referral. If the truancy problem continues, the attendance teacher may convene an "in-school" conference with the juvenile, and include the parents and any other officials (guidance counselors, teachers, etc.) that are deemed necessary. Again, referral services may be offered to the juvenile and/or the parents. If the problem persists, an informal conference at the central office (13 South Fitzhugh Street) may be called. Once again, counseling and referral of the juvenile and/or the family occurs. Most of the agencies used are the same ones used by family court. When none of the efforts of the attendance staff meet with success, then an unofficial PINS petition to family court is filed alleging truancy.

Frequently, on their regular truancy cases, the attendance staff tries to get parents to file an unofficial PINS petition alleging ungovernability. This is done in an effort to get the parents more concerned and involved in the situation. Many other parents come to the office on their own to seek help with their children, and still other parents are referred by family court because there are insufficient grounds for court action. The attendance staff tries to help these parents also, either through referral services, or by instructing them on how to file an unofficial PINS petition alleging ungovernability that will be legally sufficient for court action.

Table 5 presents some data for the Rochester City School District for the school year 1973-74. While the time period is not consistent with that used in other sections of this paper (the calendar year 1973), the data do point out the sharp increase in unofficial PINS petitions when the juveniles reach teen-age and enter junior high school. Information on the total number of unofficial PINS petitions for the whole county that reached family court intake and the part of those that went on to become official petitions in 1973 will be discussed in Chapter 3 on the Court Stage.

JD Referrals<sup>1</sup> - JD referrals may come from one of the sources already mentioned (e.g., peace officers, parents, victims) for committing an act, which if committed by an adult, would constitute a crime.

1. Police Departments - A General Description<sup>2</sup> - The population of the County of Monroe is served by approximately 1,051 full- and part-time sworn officers of the police departments in the

<sup>1</sup>Data collection for this section was very difficult. When the project was begun, it was believed that much data for the county police departments could be collected from the Juvenile Central Registry operating out of the Rochester Police Department's Persons' Unit. When it was discovered that this centralized reporting system was no longer in full operation, a search was made for other central sources. A new county-wide reporting system went into service effective January 1, 1975, but nothing existed for 1973. It is hoped that one or both of these files may be available in the future to juvenile justice researchers. A more complete description of these two systems may be found in Appendix A.

<sup>2</sup>The information for this section of this chapter was obtained by visiting all of the local police departments (except Wheatland where the author was unable to make an appointment with the chief), the Sheriff's Department, and the Henrietta substation of the State Police. Although the Fairport Police Department was visited, the new chief had only been in command about six weeks. His offices had been moved and were being renovated, so he had only begun to implement his reorganization plans. As a result, no formalized procedures for handling and referring juveniles had been established yet.

TABLE 5

Unofficial PINS Petitions Alleging Truancy Filed With Family Court by the Rochester City School District for the School Year 1973-74 by Age of the Juvenile and by School Grade<sup>1</sup>

Age	Unofficial Petitions		Grade	Unofficial Petitions	
	N	%		N	%
7	1	0.9	Primary	2	1.7
8	1	0.9	Non-Graded	10	8.5
9	0	0.0	4th	1	0.9
10	4	3.4	5th	5	4.3
11	3	2.6	6th	7	6.0
12	8	6.8	7th	30	25.6
13	21	17.9	8th	27	23.1
14	38	32.5	9th	21	17.9
15	<u>41</u>	<u>35.0</u>	10th	5	4.3
			Special Education	8	6.8
			Non Entrance <sup>2</sup>	<u>1</u>	<u>0.9</u>
<u>TOTAL</u>	117	100.0		117	100.0

<sup>1</sup>Source: Rochester City School District.

<sup>2</sup>Non Entrance means that for some reason the juvenile was never registered in any school in the district, although by law he/she is required to be in full-time attendance.

county.<sup>1</sup>

Although Troop E of the New York State Police has jurisdiction over a 10 county area, the 46 troopers at the two substations in Monroe County (Henrietta with 26 troopers and Clarkson with 20) serve only Monroe County unless specifically called upon to do special duty outside of the county. This makes a total of 1,097 police officers available to Monroe County. The population served per patrolman ranges on the average from 3,000 to over 10,000.<sup>2</sup>

Table 6 shows the number of full- and part-time officers in each police department. Six of the thirteen departments have some officers who handle all of their own juvenile problems. The 1970 total county juvenile population is shown to provide a rough estimate of how many juveniles are under the jurisdiction of each department, although only a small percent of these juveniles have problems that cause them to be classified as either JDs or PINS. The police departments which have specific local jurisdictions are responsible for about 73.3% of the county's total juvenile population, while only 26.7% comes under the combined jurisdiction of the two county-wide agencies.<sup>3</sup> These two county-wide departments provide specialized detectives for investigatory work to any town or village that needs such services. The only specialized investigative position in the town police departments is the juvenile officer.<sup>4</sup>

<sup>1</sup>For a complete description of the police departments serving locally, see Scott Hill, Police in Monroe County New York, Rochester-Monroe County Criminal Justice Pilot City Program, Graduate School of Management, University of Rochester, May, 1974.

<sup>2</sup>Ibid, p. 13.

<sup>3</sup>For a graphic presentation of each departments jurisdiction refer to Figures A-1, A-2, and A-3 in Appendix A.

<sup>4</sup>Hill, 1974, p. 25.

TABLE 6

1973 Total Department Staff and Juvenile Officers for Each Police Department in the County

Police Departments	Full- and Part-time Officers <sup>3</sup>	Juvenile Officers	Juvenile Population 1970 <sup>2</sup>	Percentage of Juvenile Population
Local Jurisdiction: City: Rochester	611	13 <sup>4</sup>	43,341	( 34.4)
Towns:				
Irondequoit	49	25	11,226	( 8.9)
Webster	19	1	5,545	( 4.4)
Brighton	38	1	5,558	( 4.4)
Greene	55	3	14,599	(11.6)
Gates	16	1	4,829	( 3.8)
Wheatland	4	0	924	( 0.7)
Ogden	7	0	2,743	( 2.2)
Villages:				
Brookport	13	0	902	( 0.7)
East Rochester	13	0	1,409	( 1.2)
Fairport	11	0	1,189	( 1.0)
Total Local Jurisdiction	836 <sup>5</sup>	21	92,261	73.3
County-wide Jurisdiction Monroe County Sheriff State Police - Troop E <sup>7</sup>	215 46	0 0	33,661 <sup>8</sup>	26.7
Total County (Total County Less State Police)	1,097 (1,051)	21	125,922	100.0

<sup>1</sup>Scott Hill, Police in Monroe County, New York, Rochester-Monroe County Criminal Justice Pilot City Program, Graduate School of Management, The University of Rochester, May, 1974, pp. 2-6;

<sup>2</sup>Census information was compiled from Table 1 in Chapter 2.

<sup>3</sup>These totals include the juvenile officers.

<sup>4</sup>Keep in mind that the staff of 13 in the Person's Unit handles more than just juveniles.

<sup>5</sup>All Staff data were for 1973 except for Irondequoit. One new position was created in March, 1975 for a second juvenile officer. It was felt this change was of sufficient importance to this report to make the change.

<sup>6</sup>This total included 21 part-time officers in the towns and villages; the city and county departments have no part-time officers.

<sup>7</sup>The 46 State Troopers at the two substations of Troop E serve only Monroe County unless called upon to do special duty outside of the County.

<sup>8</sup>The census information for the two county-wide police departments is the same since their jurisdictions are identical. The data for the towns and villages which have their own police departments has been subtracted from the total county to provide these figures, although technically they both have jurisdiction over the whole county.

## 2. Police Services to Juveniles -

### a. Specialized Officers.

Table 6 shows that neither of the two county-wide police departments have specialized juvenile officers. The philosophy in the Sheriff's Department is that all of the officers should know how to handle juveniles as well as adults. Moreover, they should get to know the people in their own patrol area. The Sheriff's Criminal Investigation Department (CID) investigate all juvenile felonies. The troopers and investigators of the State Police handle both juvenile and adult matters. The two town (Ogden and Wheatland) and three village (Brockport, East Rochester, and Fairport) police departments that have no specialized officers follow this same procedure. For any serious felony investigation, they may call on the Sheriff's CID.<sup>1</sup>

The juvenile offenders in the City of Rochester are handled through the Persons' Unit, which has a staff of 13 and handles not only crimes by and against juvenile, but also missing persons, sex crimes, obscene phone calls, morals charges, etc. The Persons' Unit was formed in the mid 1960's but there had been a Youth Squad to handle juveniles prior to that time. The specialized units in the other five departments developed from about 1968 (Webster) through 1973, although Greece has had some juvenile officers for about ten years.

The other five towns with police departments each have at least one juvenile officer; Greece has three full-time juvenile officers and has requested a fourth position. Discussion of their program, which is quite new and unique, will be left for the last section in this chapter on Pre-court Diversion.

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<sup>1</sup>Ibid, p. 25.

In 1970, Irondequoit had a juvenile population almost one-fourth the size of that in the City of Rochester (see Table 6). The police department requested their town board to create a new position for a second juvenile officer. This was done, and a second policeman joined their Youth Division March 24, 1975. The juvenile officer in Brighton has also requested additional help. In Gates, the full-time juvenile officer's position was changed a year ago to a part-time position. This situation is again under review, as they realize they need a full-time officer in that job. They are also considering moving the juvenile office to a location away from the police department. Webster's juvenile officer has similar workload problems. Some of these departments augment their staff by utilizing civilian volunteers, and student interns in criminal justice from the Rochester Institute of Technology, Monroe Community College, and the Community Services Program at the University of Rochester.

Until the second juvenile officer was added in Irondequoit, these four towns (excluding Greece) had one juvenile officer each who was on call 24 hours per day, 7 days per week. The juvenile officers in those four departments handle all cases in which the juvenile is the offender or victim (e.g., neglect, abuse, JD, etc.). In addition, they do all of their own investigating, recordkeeping, and report writing.

All the departments that have specialized juvenile officers receive calls for information from parents who are having problems with their children which may not have reached the delinquency stage. Even the smaller departments have such requests occasionally and all departments try to refer the parents to agencies for help, and/or inform them how to file PINS petitions for ungovernability with family court.

b. Procedures for Handling Juvenile Offenders.

1.) The Law - Any peace officer or private person may take a person under the age of sixteen into custody without a warrant (under the same restrictions that adults are taken in according to Criminal Procedure Law, Section 140), but the peace officer must notify the juvenile's parents immediately and then either release the juvenile into their custody, or take the juvenile to the police station, family court, or an authorized juvenile reception center.<sup>1</sup> A private person must turn the apprehended individual over to his/her parents, family court, or a peace officer.

2.) Monroe County - Figure 2 is a flow diagram of the local juvenile justice process. It presents graphically what is discussed in these next few pages.

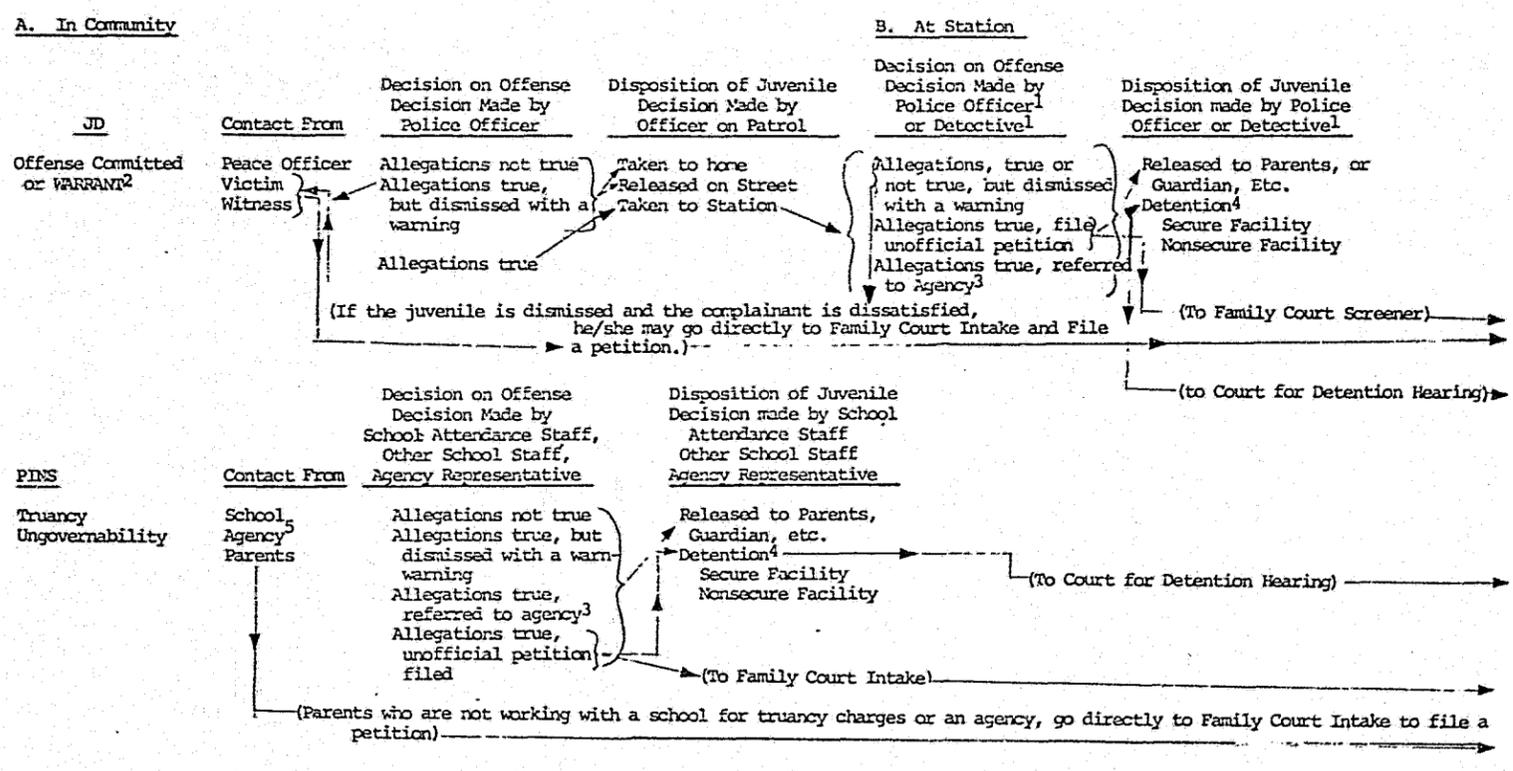
The initial contact procedures for handling juvenile offenders is fairly uniform across all of the agencies. When a contact is made either from a telephone complaint or road patrol encounter, the officer on patrol can make the decision at that point to settle the matter if the offense is minor (e.g., throwing snowballs at a bus, etc.). The juvenile may be either taken home or released on the street with a warning.

If the situation requires contact with the parents and they cannot be reached, or if the juvenile must be officially taken into custody, he/she is taken to the station. With the exception of Brockport, Fairport,

McKinney, Family Court, 1974-75, Sections 721-724.

FIGURE 2

FLOW DIAGRAM OF THE PRECOURT STAGE OF PROCESSING JUVENILE OFFENDERS



<sup>1</sup>The smaller police departments do not have detectives or specialized juvenile officers to handle the JD cases, so the regular officers manage the "in station" proceedings.  
<sup>2</sup>A warrant can be for a PINS as well as a JD.  
<sup>3</sup>When agency referrals are made, the juvenile is usually sent home. The Sheriff's Department is the only department in which an officer on patrol may make a referral; this referral is to Youth Services. Referral at other departments are made at the "station" level.  
<sup>4</sup>Juveniles under 10 years of age cannot be held in a secure facility.  
<sup>5</sup>If the youth is for example, under the supervision of the Department of Social Services, this agency might file a petition for ungovernability.

and Wheatland all of the departments have family court approved facilities<sup>1</sup> in which to temporarily detain juveniles for questioning. Parents are contacted and questioning begins when they arrive. In the larger departments, questioning at this point is primarily the job of the detectives or juvenile officers.

Most departments stated that the majority of the parents are cooperative. A few take their time about coming to the station, which means the juvenile has to sit for several hours sometimes. Then there is a minority of parents who refuse to come; when this occurs, the juvenile can be placed temporarily in detention at the Children's Center until the Department of Social Services finds other accommodations (placements in detention are discussed in the next section).

All of the departments (except State Police<sup>2</sup>) adjust cases at the station and dismiss certain charges. Once the decision has been made to either dismiss the case or file a JD petition and the necessary report forms are completed, the majority of the juveniles, especially in the towns and villages, are sent home with the adults who are responsible for them.

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<sup>1</sup>Brockport does not have an approved facility, but uses the one at the Clarkson State Police Substation when necessary. Wheatland and Fairport's situations are both unknown at this time for reasons already explained. East Rochester has an approved room in its temporary location, and it is assumed that when they move into their permanent quarters, they will also have one there.

<sup>2</sup>If a State Trooper does not settle a case at the field location and the juvenile is brought into the substation, then a full report is filed and a petition to family court is initiated.

One other service is offered at the police level in the Sheriff's Department, Rochester, and the five town departments that have juvenile officers. In an effort to avoid sending the juveniles through family court, officers try to refer the juvenile and/or family to various agencies for assistance. These same departments (except Webster) also use the Youth Services System, a referral agency sponsored by the Rochester-Monroe County Youth Board. (This program is discussed in more detail at the end of this chapter under Precourt Diversion.) Most juvenile officers felt that parents are more receptive to non-court alternatives, although in practice the alternatives do not always work out.

Since the Sheriff's CID and the Rochester Persons' Unit are the only departments that have women regularly available to work with female juveniles, some smaller departments have called on the staff of the recently formed Rape Crisis Center in Rochester and found them very cooperative and helpful in working with the female juvenile rape victims.

#### c. Detention.

1.) The Law - Although it is legal for the police in most instances to release the juvenile to his/her parents after the offense is committed and before the unofficial petition is filed, there are certain circumstances when it becomes necessary to hold the juvenile temporarily in a secure detention<sup>1</sup> facility<sup>2</sup> pending a court

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<sup>1</sup>Detention means the temporary care and maintenance away from their own homes of children held for or at the direction of the family court pending adjudication. McKinney, Family Court, 1974-75, Section 720.

<sup>2</sup>A secure detention facility means one characterized by physically restricting construction, hardware and procedures, and a non-secure facility means one with the absence of these restricting features. Ibid.

hearing. The parents or legal guardian must be informed that the juvenile is being held. Prior to the filing of the official petition, no juvenile may be detained<sup>1</sup> for more than seventy-two hours or until the next day the court is in session, whichever is sooner, without a special type of arraignment hearing called a detention hearing.<sup>2</sup> This is conducted to determine who has jurisdiction over the youth (e.g., if it is determined that the youth is over sixteen, then the case might be turned over to the criminal court), and if there is sufficient cause for holding the youth.<sup>3</sup> The court may not order detention unless: 1.) "There is a substantial probability that he will not appear in court on the return date; or 2.) There is a serious risk that he may, before the return date, do an act which if committed by an adult would constitute a crime."<sup>4</sup> After this initial arraignment hearing, a juvenile cannot be detained for more than three days before the commencement of adjudication.<sup>5</sup>

2.) The Monroe County Children's Center - In accordance with New York State law, the Children's Center is approved by the New York State Division For Youth (NYSDFY) and operated by the Monroe County Department of Social Services (MCDSS) in conformity with the rules of the New York State Board of Social Welfare (NYSBSW) and NYSDFY. This facility

<sup>1</sup>No juvenile under ten can be detained in a secure facility. Effective September 1, 1973. Ibid.

<sup>2</sup>Ibid, Section 729

<sup>3</sup>McKinney, Family Court, 1963, Section 728.

<sup>4</sup>Ibid, Section 739.

<sup>5</sup>McKinney, Family Court, 1974-75, Section 747.

has a total bed capacity of 60 (30 males and 30 females). The staff of approximately 50 (which includes the administration, clerical, and casework staff) maintains the Children's Center on a 24 hour, 7 day a week basis. This is the only secure detention facility for juveniles in the area, and so the surrounding counties contract with MCDSS for its use.

As a result of this contracting, the data for 1973 presented on the next pages include more than just those juveniles involved with the Monroe County Juvenile Justice System. While it is not all directly applicable to the local system, the data do describe the overall picture of the Children's Center in 1973 when Monroe County's utilization included 82.2% of the total admissions (see Table 7). These total admissions are not the same as total unique juveniles. If the same juvenile returned more than once within a given year, each return was counted as a new admission.

TABLE 7  
Residence<sup>1</sup> of Juveniles Admitted to the Children's Center for 1973<sup>2</sup>

<u>Residence</u>	<u>Admissions in 1973</u>	
	<u>N</u>	<u>%</u>
City of Rochester	482	68.3
Monroe County Outside of Rochester	98	13.9
Other New York State Counties	94	13.3
Outside of New York State	32	4.5
<b>Total</b>	<b>706</b>	<b>100.0</b>

<sup>1</sup>The complete listing of all of the counties which used the Center is shown in Table A-4 in Appendix A.

<sup>2</sup>Monroe County Children's Center - The Year 1973. Report by the Monroe County Department of Social Services, April 12, 1974.

Table 8 shows the breakdown of this population by age and sex. The three males nine years of age were admitted prior to the change of the law that became effective September 1, 1973 and which states that no juvenile under ten years of age will be placed in secure detention. The male-female ratio in 1973 was approximately 60-40. Most of the juveniles (40.9%) were 15 years old. Those that

TABLE 8

Number of Juveniles Admitted to the Children's Center in 1973 by Age and Sex<sup>1</sup>

<u>Age</u>	<u>Males</u>		<u>Females</u>		<u>Total</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
8 and under	---		---		---	
9	3		---		3	0.4
10	7		---		7	1.0
11	14		---		14	2.0
12	25		12		37	5.2
13	52		41		93	13.2
14	122		87		209	29.6
15	185		104		289	40.9
16 and over	<u>22</u>		<u>32</u>		<u>54</u>	<u>7.7</u>
TOTALS	430	60.9	276	39.1	706	100.0

<sup>1</sup>Monroe County Children's Center - The Year 1973. Report by the Monroe County Department of Social Services, April 12, 1974.

were 16 and over are probably accounted for by youths who have violated the disposition of an official petition that was made while they were still under 16. More support for this view will be supplied in the next chapter on the Court Stage.

Of those 706 juveniles detained in 1973, 57.5% were on PINS petitions as opposed to 42.5% on JD petitions (see Table 9).

TABLE 9

Number of Juveniles Admitted to the Children's Center in 1973 by Type of Offense<sup>1</sup>

	<u>JD</u>		<u>PINS</u>		<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
	300	42.5	406	57.5	706	100.0

The offenses for which these juveniles were held are shown in Table 10. Almost half of those held (46.5%) were runaways. The offense with the second highest frequency was burglary, accounting for only 12.2% of the admissions. Another 6.5% of the admissions were for violation of probation; many of these were probably in the 16 and over age bracket as mentioned above.

<sup>1</sup>Monroe County Children's Center - The Year 1973. Report by the Monroe County Department of Social Services, April 12, 1974.

TABLE 10

Reasons for Detaining Juveniles Admitted to the

Children's Center in 1973<sup>1</sup>

	N	%
Arson	4	0.6
Assault	24	3.4
Bicycle Theft	2	0.3
Burglary	86	12.2
Car Theft	27	3.8
Criminal Trespass	7	1.0
Glue Sniffing and Drugs	5	0.7
Larceny	24	3.4
Malicious Mischief	3	0.4
Medical Exam	8	1.1
Miscellaneous <sup>2</sup>	21	3.0
Murder	3	0.4
Obstructing Government Administration	6	0.8
Pending Transfer	2	0.3
Possession of Stolen Property	2	0.3
Probation Violation	46	6.5
Robbery	24	3.4
Runaway	328	46.5
Monroe County	181	(25.6%)
Out of County	55	( 7.8%)
Out of State	21	( 3.0%)
Institutions	71	(10.1%)
Sex Offense	2	0.3
Shoplifting	8	1.1
Truancy	17	2.4
Unauthorized Use of Motor Vehicle	24	3.4
Ungovernable	33	4.7
TOTAL ADMISSIONS	706	100.0

<sup>1</sup>Monroe County Children's Center - The Year 1973. Report by the Monroe County Department of Social Services, April 12, 1974.

<sup>2</sup>Miscellaneous includes the following: Forgery, Possession of switchblade, Possession of deadly weapon or instrument, Resisting arrest, Fighting with police, Violation of parole, Violation of placement condition, Destroying furniture, Falsely reporting fire, Disorderly conduct, Forged checks, Sodomy, Escape from Center, Witness at court, Intoxicated, and Harassment.

In addition to juveniles being held prior to the filing of a petition, some are held throughout all of the court hearings. This can be a substantial amount of time if there are very many adjournments. The legal aspects of this longer detention will be discussed in the next chapter. Table 11 provides some information on the length of detention for the juveniles in 1973.

The number of days represents the number of consecutive days that each new admission was held. There is no way to determine from these data the total amount of time any one juvenile was in detention if he/she was brought in more than once during the year. It can be seen that 57.3% were released in ten days, and 93.9% were not held more than one month. Only one person was held more than three months.

Juvenile Offenses:

Most of the police departments did not have juvenile data readily available; some of the smaller departments do not separate juveniles from adults on their annual report. Most departments estimated that the biggest juvenile problems were criminal mischief and petit larceny. Shoplifting is aggravated in some areas where the schools have split sessions because it created the situation where there are some juveniles free all day long. Also, some departments felt the use of alcohol by juveniles 12 years old and over was increasing.

TABLE 11

Length of Stay in the Children's Center for

Juveniles Admitted in 1973<sup>1</sup>

<u>Number of Days</u>	<u>Number of Juveniles</u>	<u>Percent of Juveniles</u>
1	79	11.1
2	106	14.9
3	48	6.7
4	47	6.6
5	31	4.4
6	27	3.8
7	23	3.2
8	18	2.5
9	15	2.1
10	14	2.0
1 to 10 Total	408	57.3
11 to 20 Total	183	25.7
21 to 30 Total	78	10.9
31 to 40 Total	19	2.7
41 to 50 Total	14	2.0
51 to 87 Total	9	1.3
134	1	0.1
TOTAL DISCHARGES <sup>2</sup>	712	100.0

1973 Median Length of Stay - 7 days

1973 Average Length of Stay - 11.07 days

<sup>1</sup>Monroe County Children's Center - The Year 1973. Report by the Monroe County Department of Social Services, April 12, 1974.

<sup>2</sup>The total discharges in 1973 equals 712 because not all of the 706 new admissions in 1973 were discharged in 1973, while most of the 25 carryovers from 1972 were dismissed in 1973.

Two problems arise when attempting to define juvenile offenses.<sup>1</sup> First of all, out of all the total crime<sup>2</sup> that occurs, much of it remains unreported. Consequently, reported offenses are all that can be discussed. Secondly, out of all the reported offenses, much remains unsolved or uncleared; i.e., the offender is not known.<sup>3</sup> As a result, the age of the offender is undetermined. Therefore, the following discussion on juvenile offenses in Monroe County is limited to reported offenses for which the offender is known. Also, out of all of the crime reported to the police, some of it is resolved at the station level and is not recorded on the reports sent to the state. The figures in the next tables show only some unknown percentage of the total juvenile delinquency picture.

Table 12 shows the percentage distributions of the four arrest classifications for each police department's juvenile arrests in 1973. The Rochester Police Department shows almost a 50-50 split between felonies and misdemeanors committed by juveniles, with a slightly higher percentage of felonies. Only one other police department in the county (Greece) shows a higher percentage of felonies than misdemeanors. The ratio of juvenile

<sup>1</sup>For a complete discussion on the problems involved in trying to define the incidence of crime and changes in crime over time see, Roger A. Cox, Crime in Monroe County 1960, 1964, 1970-1973, Rochester-Monroe County Criminal Justice Pilot City Program, Graduate School of Management, The University of Rochester, September, 1974.

<sup>2</sup>"The terms 'crime' and 'offenses' are not synonymous as used in this paper. Crime refers to felony and misdemeanor offenses only. Reported offenses include reported crime plus violations." Ibid, p. 5.

<sup>3</sup>For example, "Half of all felonies and misdemeanors in Monroe County are crimes against property. The nature of these crimes is such that clearance (solution) of the crime is difficult. Property crimes, unlike crimes against persons, do not usually have witnesses who can identify the offender. The clearance rate for property crimes is well below the rate of clearance for violent crimes and that of felonies and misdemeanors." Ibid, pp. 13-14.

TABLE 12

Percentage Distribution of Juvenile Arrests by Arrest Classification<sup>1</sup> for Each Police Department in 1973<sup>2</sup>

Police Departments	Felonies		Misdemeanors		Violations		For Other Agencies		Total Arrests for Each Police Department		Percent Female Arrests
	N	%	N	%	N	%	N	%	N	%	
City of Rochester	393	50.4	361	46.3	16	2.0	10	1.3	780	100.0	7.8
Irondequoit	44	35.2	81	64.8	0	0.0	0	0.0	125	100.0	12.0
Webster	7	5.7	116	94.3	0	0.0	0	0.0	123	100.0	22.0
Brighton	11	21.6	34	66.7	4	7.8	2	3.9	51	100.0	13.7
Greece	15	51.7	14	48.3	0	0.0	0	0.0	29	100.0	27.6
Gates	19	30.2	44	59.8	0	0.0	0	0.0	63	100.0	11.1
Heartland	8	47.1	9	52.9	0	0.0	0	0.0	17	100.0	0.0
Ogden	0	0.0	2	100.0	0	0.0	0	0.0	0	100.0	0.0
Brockport	0	0.0	0	0.0	0	0.0	0	0.0	0	100.0	0.0
East Rochester	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0	0.0
Fairport	0	0.0	1	100.0	0	0.0	0	0.0	1	100.0	0.0
TOTAL Villages and Towns	104	25.3	301	73.2	4	1.0	2	0.5	411	100.0	15.6
Sheriff State Police <sup>3</sup>	44	40.0	63	57.3	0	0.0	3	2.7	110	100.0	17.3
TOTAL County Outside Rochester	148	28.4	364	69.9	4	0.8	5	0.9	521	100.0	15.9
TOTAL COUNTY	541	41.6	725	55.7	20	1.5	15	1.2	1,301	100.0	11.1

<sup>1</sup>The category of arrests "For Other Agencies" is not an offense itself. It is the number of juvenile arrests made for other agencies where the juvenile has committed one or more of the three types of offenses.

<sup>2</sup>This table was derived from data for 1973 given in Staff of the Rochester-Monroe County Criminal Justice Pilot City Program, op. cit., 1974. See also Table A-5 in Appendix A for a complete breakdown of the data by specific offense.

<sup>3</sup>No figures are available from the State Police because Troop E, which has jurisdiction in Monroe County outside of Rochester, files its report to the New York State Department of Correctional Services for the combined 10-county area that it services.

felonies to misdemeanors for the total county was 41.6% to 55.7%. The department with the highest percentage of female juveniles arrested was Greece (27.6%). In only one other department (Webster), were the arrests of female juveniles over 20% of their total juvenile arrests. It is interesting to note that a higher percentage of females were arrested by the departments outside of Rochester (15.9%) than within the city (7.8%).

Table 13 shows the percentage distribution by arrest classification of each police department's juvenile arrests. For all four arrest classifications,<sup>1</sup> the Rochester Police Department had the highest percentage of any department in the county. Comparing Tables 12 and 13, it can be seen that while 50.4% of the Rochester Police Department's juvenile arrests were for felonies, these same 393 felony arrests comprised 72.7% of the total felonies in the county. Misdemeanor offenses for the total county were split almost evenly between Rochester (49.8%) and the county outside of Rochester (50.2%).

It was mentioned above that property crimes were more numerous than crimes against persons but the former usually do not have witnesses, and so their solution rate is much lower than that for crimes against persons. Table 14 compares some selected felonies and misdemeanor categories for both crimes against property and persons for both juveniles and adults arrested in 1973. It can be seen that juveniles

<sup>1</sup>The category of arrests "For Other Agencies" is not an offense itself. It is the number of juvenile arrests made for other agencies where the juvenile has committed one or more of the three types of offenses.

TABLE 13

Percentage Distributions of Police Department Juvenile Arrests for All of  
Monroe County in 1973<sup>1</sup> by Arrest Classification<sup>2</sup>

Police Departments	Felonies		Misdemeanors		Violations		For Other Agencies		TOTAL Arrests	
	N	%	N	%	N	%	N	%	N	%
City of Rochester	393	72.7	361	49.8	16	80.0	10	66.7	780	60.0
Irondequoit	44	8.1	81	11.2	0	0.0	0	0.0	125	9.6
Webster	7	1.3	116	16.0	0	0.0	0	0.0	123	9.4
Brighton	11	2.0	34	4.7	4	20.0	2	13.3	51	3.9
Greece	15	2.8	14	1.9	0	0.0	0	0.0	29	2.2
Gates	19	3.5	44	6.1	0	0.0	0	0.0	63	4.8
Wheatland	8	1.5	9	1.2	0	0.0	0	0.0	17	1.3
Ogden	0	0.0	2	0.3	0	0.0	0	0.0	2	0.2
Brockport	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
East Rochester	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Fairport	0	0.0	1	0.1	0	0.0	0	0.0	1	0.1
TOTAL Villages and Towns	104	19.2	301	41.5	4	20.0	2	13.3	411	31.5
Sheriff	44	8.1	63	8.7	0	0.0	3	20.0	110	8.5
State Police <sup>3</sup>	-	-	-	-	-	-	-	-	-	-
TOTAL County Outside Rochester	148	27.3	364	50.2	4	20.0	5	33.3	521	40.0
TOTAL COUNTY	541	100.0	725	100.0	20	100.0	15	100.0	1,301	100.0

<sup>1</sup>This table was derived from data for 1973 given in Staff of the Rochester-Monroe County Criminal Justice Pilot City Program, op. cit., 1974. See also Table A-5 in Appendix for a breakdown of these data by specific offenses.

<sup>2</sup>The category of arrests "For Other Agencies" is not an offense itself. It is the number of juvenile arrests made for other agencies where the juvenile has committed one or more of the three types of offenses.

<sup>3</sup>No figures are available from the State Police because Troop E, which has jurisdiction in Monroe County outside of Rochester, files its report to the New York Department of Correctional Services for the combined ten-county area that it services.

TABLE 14

Percent of Crimes Against Property versus Percent of Crimes Against Persons in 1973 for  
the City and Towns in Monroe County for Arrested Juveniles and Adults<sup>1</sup>

	Rochester				Monroe County Outside Rochester				Total County				Number of Adult Arrests Minus Violations and Motor Laws <sup>4</sup>
	Juvenile		Adults		Juvenile		Adults		Juvenile		Adults		
	N	%	N	%	N	%	N	%	N	%	N	%	
<u>Property<sup>2</sup></u>													
Selected Felonies	279	35.7	681	4.6	119	22.8	239	3.7	398	30.6	920	4.3	
Selected Misdemeanors	238	30.5	1,223	8.3	258	49.5	1,189	18.2	496	38.1	2,412	11.4	
Selected TOTAL	517	66.2	1,904	12.9	377	72.3	1,428	21.9	894	68.7	3,332	15.7	
<u>Persons<sup>3</sup></u>													
Selected Felonies	87	11.2	466	3.2	6	1.2	85	1.3	93	7.2	551	2.6	
Selected Misdemeanors	42	5.4	1,122	7.7	14	2.7	273	4.1	56	4.3	1,392	6.6	
Selected TOTAL	129	16.6	1,588	10.9	20	3.9	358	5.4	149	11.5	1,943	9.2	
All Other Arrests	134	17.2	11,156	76.2	124	23.8	4,750	72.7	258	19.8	15,906 <sup>4</sup>	75.1	5,979
TOTAL	780	100.0	14,648	100.0	521	100.0	6,533	100.0	1,301	100.0	21,181	100.0	11,254

<sup>1</sup>Figures derived from data in Staff of Rochester-Monroe County Criminal Justice Pilot City Program, 1974, pp. 69, 86, and 93.

<sup>2</sup>Only the most serious offenses were included under property: Felonies = Burglary, Grand Larceny -- Auto and Non-Auto, and Criminal Mischief; Misdemeanors = Petit Larceny, Unauthorized use of Auto, Criminal Mischief, and Criminal Trespass.

<sup>3</sup>Only the most serious offenses were included under persons: Felonies = Murder, Manslaughter, Negligent Homicide, Rape, Robbery, and Assault; Misdemeanors = Assault.

<sup>4</sup>All other offenses for the 15,906 total county adult figure included all violations 6,014 (37.8%), all arrests made for other agencies 742 (4.7%), and Motor Laws 3,913 (24.6%) for total of 67.1%. The balance (32.9%) of the adult other offenses are the remainder of the felonies and misdemeanors 15.2% of which is DWI (7.9%) and Drugs (7.3%).

arrested outside of Rochester had a higher percentage (72.3%) of property crimes than did juveniles arrested in Rochester (66.2%), while the reverse is true for the crimes against persons (16.6% Rochester versus 3.9% for outside of the city).

TABLE 15

Total Arrests in the Four Classifications for both Juveniles and Adults in Monroe County in 1973<sup>1</sup>

<u>Arrest Classifications<sup>2</sup></u>	<u>Adults</u>		<u>Juveniles</u>	
	N	%	N	%
Felonies	2,386	11.3	541	41.6
Misdemeanors	12,039	56.8	725	55.7
Violations	6,014	28.4	20	1.5
Arrests for Other Agencies	<u>742</u>	<u>3.5</u>	<u>15</u>	<u>1.2</u>
TOTAL ARRESTS	21,181	100.0	1,301	100.0

<sup>1</sup>Figures derived from data in Staff of Rochester-Monroe County Criminal Justice Pilot City Program, op. cit., 1974.

<sup>2</sup>The category of arrests "For Other Agencies" is not an offense itself. It is the number of juvenile arrests made for other agencies where the juvenile has committed one or more of the three types of offenses.

Most of the juvenile arrests can be attributed to just these selected felonies and misdemeanors (80.2% of the total juvenile arrests for the whole county), while only about 24.9% of the county's total adult arrests are attributed to these categories. This is due in part to the manner in which the number of arrests are distributed among the four arrest classifications (see Table 15). The adults and juveniles both show approximately 56% of their arrests in the misdemeanor classification, however, there are big differences in the percent of felonies and violations committed by juveniles and adults. Arrests for felonies were 41.6% of the total juvenile arrests, but only 11.3% of the total adult arrests. On the other hand, the adults' percentage of arrests for violations was much greater (28.4%) than that for the total juvenile arrests (1.5%).<sup>1</sup>

Table 16 shows the total juvenile arrests for 1973 as a percent of the total arrests (both juveniles and adults) for each police department. Of the twelve departments included (the State Police had no data), the percent of juvenile arrests in Rochester is exceeded by five of the town departments.

Diversion of PINS and JD's

Diversion is defined here as the process of providing programs and services to juveniles with problems in an attempt to keep them out of the juvenile justice system in general and out of family court in particular. The primary goals are first of all to spare the juvenile and the family the

<sup>1</sup>See footnote 4 on Table 14 for further information.

TABLE 16

Juvenile Arrestees as a Percent of the Total Arrestees for 1973 by Police Department

Police Department <sup>2</sup>	Total Arrestees <sup>3</sup> (Adults and Juvenile)	Total Juvenile Arrestees	Percentage of Juvenile Arrestees
Rochester	15,428	780	5.1
Irondequoit	1,237	125	10.1
Webster	368	123	33.4
Brighton	605	51	8.4
Greece	1,031	29	2.8
Gates	481	63	13.1
Wheatland	127	17	13.4
Ogden	70	2	2.9
Brockport	160	0	0.0
East Rochester	127	0	0.0
Fairport	36	1	2.8
TOTAL Towns and Villages	4,242	411	9.7
Sheriff	2,812	110	3.9
TOTAL Monroe County Outside Rochester	7,054	521	7.4
TOTAL Monroe County	22,482	1,301	5.8

<sup>1</sup>Derived from data for 1973 in Staff of the Rochester-Monroe County Criminal Justice Pilot City Program, op.cit., 1974.

<sup>2</sup>No figures are available from the State Police because Troop E, which has jurisdiction in Monroe County outside of Rochester, files its report to the New York State Department of Correctional Services for the combined 10-county area that it services.

<sup>3</sup>The total arrestees for each department include those arrested by the department released to other agencies for prosecution.

embarrassing,<sup>1</sup> costly, and time consuming circumstances involved in court proceedings - especially for minor offenses; and, secondly, to relieve family court of some of its overload so that important cases may receive the attention and swift processing due them.

Diversion by the Police:

Diversion in its broadest sense includes those juveniles who never enter the system by virtue of the fact that they are released by the officials at the time of the first contact. This situation occurs when a police officer responds to a complaint and the matter is settled informally. For example, an individual might have called the police and explained that some juveniles were running across the lawn, damaging flowers, etc. The officer who responds to the complaint might be able to talk to all of the people involved and resolve the issue at the scene. Informal adjustments also occur at the station where either the situation is settled, through discussions with all those involved or the juvenile and/or the family are referred to agencies for services and programs.

There are no firm data on these types of situations, for the various Monroe County police departments treat them differently. Some will make a general report out on every contact, others do not; and the smaller departments (especially those with no juvenile officer) do not separate their juvenile and adult reports. Furthermore, some juvenile

<sup>1</sup>There are indications at some agencies (e.g., Youth Services) that once a juvenile has been into family court he/she becomes much more difficult to reach through counseling and referrals.

officer's records are kept by counting each incident, while others only count the number of different juveniles they contact. Although the data presented in Table 17 are not comparable across police departments because their definitions of "investigation, contacts, informal adjustments, etc.," vary, some feeling for the amount of diversion at the police level can be obtained. In reverse, one might think of what the family court load would be if the police filed formal charges against every juvenile they came in contact with.

In addition to diverting juveniles contacted through their official complaints, almost all of the police departments conduct certain preventions programs such as going into their local schools and giving talks on various topics - bicycle safety, drugs, rape, the consequences to a juvenile of violating the law, etc.

Special Precourt Diversion Programs:

Monroe County has a sizable network of agencies that serve youth from birth through the 21st year.<sup>1</sup> This paper does not attempt to outline all such agencies since this is done in both the Youth Services Guide, and the Annual Report of the Rochester-Monroe County Youth Board. Rather, only those projects which received federal funding from the New York State Division for Criminal Justice Services (DCJS) will be touched upon.

"The Rochester-Monroe County Youth Board was created by the Rochester City Council and the Monroe County Legislature in 1960. Its creation resulted from the recommendations of the Council of Social

<sup>1</sup>See City-County Youth Services Guide, A joint effort of the National Council of Jewish Women - Rochester Section; Psychodiagnostic Laboratory, Department of Pediatrics, University of Rochester; Rochester-Monroe County Youth Board, July, 1974.

TABLE 17  
Estimated Diversion at the Pre Court Level in 1973 by

Selected Monroe County Police Departments		
Rochester Persons Unit (Persons Under 18 Years of Age <sup>1</sup> )		
	1973	
Handled within Department and released (warning, released to parents, etc.)	2,230	62.5%
Referred to Juvenile Court or Probation Department	804	22.5%
Referred to Welfare Agency	273	7.7%
Referred to Other Police Agency	-	-
Referred to Criminal or Adult Court	259	7.3%
TOTAL Investigations	3,566	100.0%
<u>Irondequoit</u>		
Other Dispositions		
Referred to Family Court	346	80.8%
TOTAL Offenses Committed by Juveniles	428	100.0%
<u>Webster</u>		
Other Dispositions		
Reported Crimes	275	68.6%
TOTAL Investigations	401	100.0%
<u>Brighton</u>		
Other Dispositions		
Referred to Family Court	295	89.4%
TOTAL Juvenile Interviews	330	100.0%
<u>Greece</u>		
Other Dispositions		
Referred to Family Court	1,695	96.5%
TOTAL Youth Investigations	1,757	100.0%
<u>Gates</u>		
Other Dispositions		
Referred to Family Court	282	85.2%
TOTAL General Contacts	331	100.0%
<u>Sheriff</u>		
Cases Released to Parents, etc.		
Referred to Family Court	657	85.3%
TOTAL	770	100.0%

<sup>1</sup>While the total report includes some youths between 16 and 18 years of age, the 804 referrals to Family Court represent the JD petitions.

<sup>2</sup>The number of referrals to Family Court out of the total reported crimes is unknown for Webster and the Sheriff's Department.

Agencies of Rochester and Monroe County and the Rochester Bureau of Municipal<sup>1</sup> Research that a new governmental agency be formed to deal with the problem of juvenile delinquency. From a staff of two and a budget of \$18,000 in 1961, the Youth Board has grown to a staff of nineteen and a budget of \$1,721,209 in 1974. From the initial focus on juvenile delinquency, the focus has broadened to concerns for the total development of well adjusted children and youth."<sup>2</sup>

The Youth Board is currently funded jointly by the City, County, and New York State Division for Youth.

There are three Youth Board projects receiving partial funding from DCJS which serve juveniles in Monroe County at the precourt stage.

1.) The Greece Police Project - "Storefront Cops" 2.) The Youth Services Project, and; 3.) The Runaway Advocacy Project. In addition, the Center for Community Issues Research, Inc. has received or applied for federal funds through DCJS for two projects: 1.) Basic Law Course for High School Students - "You and the Law", and 2.) Drop-out and Push-out Prevention Program. Each of these will be described briefly.

1.) The "Storefront Cops" Project involves the reorganization of the Greece Police Youth Division. The first 12-month grant which became effective August 1, 1974 was for \$104,042. In an effort to provide a less threatening atmosphere for juveniles, the program operates out of what was formerly a private home at 2984 Dewey Avenue. The staff consists of three officers and five civilians (a service coordinator who is in charge of the civilian staff, a counseling coordinator, two agency referral coordinators, and a secretary). The program, for juveniles to

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<sup>1</sup>New known as the Center for Governmental Research Inc.

<sup>2</sup>Annual Report, 1974, Rochester-Monroe County Youth Board.

15 years of age, has two aspects: 1.) legal, and 2.) social services. Those youths who are brought in on juvenile offense complaints are handled first by the police. The parents are contacted and all legal aspects of the matter are dealt with, i.e., all of the details that would be handled in any police department - the details of the offense, was the juvenile really involved, can it be settled informally, etc. Then, the juvenile is given the opportunity to volunteer to participate in the social services aspect. If the juvenile volunteers, counseling is given; if agency referrals are needed, the referrals are not only made, but also the staff follows up on each referral. Not all contacts come through police channels. Many juveniles and/or parents come on their own for help. When requested, the counselors go into the schools to work with juveniles, as well as to give talks about the program.

The overall goals as stated in the grant are to provide to juveniles a total integrated system of services that will: 1.) alter the effect of the initial police contact so that there is a real differentiation between the handling of juvenile and adult offenders; 2.) improve the investigation process by having a full-time staff devoted to juveniles; and 3.) alter the disposition of cases, in particular by trying to keep as many juveniles as possible out of family court.

From the outset, the program was designed to operate under two 12-month grants. It is anticipated that the funding for the second grant will be awarded. It is too early to have any evaluation or data from the first twelve months of the project; and what aspects will be institutionalized by Greece, or other parts of the county, are unknown at this time.

2.) The Youth Services System is headquartered at the Youth Board. This project began as an experimental program in October, 1972. It was formalized into one of four components of a 12-month grant which began in June, 1973. Funding for this aspect of the grant was \$135,545 and additional funds were received to extend the program to September 30, 1974. A second grant for 15 months (October 1, 1974 through December 31, 1975) was approved in the amount of \$260,122.

The current program has a full-time staff of nine (supervisor, assistant coordinator, five referral counselors, and two clerical workers), which is supplemented by field placement students from the Rochester Institute of Technology. The aim of the project is to provide referral services to youths between the ages of 7 and 19 (note this includes the juvenile and youthful offender age groups), who have had their first, second, or third encounter with the police. Youths who are dismissed by the police or those who will definitely be petitioned to family court because of the seriousness of the offense or the number of encounters the juvenile has had with the police do not participate in the program. The Youth Services System does work with family court, and the juveniles may be referred to their program either at intake or adjudication. Table 18 shows the agencies which referred juveniles to the Youth Services System and the number of referrals by year for the 18 months the program has been operating.

TABLE 18

Referrals to the Youth Services System for 1973 and 1974<sup>1</sup>

Agency Referred by	July-Dec., 1973 (6 mos.)		Jan.-Dec., 1974 (12 mos.)	
	N	%	N	%
Brighton PD	18	2.1	13	1.2
Gates PD	3	0.4	16	1.5
Greece PD	25	2.9	37	3.4
Irondequoit PD	120	14.1	155	14.1
Sheriff	140	16.4	225	20.5
Rochester PD	483	56.6	486	44.4
Pretrial Release	15	1.8	43	3.9
Family Court	35	4.1	81	7.4
Public Defender	0	0.0	2	0.2
Others (Parents)	14	1.6	37	3.4
Total	853	100.0	1,095	100.0

<sup>1</sup>Source: Youth Services System, Monroe County Youth Board.

An attempt is made to refer the youths to agencies in their own neighborhoods, and referrals have been made to over 60 agencies in the county. The program staff feeds back information to the police department or agency that referred the youth regarding the action taken on each case.

Plans are underway now to institutionalize this project when the grant ends.

3.) The Runaway Advocacy Project was originally a second of the four components in the June, 1973 grant to the Youth Board and the County of Monroe. This aspect, however, was subcontracted to a private agency, The Center for Youth Services. In the original grant, the total funds were \$30,372. The second grant which runs from October 1, 1974 through December 31, 1975 was for \$53,340. The grant provides for a full-time staff of three and a half (director, assistant caseworker, and a part-time secretary).

The aim of the project is to provide counseling, referral services, and temporary (free) housing for teenaged runaways. It accepts youths 24 hours a day from police referrals, other agencies (YMCA, Outreach, Threshold, etc.), and walk-ins. There are about 30 volunteer interim foster families who have gone through a special training period who take the youths. Letters are sent to parents for consent, then both the parents and the youths receive counseling. Most youths return home, but if things cannot be worked out with the parents, and the youth qualifies for further services, the project will work through the Department of Social Services to resolve the matter. Approximately 300 youths were served in 1974 - mostly females.

4.) "You and the Law" was a grant made to the City of Rochester with the Center for Community Issues Research, Inc. (CCIR) as the major implementing agency. This private agency and the Monroe County Bar Association co-sponsored the project. It started October 1, 1974 and ran through June 1, 1975. The total grant was for \$32,640 and CCIR subcontracted \$19,000 to the City School District for the first year's funding. The staff includes a project director, research/school coordinator, a secretary, and a part-time bookkeeper.

High school level courses giving an overview of practical and preventive law were designed and offered with the hope of reaching the minority and other low-income groups of youth who seem to become involved most frequently with the juvenile justice system. The primary aim was to emphasize the legal system in its role as problem solver at both the community and personal levels.

The long-range goals include the publishing into official high school text books (especially for New York State) of the teaching materials devised, and institutionalizing these courses in all city high schools.

5.) The Youth Advocacy Project is currently in the application stage. Like the preceding grant, this one is proposed for the City of Rochester with the Center for Community Issues Research, Inc. as the major implementing agency. It is proposed for a 12-month period in the amount of \$109,991; the staff would consist of a director, assistant director, coordinator of media and communications, research coordinator, coordinator of youth development and training, office manager/secretary, and part-time services of a clerk/typist, bookkeeper, and janitor. This staff will also be supplemented by volunteer "lay advocates" who will assist the youths

suspended or dropped from the city school system and their parents by interpreting regulations, attending meetings about the youths with or for the parents, following up on suspended students, and conducting small group meetings with parents.

The aim is to establish school advocacy skills within the Rochester community by training the staff of various non-youth referral agencies, neighborhood and youth workers, and parent groups in basic youth advocacy skills. The project includes a research component which will study the existing school disciplinary actions and transfers, remedial education, and slow-learner classes for the purpose of working with the school system to find ways to overcome any present inadequacies.

The long range means of institutionalizing the project is to build the youth advocacy principles into existing service agencies, neighborhood groups, and parents, as well as institutionalize certain reforms within the existing school system.

#### Precourt Stage Summary

Briefly, the initial contact of the juvenile with the juvenile justice system is usually either made through the police, if the offense is classified as JD, or through the schools or parents if the offense is classified as PINS. If the complainant (police, schools, or parents) does not settle the matter by withdrawing the charges or referring the juvenile and/or the family to appropriate agencies for services, an unofficial JD or PINS petition is filed and sent to family court for processing. The police departments and schools divert many juveniles out of the court system through their regular procedures, and in addition many

special programs exist at the precourt stage to accomplish further diversion. As stated earlier, Monroe County has a network of programs and agencies (which are beyond the scope of this paper to define) devoted to working with local juveniles.

### CHAPTER 3

#### Court Stage

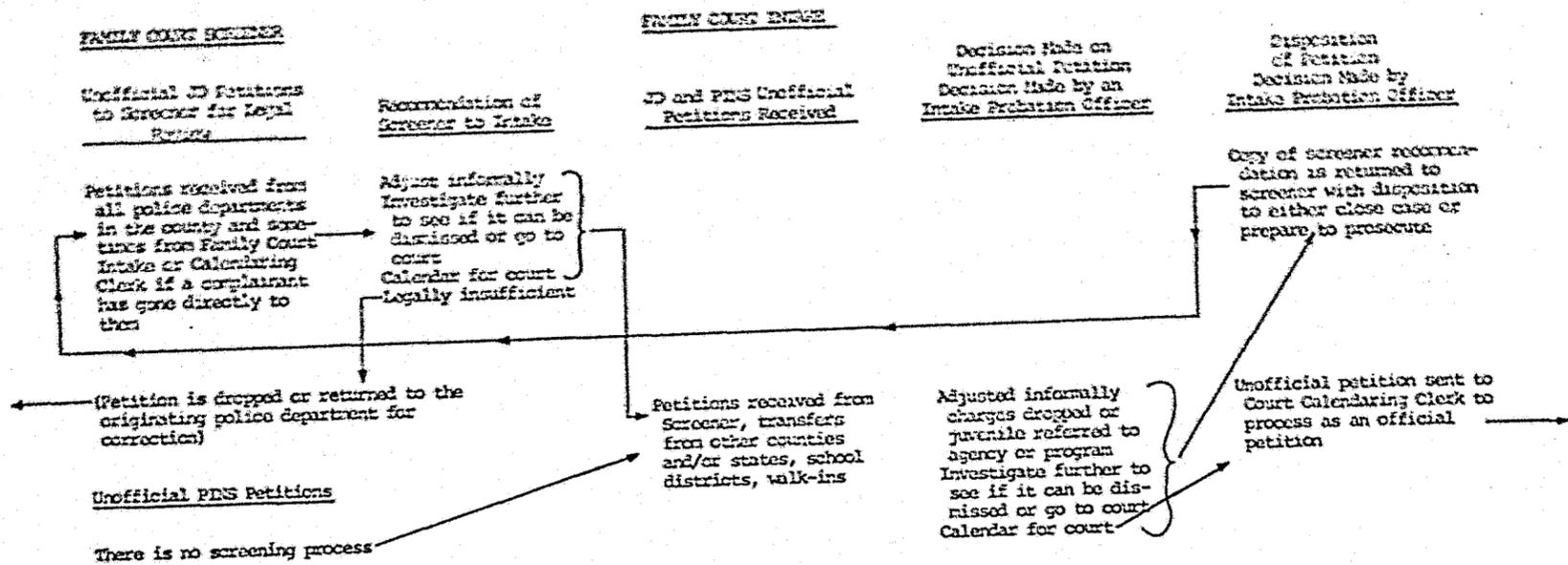
Any juvenile offender who has not been diverted at the pre-court stage must continue on into the family court system. This chapter discusses the structure and function and provides data for the calendar year 1973 on the three major steps in the court processing of unofficial and official petitions. First of all, the unofficial JD petitions go to the family court screener to be checked for legal sufficiency. Second, almost all unofficial petitions from all of the various sources (e.g., screener, school districts, etc.) go through family court intake<sup>1</sup> to see if any cases can be settled without having to go to court. Third, those unofficial petitions which cannot be settled are sent to the court calendaring clerk to become official petitions. Juveniles whose petitions become official face two major types of hearings, although the case may be dismissed at any point in the hearings so that all juveniles do not necessarily proceed through both types. Figures 3 and 4 graphically describe this process.

Both the structure and function of the Monroe County Family Court are changing so rapidly that the present description may not be entirely accurate by the time this report is published. For 23 years Monroe County Family Court was comprised of the court itself and its own probation department; the adult criminal courts had their own probation department. As of January 1, 1975, the family court's

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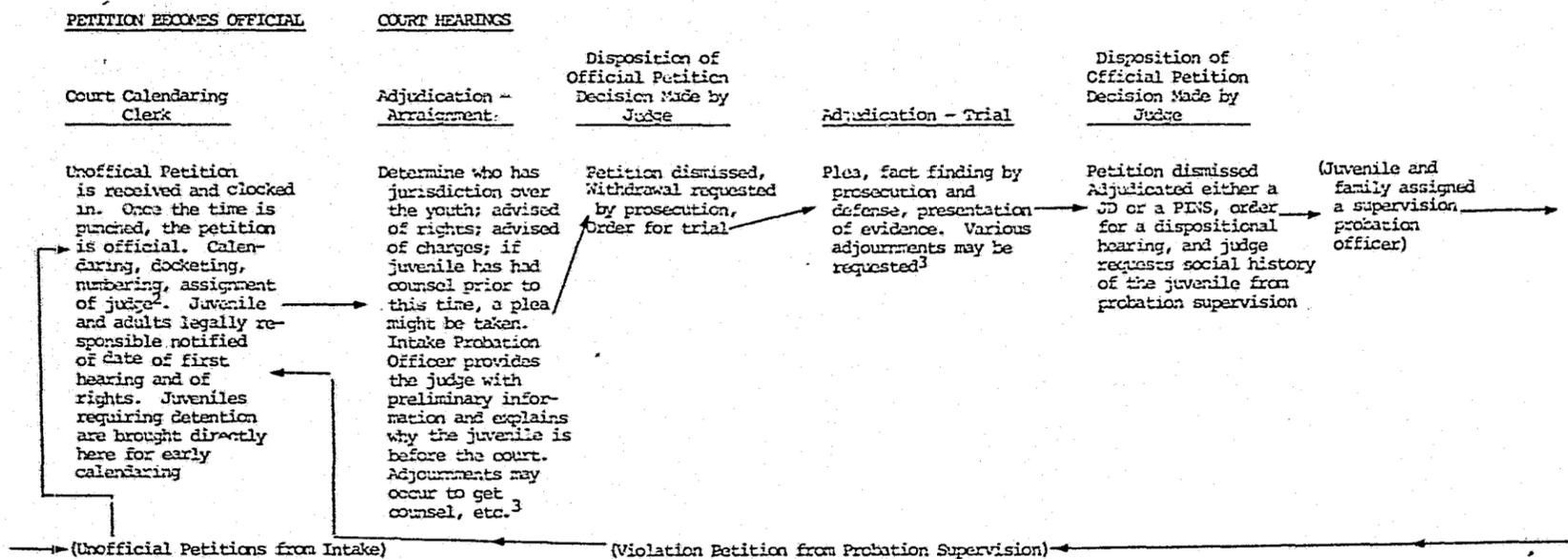
<sup>1</sup>McKinney, Family Court, 1963, Section 734.

**FIGURE 3**  
Flow Diagram of the Court Processing of an Unofficial JD and PINS Petition Up to Court Hearings<sup>1</sup>



<sup>1</sup>Refer to the flow diagram of the precourt stage in Figure 2 to see how the petition was processed up to this stage.

**FIGURE 4**  
Flow Diagram of the Court Processing of an Official JD and PINS Petition<sup>1</sup>



<sup>1</sup>Refer to the flow diagrams in Figures 2 and 3 to see how the petition was processed up to this stage.

<sup>2</sup>If the juvenile or any member of his/her family has never been before the court, he/she is usually assigned to the judge sitting in Part I of the court who handles the arraignment of new individuals. If the juveniles or some member of his/her family has been before family court, he/she is assigned to that judge for arraignment; this judge may be sitting in any one of the other three parts of the court.

<sup>3</sup>Anyone of the three hearings may be adjourned, so any one type of hearing may involve several appearances in court. The time for completion of a case may be quite extended, especially if the juvenile goes through all three types of hearings.

probation was combined with the adult probation, leaving only the court structure to be called family court. Many of these changes were brought about because of increases in the caseload in family court, which not only increased the overall workload, but pointed out that certain procedures were no longer adequate to handle all circumstances. Such changes are reflected in changes in staffing and budgets. For example, in 1973 (the year for which data are presented) the family court budget was \$2,082,519 for a staff of 139. For 1975, the estimated budget is \$1,293,977 for a staff of 52. On the other hand, in 1973 adult probation required a budget of \$813,516 for a staff of 59 and in 1975 the estimated expenses for the newly combined adult and family court probation is \$2,603,146 for a staff of 149 (comparison of staff and budgets for the family court and probation over the last few years can be found in Tables B-1 through B-6 in Appendix B).

In addition, the procedures are complicated by the fact that since the election in November, 1974 two of the former four judges have changed. One new judge was elected to the bench and is handling cases transferred from the two former judges. The fourth judgeship remains empty awaiting an appointment by the governor of the state. Visiting judges from other counties have been filling in on a part-time basis. This not only places burdens on the three regular judges, but causes alterations in regular procedures as well. For example, the judge sitting in Part I of the court usually hears all cases involving individuals before the court for the first time and keeps these cases as part of his/her caseload. With the visiting judge sitting in Part I, all of the new work must be distributed among the other three judges.

### Family Court Screener

Since the inception of the Family Court Act in 1962, defense attorneys have been provided for all juvenile offenders; however, it took almost another ten years before any formal prosecution representation was established in Monroe County Family Court. Until that time, each police department was its own prosecutor and the arresting officer had to appear at the hearings. Having officers on duty in family court with a case involved a great loss of manpower to the police departments.

In September, 1971, a grant in the amount of \$57,600 was awarded to the City of Rochester for implementation by the City's Corporation Council. It provided for one attorney to screen all unofficial JD petitions for legal sufficiency and prosecute for the Rochester Police Department any of these cases that reached court. This grant ended in January, 1973 but was followed on February 1, 1973 by a second and expanded Family Court Screener grant in the amount of \$86,623. Implementation of this second grant was transferred to the Law Department of the County of Monroe and added a second, part-time, attorney and a full-time secretary to provide screening and prosecution services to all 13 police departments in the county. The Rochester Police Department had already assigned one officer to act as liaison between its department and family court, and when the first one of these grants began, this officer started to work out of the screener's office and still does. This second grant ended December 31, 1974 and the program was institutionalized by the county as of January 1, 1975.

Currently, the part-time attorney does the bulk of the screening. Any unofficial JD petition that does not meet legal standards is either

made sufficient by having the police liaison officer contact the submitting police department for additional information; or, if information is not available, the unofficial petition is dropped. Those that do not meet the legal sufficiency requirements are sent on to the family court intake office with the screener's recommendation form attached indicating one of three proposed dispositions: 1.) calendar for trial; 2.) adjust informally; or 3.) investigate further to see whether the case can be adjusted informally or whether it must go on to court.

The full-time attorney presently handles the bulk of the prosecution. In addition to the JD petitions from the police departments, these attorneys may also serve as prosecutors for the following:

"the Probation Department of Monroe County for contested dispositional hearings after a juvenile has been found either to be a delinquent or a person in need of supervision; an institution where appointed by the court, for a hearing either to extend, terminate, or transfer placement of a juvenile, private citizens who petitioned against juvenile delinquents when appointed by the court; and, parents on PINS cases, when appointed by the court -- generally the situation where the petition is denied by the juvenile and a trial is requested."<sup>1</sup>

Table 19 shows the number of new unofficial JD petitions by police departments from March 1, 1973 through December 31, 1973 that were processed by the family court screening project. Almost 60% of the screeners workload came from the Rochester Police Department, while none of the three village police departments showed any unofficial JD petitions. Since this new county-wide screening project did not begin until February 1, 1973, however, there were no data available until

<sup>1</sup>Joseph Platania, Senior Attorney, and Paul G. Reiter, Associate Attorney, Family Court Screener Project, Eight-Month Summary, November 27, 1973, p. 2.

TABLE 19

The Number of New Unofficial JD Petitions Submitted to the Family Court Screening Project by Police Department for March-December, 1973

Police Department	Number of Unofficial JD Petitions	Percent of Total Petitions
City: Rochester	477	59.6
Towns: Irondequoit	103	12.9
Webster	9	1.1
Brighton	17	2.1
Greece	58	7.2
Gates	58	7.2
Wheatland	9	1.1
Ogden	11	1.4
Villages: Brockport	0	0.0
East Rochester	0	0.0
Fairport	0	0.0
County: Sheriff's Department	46	5.8
State Police - Troop E	13	1.6
TOTAL COUNTY	801	100.0

March, 1973. Also, it took a while before all of the county police departments were aware of the project and its functions. In fact, the State Police were not even aware of the project until toward the end of 1974. During this initial operating period, some unofficial petitions went directly to intake or the court calendaring clerk. Consequently, these data are probably incomplete.

Family Court Intake

At the present time, the intake staff of the Monroe County Family Court consists of a director, one probation officer supervisor, five senior

probation officers, four probation officers, one probation officer trainee, and one probation officer volunteer. This staff handles the intake procedures for all types of petitions over which the family court has jurisdiction; i.e., neglect, adoption, JDs, PINS, etc. This staff maintains an intake desk to which all daily walk-in complainants who wish to file unofficial petitions of any kind are directed. The intake probation officers rotate on a daily basis in manning this desk. Walk-ins in the case of juvenile offenders would be primarily parents wishing the court to take action against their child who is ungovernable, or, on occasion, a JD complainant who was unhappy because the police dismissed the juvenile offender.<sup>1</sup>

All types of unofficial petitions (including JDs and PINS) from all sources (screener, school districts, walk-ins, etc.) are sent to the intake clerk who logs them and prepares an intake sheet for each case. Red Cross volunteers cross reference these intake sheets to see if there has been previous court contact with that juvenile. If a juvenile has been seen by a certain intake probation officer within the last year, the juvenile is reassigned to that person. Of the remaining cases, all of the walk-ins go to the probation officer who was on the intake desk that day. Those petitions from other sources are assigned to intake probation officers on a rotating basis. The family court intake staff are, on occasion, asked to do investigations for family courts in other counties. These assignments as well as the assignment

<sup>1</sup> Any complainant who is not satisfied with the disposition of his/her petition at the precourt level, still has a right to have the petition heard in court and may go directly to the intake office or directly to the court's calendaring clerk (if he/she is not happy with the decision made at intake, or, if he/she just wants to avoid intake altogether). This right of the complainant is defined in the Family Court Act, 1963, Section 734.

of cases transferred into the county are also rotated among the intake probation officers. This gives the intake probation officers a caseload (including both juveniles and adults) of from 35 to 60 per month - averaging around 40 cases per month.

Table 20 shows the number of unofficial JD and PINS petitions

TABLE 20  
Percent Change in Total Unofficial JD and PINS Petitions in Family Court 1964-1973<sup>1</sup>

<u>Year</u>	<u>JD and PINS Unofficial Petitions</u>	<u>Percent Increase Over Previous Year</u>
1964	763	
1965	1,022	+ 33.9
1966	1,153	+ 12.8
1967	1,331	+ 15.4
1968	1,493	+ 12.2
1969	1,756	+ 17.6
1970	1,986	+ 13.1
1971	2,182	+ 9.9
1972	1,964	- 10.0
1973	1,673	- 14.8

Period of Increase 1964 - 1971 = + 186.0

Period of Decrease 1971 - 1973 = - 23.3

Overall Change 1964 - 1973 = + 119.3

<sup>1</sup> Source: Annual Reports of the Monroe County Family Court, 1964-1973.

that reached family court intake each year from 1964 through 1973. The total number of unofficial petitions increased each year reaching a peak in 1971 and then declining slightly. In spite of the recent decline, the overall change from 1964 to 1973 indicates a 119.3% increase in the workload.

The unofficial JD petitions that come from the screener with one of three recommendations are reviewed by the probation officer to whom they were assigned. When a decision is reached (and according to intake very few of the recommendations that come from the screener are changed) it is indicated on the recommendation form, and a copy of this form is returned to the screener so that he may either close his records or prepare to prosecute the case.

The Family Court Act does state that the court may authorize the probation service to adjust suitable cases before an official petition is filed.<sup>1</sup> Table 21 shows the total number of unofficial JD and PINS petitions filed with family court intake from 1964 through 1973. The percent of diversion or adjustment at this level has ranged from 26.7% in 1964 to a high of 54.5% in 1971, with an overall average diversion for the 10 years of 41.2%.<sup>2</sup> (A project currently in the proposal stage and aimed at diverting even more of the PINS petitions out of the court will be discussed at the end of this chapter.) Efforts at adjustment must be complete within two months or a maximum extension of 60 days must be requested from the judge.<sup>3</sup> All unofficial JD and

<sup>1</sup>McKinney, Family Court, 1963, Section 734.

<sup>2</sup>A further breakdown of these data showing the diversion by status of petition, i.e., by JD and PINS petitions separately, can be found in Table B-7 in Appendix B.

<sup>3</sup>McKinney, Family Court, 1963, Section 734.

PINS petitions that are not adjusted at intake are sent on to the calendaring clerk for processing.

TABLE 21

Diversion of Unofficial JD and PINS Petitions<sup>1</sup> at Family Court Intake from 1964 through 1973<sup>2</sup>

<u>Year<sup>3</sup></u>	<u>Unofficial<sup>4</sup></u>	<u>Official</u>	<u>Adjusted</u>	<u>Percent Adjusted</u>
1964	763	559	204	26.7
1965	1,022	640	382	37.4
1966	1,153	744	409	35.5
1967	1,331	694	637	47.9
1968	1,493	868	625	41.9
1969	1,756	994	762	43.4
1970	1,986	1,183	803	40.4
1971	2,182	994	1,188	54.5
1972	1,964	1,091	873	44.5
1973	1,673	1,006	667	39.9

Average Percent Diversion 1964-1973 = 41.2%.

<sup>1</sup>These data are presented by petition status in Table B-7 in Appendix B.

<sup>2</sup>Source: Annual reports of the Monroe County Family Court, 1964-1973.

<sup>3</sup>Prior to the Family Court Act of 1962, all juvenile offenses were classified as JD's; there was no PINS status. Therefore, the figures during the changeover period (1962-1963) are not comparable to those from 1964 to the present.

<sup>4</sup>Unofficial petitions are the sum of the Official and Adjusted petitions.

Family Court Calendaring Clerk

Processing Petitions: The calendaring clerk punches each unofficial petition in on a time clock showing when it is received; from that moment on, the petition is an "official" petition which will be processed for a regular court hearing. Information from each petition is entered in chronological order on what are called petition sheets (there are separate petition sheets for the three types of juvenile offenses with which this report is concerned, i.e., JDs, PINS, and the Violation of either a JD or PINS official petition<sup>1</sup>). The official petitions within each of the three statuses are numbered consecutively; in 1973 the JD petitions totaled 750, PINS 256, and Violations 166.<sup>2</sup>

Table 22 shows the number of official petitions that were

<sup>1</sup>It is very important to note at this point that the term Violation as used in this section is quite different from the way it was used in the Precourt Chapter in the section on Juvenile Offenses. The three classifications of offenses include felonies, misdemeanors, and violations all of which require certain penalties if the offender is found guilty. Violation in this chapter refers to the violation of the disposition of a JD or PINS petition. In other words, a juvenile may have been brought before family court at some previous time either under a JD or PINS petition. A disposition of that petition might have been probation, for example, and subsequently the juvenile violated or did not adhere to the terms of probation as set down by the judge and the probation department. In such instances of the violation of a previous petition, the juvenile is once again brought before the court for a hearing.

<sup>2</sup>Violation petitions go directly to the calendaring clerk rather than going to intake.

TABLE 22

Number of Official Petitions Per Month  
in Family Court for 1973<sup>1</sup>

	<u>JD's</u>	<u>PINS</u>	<u>Violations</u>	<u>TOTALS</u>
Janaury	77	24	16	117
February	60	20	9	89
March	74	31	15	120
April	55	27	12	94
May	61	30	21	112
June	68	31	6	105
July	71	16	8	95
August	63	8	10	81
September	34	9	24	67
October	74	13	14	101
November	59	23	21	103
December	<u>54</u>	<u>24</u>	<u>10</u>	<u>88</u>
TOTALS	750	256	166	1,172

<sup>1</sup>Source: Family Court Monthly Petition Sheets, 1973.

taken in each month in 1973 by petition status.<sup>1</sup> The months when there was no school reflected a decline of official PINS petitions in the months of August and September. JD petitions also hit a low point in September, while the first three months of the year were the heaviest.

These petitions are then cross referenced and assigned to the appropriate judge. At the present, the Monroe County Family Court still operates under the one-judge-one family rule which began in 1970.<sup>2</sup> This means that all matters concerning any member of any one family are assigned to the same judge; any case that involves an individual who has never been before the court is assigned to a new judge (this will be explained presently when judges are discussed). The petition is calendared and docketed,<sup>3</sup> and form letters with a copy of the official petition are sent to the juvenile and his/her family notifying them of the date of the hearing and their rights,

<sup>1</sup>Keep in mind that the date the petition is made official is not the same date the offense occurred, so the peaks and troughs in the months do not reflect juvenile offense fluctuations by month. There is probably about a month's lag between the time the offense is committed and the date the unofficial petition reaches the calendaring clerk. There are also instances where an unofficial petition for a juvenile is being processed through intake for adjustment and the juvenile in the meantime commits another offense and has a new petition. If this occurs frequently, or, if the later offenses are more serious, all of the petitions being held for adjustment on that juvenile are pulled and sent to the calendaring clerk to be made official. This type of situation will also affect the rate of monthly calendaring.

<sup>2</sup>Annual Report of the Monroe County Family Court, 1970, p. 6. Due to the changes occurring in family court and also since there are only three judges in the court, there are exceptions to this rule at the present time, however, this regulation still predominates, and for the purposes of this report, it will be followed in the description.

<sup>3</sup>Calendaring is the scheduling of hearings or petitions in a general and somewhat flexible manner. Docketing is a specific calendar schedule for a specific day and is much more difficult to change.

e.g., the right to counsel.

1973 Data:

These data can be looked at in several ways as can be seen in Table 23. We can talk about the total number of unique juveniles that came through the family court system in 1973, in which case we are talking about 800 juveniles. On the other hand, it is more appropriate at times to refer to the total number of

TABLE 23  
Numerical Definition of the Juvenile Data for the Twelve Months in 1973

<u>Petition Status</u>	<u>Total Unique Juveniles</u>	<u>Total Unique Petitions</u>	<u>Multiple Offenses</u>	<u>Total Offenses</u>
JD	533	750	228	978
PINS	251	256	0	256
Violations	134	166	4	170
TOTALS	800 <sup>1</sup>	1,172	232	1,404

unique official petitions that were filed in 1973. This number, 1,172, is greater than 800, which indicates that some of the same juveniles were in more than once in 1973. The third way in which some information is presented is by the total number of offenses for each status. For example, in the case of JD official petitions, some juveniles had more

<sup>1</sup>Note that the total number of unique juveniles represented by all of the JD, PINS, and Violation petitions is NOT the arithmetical sum of the rows. This is because one unique juvenile could have petitions of all three types, but should only be counted once for the overall total.

than one offense on the same petition. While there were 750 unique official JD petitions, there were 228 additional multiple offenses committed by some of these juveniles, making a total of 978 total offenses that could be counted. There were no multiple offenses for the 256 unique official PINS petitions. Multiple offenses for the violations occurred when a juvenile violated more than one official petition at the same time. Therefore, for violations, there was a total of 166 total unique official petitions, plus four multiple offenses, making a total of 170 offenses.

The population that was processed to family court in 1973 is shown in Table 24 by age and sex for the total number of unique juveniles (i.e., each juvenile was counted only once). It can be seen that 84.8% of the juveniles were of the ages 13, 14, and 15; almost 40% were 15 years old. It was stated at the beginning of this report that we were dealing only with juvenile delinquents up to the age of 16. While Table 24 shows that there were 29 individuals who were 16 and 17 years old, it seems safe to conclude from the data in Tables 25 and 26 that these were not youthful offenders mixed in with juveniles, but rather they were juveniles who had violated either a JD or a PINS petitions which had previously been processed in family court while there were still under the age of 16.

Table 25 shows the age and petition status of this population when counting the total unique official petitions. It can be seen here that all but two of the petitions for the age group 16 and 17 were for violations. Although the total number of unique official petitions is greater in each age group (Table 25) than the total number of unique

TABLE 24  
Age and Sex of the Unique Juveniles  
With Official Petitions in Family Court in 1973

Age	Male		Female		Total	
	N	%	N	%	N	%
7 Years	0	0.0	0	0.0	0	0.0
8 Years	1	0.1	0	0.0	1	0.1
9 Years	7	0.9	1	0.1	8	1.0
10 Years	13	1.6	3	0.3	16	1.9
11 Years	26	3.3	4	0.5	30	3.8
12 Years	24	3.0	14	1.8	38	4.8
13 Years	94	11.8	40	5.0	134	16.8
14 Years	169	21.1	63	7.9	232	29.0
15 Years	220	27.5	92	11.5	312	39.0
16 Years	14	1.8	12	1.5	26	3.3
17 Years	<u>1</u>	<u>0.1</u>	<u>2</u>	<u>0.2</u>	<u>3</u>	<u>0.3</u>
TOTAL	569	71.2	231	28.8	800 <sup>1</sup>	100.0

<sup>1</sup>Although a comparison of the 1973 juvenile offender population with the 1970 census of juveniles (125,922) given in this age grouping (see Table 1) may not be entirely valid, these 800 unique juveniles represent only 0.6% of that specific juvenile population in the county.

TABLE 25

Age and Status of the Total Unique Official Petitions

Age	JD		PINS		Violations		TOTAL	
	N	%	N	%	N	%	N	%
7 Years	0	0.0	0	0.0	0	0.0	0	0.0
8 Years	1	0.1	0	0.0	0	0.0	1	0.1
9 Years	5	0.4	4	0.3	0	0.0	9	0.7
10 Years	20	1.7	5	0.4	0	0.0	25	2.1
11 Years	32	2.8	5	0.4	4	0.3	41	3.5
12 Years	40	3.5	12	1.0	4	0.3	56	4.8
13 Years	128	10.9	40	3.4	16	1.4	184	15.7
14 Years	243	20.7	78	6.7	39	3.3	360	30.7
15 Years	279	23.8	112	9.6	67	5.7	458	39.1
16 Years	2	0.2	0	0.0	33	2.8	35	3.0
17 Years	0	0.0	0	0.0	3	0.3	3	0.3
TOTAL	750	64.1	256	21.8	166	14.1	1,172	100.0

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CONTINUED

TABLE 25  
Age and Status of the Total Unique Official Petitions

Age	JD		PINS		Violations		TOTAL	
	N	%	N	%	N	%	N	%
7 Years	0	0.0	0	0.0	0	0.0	0	0.0
8 Years	1	0.1	0	0.0	0	0.0	1	0.1
9 Years	5	0.4	4	0.3	0	0.0	9	0.7
10 Years	20	1.7	5	0.4	0	0.0	25	2.1
11 Years	32	2.8	5	0.4	4	0.3	41	3.5
12 Years	40	3.5	12	1.0	4	0.3	56	4.8
13 Years	128	10.9	40	3.4	16	1.4	184	15.7
14 Years	243	20.7	78	6.7	39	3.3	360	30.7
15 Years	279	23.8	112	9.6	67	5.7	458	39.1
16 Years	2	0.2	0	0.0	33	2.8	35	3.0
17 Years	0	0.0	0	0.0	3	0.3	3	0.3
TOTAL	750	64.1	256	21.8	166	14.1	1,172	100.0

juveniles (Table 24) the percentage breakdowns by age are almost the same regardless of whether you county unique juveniles or unique official petitions. When counting the total number of unique official petitions, the population consists of 864 males and 308 females.

TABLE 26

Number of Official Petitions Violated in 1973 Showing the Date and Status of the Official Petition that was Violated and the Sex of the

Year of Petition Violated	Juvenile				Total Official Petitions Violated
	Status of Petition Violated		Total Official Petitions Violated		
	JD	PINS	Male	Female	
1969	0	0	0	2	2
1970	2	1	3	1	7
1971	5	4	4	9	22
1972	23	1	17	33	74
1973	<u>22</u>	<u>3</u>	<u>15</u>	<u>25</u>	<u>65</u>
Totals	52	9	39	70	170

Total Status: JD's = 61; PINS = 109

Total Sex: Females = 79; Males = 91

To further substantiate the fact that individuals over 16 included in these data are not youthful offenders, Table 26 presents the year of the petition that was violated as well as the status of that petition. A youth who was 17 in 1973 would have been 15 in 1971. It can be seen that 22 petitions from 1971 were violated and two from as

far back as 1969. Therefore, it seems fair to conclude that the individuals over 16 who are included here are those youths who are still under the jurisdiction of the family court by virtue of the disposition of an official petition which they incurred while they were under 15 years of age. In 1973 there seemed to be a greater tendency to violate PINS petitions than JD petitions. It can also be seen that more females violated PINS petitions while more males violated JD petitions.

Table 27 shows the residence of JD and PINS juveniles in 1973 for the City of Rochester and for the towns.<sup>1</sup> Most of the (78.1%) official petitions that reached the court were for Rochester juveniles. The towns accounted for only 16.8% of the JD petitions, but almost 30.1% of the official PINS petitions in 1973.

Table 28 presents the residence and sex of the juvenile by official petition status. Here the percentage figures show that the city and towns are quite comparable in terms of male-female distribution of official JD and PINS petitions for 1973. The male-female ratio for PINS was almost 50-50, while the percentage of male JD's was over six times larger than that for females.

<sup>1</sup>The data in Table 27 are presented for each town individually in Table B-8 in Appendix B. Keep in mind also that these residence figures are based upon the count of each unique petition which means that some juveniles are counted more than once; it is also possible that a juvenile could have moved sometime during 1973 and may be counted in one town at the time of one official petition and in another town at the time of a subsequent official petition.

TABLE 27

Residence for 1973 JD and PINS Total

Official Unique Petitions<sup>1</sup>

<u>Residence</u>	<u>Petition Status</u>		
	<u>JD</u>	<u>PINS</u>	<u>TOTAL</u>
City of Rochester	608 81.1%	178 69.5%	786 78.1%
TOTAL Towns <sup>2</sup>	126 16.8%	77 30.1%	203 20.2%
TOTAL County	734 97.9%	255 99.6%	989 98.3%
New York State Outside Monroe County	15 2.0%	1 0.4%	16 1.6%
Non New York State	1 0.1%	0 0.0%	1 0.1%
GRAND TOTAL	750 100.0%	256 100.0%	1,006 100.0%

<sup>1</sup>There was no residence given on the petition sheets for the Violation Status.

<sup>2</sup>These data are presented for each town in Table B-8 in Appendix B.

TABLE 28

Residence and Sex of the Juveniles for the 1973 JD and PINS

Total Official Unique Petitions<sup>1</sup>

Residence		JD			PINS			TOTAL		
		M	F	T	M	F	T	M	F	T
City or Rochester	N	526	82	608	83	95	178	609	177	786
	%	86.5	13.5	100.0%	46.6	53.4	100.0	77.5	22.5	100.0
Total Towns	N	112	14	126	42	35	77	154	49	203
	%	88.9	11.1	100.0	54.6	45.4	100.0	75.9	24.1	100.0
Total County	N	638	96	734	125	130	255	763	226	989
	%	86.9	13.1	100.0	49.0	51.0	100.0	77.2	22.8	100.0
New York State Outside Monroe County	N	13	2	15	0	1	1	13	3	16
	%	86.7	13.3	100.0	0.0	100.0	100.0	81.3	18.7	100.0
Non New York State	N	1	0	1	0	0	0	1	0	1
	%	100.0	0.0	100.0	0.0	0.0	0.0	100.0	0.0	100.0
GRAND TOTAL	N	652	98	750	125	131	256	777	229	1,006
	%	86.9	13.1	100.0	48.8	51.2	100.0	77.2	22.8	100.0

<sup>1</sup>There was no residence given on the petition sheets for the Violation Status.

The data in Table 29 were based on the total unique official petitions for JDs and PINS in 1973, and, therefore the same individual may be counted more than once and also could be included in more than one category. It does, however, show what type of home each juvenile was living in at the time he/she committed the offense for which the petition was filed. Over 90% of all of the juveniles lived with some relative; of the 953 total in this category, 449 or 47.1% lived with both parents. Of the total 750 JD petitions, 357 or 47.6% showed the juvenile as living with both parents, while of the 256 PINS petitions, only 92 or 35.9% indicated that the juvenile lived with both parents. A larger number

TABLE 29

Homes Where Living and Sex of the Juveniles for the 1973 JD and PINS

Total Official Unique Petitions<sup>1</sup>

Homes Where Living		JD			PINS			TOTAL		
		M	F	T	M	F	T	M	F	T
Living With Relative <sup>2</sup>	N	623	92	715	114	124	238	737	216	953
	%	95.6	93.9	95.3	91.2	94.7	93.0	94.8	94.3	94.7
Living With Non- Relative <sup>2</sup>	N	29	6	35	11	7	18	40	13	53
	%	4.4	6.1	4.7	8.8	5.3	7.0	5.2	5.7	5.3
Total	N	652	98	750	125	131	256	777	229	1,006
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

<sup>1</sup>Homes Where Living was not given on the petition sheets for the Violation Status.

<sup>2</sup>The categories included in these groups are given in Table B-9 in Appendix B.

of PINS petitions, 113 of the 256, or 44.1%, listed the juvenile as living with the mother only.

In the previous chapter, it was mentioned that most JD petitions are filed by police departments while most PINS petitions come either through the school districts for truancy or from the parents for ungovernability. The figures given in Table 30 support this source of referral for each petition status; i.e., no PINS were referred by the police and only one JD was referred by parents.

TABLE 30

Source of Referral for JD and PINS Official Petitions in 1973<sup>1</sup>

<u>Source of Referral</u>	<u>Petition Status</u>				<u>Total</u>	
	<u>JD</u>		<u>PINS</u>		<u>N</u>	<u>%</u>
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>		
Police	665	88.7	0	0.0	665	66.1
Other <sup>2</sup>	70	9.3	0	0.0	70	7.0
Agency	14	1.9	25	9.8	39	3.9
School	0	0.0	122	47.6	122	12.1
Parents	<u>1</u>	<u>0.1</u>	<u>109</u>	<u>42.6</u>	<u>110</u>	<u>10.9</u>
GRAND TOTAL	750	100.0	256	100.0	1,006	100.0

<sup>1</sup>Source of Referral was not given on the petition sheets for the Violation Status.

<sup>2</sup>Includes Witness, Victim, etc. For a complete breakdown of each category see Table B-10 in Appendix B.

In summary, in 1973 the family court calendaring clerk processed 1,172 official petitions on 800 different juvenile offenders. Of this population, 71% were males and 29% females and 85% were 13, 14, and 15 years of age. Those juveniles over 15 were primarily ones who had violated the disposition of a petition incurred prior to 1973. Residence information showed that 78% of the JDs and PINS were from the City of Rochester and 20% were from the various towns in the county. Despite this disproportionate distribution, the male-female ratio in the city and the towns was comparable. Almost 95% of all of the JDs and PINS were living with relatives at the time of their apprehension. Out of all of the juveniles who came in contact with the police departments, school officials, agencies, etc., in the county, this then, was the population of juvenile offenders who had hearings before the family court judges in 1973.

Family Court Hearings

There are two major types of hearings for juvenile cases:

- 1.) adjudication or fact finding for which arraignment is the first stage and trial the second, and
- 2.) dispositional. Most cases are not settled in just two appearances in court, for either type of hearing may have a certain number of adjournments which will prolong the overall solution. In accordance with the juvenile's rights, the public may be excluded from these hearings.<sup>1</sup>

<sup>1</sup>McKinney, Family Court, 1963, Section 741.

1.) Adjudication:<sup>1</sup> The initial part of the adjudication hearing is called the arraignment,<sup>2</sup> and is held to determine who has jurisdiction over the youth (e.g., if it is found that he/she is over 16, adult court has jurisdiction);<sup>3</sup> and to advise the juvenile of his/her rights - the right to remain silent, and the right to have counsel of his/her choice, or, if unable to pay a counsel, have one appointed by the court. The judge advises the juvenile of the charges and if the juvenile has had contact with counsel prior to arraignment, a plea might be entered. Several things could occur. The case could be adjourned at this point, if, for example, the parents did not show up or the juvenile had not seen a counsel; the case could even be dismissed if legal insufficiencies are found (e.g., a PINS petition that has not had prior screening); the prosecution may for some reason decide to withdraw the petition (e.g., the petitioner settled it out of court); or, if all of the necessary details have been received, the case may be calendared for the trial or major fact-finding part of adjudication.<sup>4</sup>

<sup>1</sup>Ibid, and McKinney, Family Court, 1974-75, Sections 728, 741, and 742.

<sup>2</sup>In practice, about 80% of the Part I hearings (arraignments) are held on Monday.

<sup>3</sup>The original Family Court Act stated that a case involving any juvenile who was 15 years old and who had committed an act, which if committed by an adult, would be punishable by death or life imprisonment could not originate in family court; however, it could be sent to family court from the court of original jurisdiction. This was repealed and the change became effective September 1, 1967, giving family court exclusive original jurisdiction over all juvenile delinquency. McKinney, Family Court, 1963, 1974-75, Section 715.

<sup>4</sup>Arraignment is considered to be fact-finding in the sense that the juvenile's name, age, address, etc., are facts which are verified at the hearing, even if everything else is denied. The trial part of the fact finding is to determine whether or not the denials can be substantiated.

As mentioned in the Precourt Chapter, juveniles for whom detention is requested must be brought to court within 72 hours of placement in detention, or the next day the court is in session, for the special type of arraignment called a detention hearing.<sup>1</sup>

The intake probation officer meets with the juvenile and his/her family before the first hearing in court.<sup>2</sup> When a juvenile must be detained,<sup>3</sup> there is not always much time to draw up the preliminary information for the judge, however, the juvenile and his/her family are counseled on what to expect in a court hearing. An intake analysis is prepared,<sup>4</sup> which is a short form of a social history. The intake probation officer accompanies the juvenile and his/her family into court for the first hearing,<sup>5</sup> and must be

<sup>1</sup>McKinney, Family Court, 1974-75, Section 729.

<sup>2</sup>The intake services include the management of all cases of juveniles being held in detention; i.e., permission to visit the juveniles and other such matters must be approved by this section of probation services. As long as the juvenile is in detention, the probation officer must see him/her at least once a week. If the juvenile has not been detained, then the probation officer sees him/her at the hearing or at any preliminary interviewing. Ibid, Section 727.

<sup>3</sup>Juveniles who are already in detention are transported to and from the court by the transfer deputies in family court.

<sup>4</sup>An intake probation officer may request a psychiatric examination on the juvenile, but much of the in-depth investigation is assigned to a probation officer not involved with the intake services. This other section of probation is discussed in Chapter 4.

<sup>5</sup>Although the intake probation officers attempt to adjust cases informally in an effort to avoid going into court, all serious felonies such as murder, assault, etc., must be brought into court.

prepared to provide the judge with the reason for bringing the complaint to court.<sup>1</sup>

In addition to the juvenile, the adults legally responsible for him/her, and the intake probation officer, others probably present at the first hearing are the judge, counsel, and prosecution. Brief descriptions of these latter three participants and data for 1973 will provide some insight into the functioning of the Monroe County Family Court.

Judges:

On September 1, 1962 the Monroe County Children's Court became The Family Court in accordance with reorganization and unification of this whole court system in New York State described in Chapter 1. Two judges sat on the bench of the former Children's Court, but with the expanded jurisdiction under the new system, a third judgeship was mandated by the legislature with the official term beginning January 1, 1963. The caseload continued to increase and visiting judges filled in until a fourth judgeship was created effective January 1, 1965. Table 31 shows the total number of family court hearings and trials for both juveniles and adults from 1962 to 1973. The overall increase from 1962 to 1973 is 178%, and from 1965, when the fourth judgeship was added, until 1973, the increase was 24%.<sup>2</sup>

<sup>1</sup>Because most of the arraignment hearings are held on Monday, probation officers build their weekly schedule around this. If arraignments are changed to another day, frequently the intake probation officer has other assignments and is unable to get to court. In such instances, a copy of the intake report is put in the juvenile's file which is given to the judge.

<sup>2</sup>One recommendation in the recent Monroe County Bar Association's report, op. cit., p. 20, was that if some of the proposed revisions in the local family court system are not made or did not accomplish their goals, a fifth judgeship might be needed to avoid serious backlogs.

TABLE 31

Family Court Total Hearings<sup>1</sup> and Court Trials  
for Juveniles and Adults from 1962 through 1973<sup>2</sup>

<u>Year</u>	<u>Total Hearings and Trials</u>	<u>Percent Increase Over the Previous Year</u>
1962	4,330	
1963	7,410	+ 71.1
1964	9,254	+ 24.9
1965	9,707	+ 4.9
1966	10,839	+ 11.7
1967	11,663	+ 7.6
1968	12,827	+ 10.0
1969	13,541	+ 5.6
1970	14,529	+ 7.3
1971 <sup>3</sup>	?	
1972	12,358	- 14.9 <sup>4</sup>
1973	12,042	- 2.6
1962 to 1973 = +178.1		
1965 to 1973 = + 24.1		

<sup>1</sup>Includes Court Hearings and Hearings on Violations.

<sup>2</sup>Source: Annual Reports of the Monroe County Family Court, 1962-1973.

<sup>3</sup>No figure was available for the number of trials in 1971.

<sup>4</sup>This is the change from 1970 since no figures are available for 1971.

The Monroe County Family Court is divided into four parts, but these parts are not analogous to the four judgeships. Part I of the family court presently handles all new petitions before the court except child abuse and neglect proceedings. Parts II, III, and IV of the court are the trial sections, but Parts II and III currently alternate hearing the child abuse and neglect proceedings.<sup>1</sup> The judges rotate among the four parts every four weeks. Thus, they spend four consecutive weeks in Part I and 12 consecutive weeks in the three different trial parts of the court. It was mentioned that the calendaring clerk assigns the new official petitions to judges. In the case of JDs and PINS, the usual procedure at the present is to see if that juvenile or some member of his/her family has been before any one of the four judges; if so, then the new petition is assigned to that same judge. The purpose of this system is to assist in the decision making process in a particular case by allowing the judge to have prior knowledge of the family and related family matters.<sup>2</sup> All other new official petitions go to Part I of the court and become a part of the caseload for the judge who is sitting in Part I at that time. This judge is expected to complete the trials on all of these new cases during the

<sup>1</sup> The present assignment of certain types of petitions to certain Parts of the court is also under review and subject to change in the future.

<sup>2</sup> Monroe County Bar Association, Appendix 12. Arguments against the one-judge-one-family system are that the judge in his acquisition of all of the knowledge about one family becomes biased, especially toward some member of the family who is before the court for the first time. Arguments for the system are supported by the fact that in smaller counties there is either only one family court judge who hears all of the cases anyway, or the situation in smaller counties where the county court judge and the family court judge are the same person and hears all of the cases criminal and civil against the same family.

12 weeks that he/she spends in Parts II, III, and IV of the court.

The distribution of the 1973 juvenile offender caseload among the judges is shown in the next four tables. Remember that this juvenile caseload is only a part of each judge's total caseload. One regular judgeship was vacated and refilled during the year making a total of five different regular judges who sat on the family court bench at some time during 1973. The various visiting and substitute judges are grouped in the "other" category.<sup>1</sup> Because of these changes, a comparison of judge's caseloads in terms of numbers is not justified, but the percentages do provide some information. Approximately 97.4% of the total 1973 juvenile offender official petitions were heard by regular judges; 1.4% by other judges; and in 1.2% of the cases, the judge was unknown.<sup>2</sup>

Table 32 shows how each judge's own caseload of unique official petitions was divided among the three petition statuses.<sup>3</sup> All of the judges had comparable loads of JDs and PINS, but the Violations showed some variation, ranging from 5.6% to 17.8% of a judge's caseload. (Since one judge was new, it would seem natural that many violations were not in that caseload).

<sup>1</sup> As mentioned in Chapter 1, occasionally judges from family courts in other counties are allowed to visit, or are asked to substitute for an absent judge. Supreme court judges may not sit in family court, but the county court may transfer criminal cases to supreme court and free a county court judge to sit in family court. Monroe County Bar Association, op. cit., p. 15.

<sup>2</sup> The judge was not indicated in the juvenile's legal file in some instances. These were usually cases of juveniles on probation that had been transferred to Monroe County from other counties. The out-of-county judge was not relevant and no in-county judge was assigned, because the juvenile was on probation already and had no need to go before a permanent judge.

<sup>3</sup> These data are presented by sex in Table B-11 in Appendix B.

TABLE 32  
Frequency Distribution of the  
Total 1973 Juvenile Offender Official  
Petitions by Petition Status for Each Judge<sup>1</sup>

Judge <sup>2</sup>	Petition Status						Total <sup>3</sup>	
	JD		PINS		Violation			
	N	%	N	%	N	%	N	%
1	110	60.1	51	27.9	22	12.0	183	100.0
2	106	62.3	37	21.8	27	15.9	170	100.0
3	53	74.7	14	19.7	4	5.6	71	100.0
4	194	65.3	65	21.9	38	12.8	297	100.0
5	265	63.0	81	19.2	75	17.8	421	100.0
Other	14	87.5	2	12.5	0	0.0	16	100.0
Unknown	8	57.1	6	42.9	0	0.0	14	100.0
Total	750	64.0	256	21.8	166	14.2	1,172	100.0

<sup>1</sup>For a break down of these data by sex, see Table B-11 in Appendix B.

<sup>2</sup>The five regular family court judges in 1973 included Judges Wagner, Selke, Pine, Pilato, and Branch.

<sup>3</sup>Remember that this juvenile caseload is only a part of each judge's total caseload.

Tables 33 and 34 respectively present each judge's caseload by sex and age of the juvenile. When these tables are compared to the age and sex description of the whole population (Tables 24 and 25), it can be seen that each judge's caseload represents a fair sample of the total population. In terms of residence (see Table 35) all of the judges showed a much higher percentage of Rochester juveniles. If these data are compared to those in Tables 27 and 28, it can be seen that the judges' caseloads are similar to the residence distribution for the total population.

TABLE 33  
Frequency Distribution by Sex<sup>1</sup> of the Unique  
Juvenile Offenders Handled by Each Judge in 1973

Judge <sup>2</sup>	Sex of the Juvenile					
	Male		Female		Total	
	N	%	N	%	N	%
1	110	74.8	37	25.2	147	100.0
2	83	70.9	34	29.1	117	100.0
3	47	81.0	11	19.0	58	100.0
4	158	69.0	71	31.0	229	100.0
5	221	71.1	90	28.9	311	100.0
Other	10	83.3	2	16.7	12	100.0
Unknown	11	78.6	3	21.4	14	100.0
Total	640	72.1	248	27.9	888 <sup>3</sup>	100.0

<sup>1</sup>For combined data on age and sex for the juveniles see Table B-12 in Appendix B.

<sup>2</sup>The five regular family court judges in 1973 included Judges Wagner, Selke, Pine, Pilato, and Branch.

<sup>3</sup>Although we are dealing with unique juveniles, the total N is greater than 800 because we are talking about the total unique juveniles seen by each judge. The same juvenile could have been seen by more than one judge due to the substitution of one judge for another.

TABLE 34

Frequency Distribution by Age<sup>1</sup> of the Unique Juvenile Offenders  
Handled by Each Judge in 1973

Age	Judge <sup>3</sup>										Total N	Total %				
	1		2		3		4		5				Other N	Other %	Unknown N	Unknown %
	N	%	N	%	N	%	N	%	N	%						
7 Years	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
8 Years	1	0.7	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1	0.1
9 Years	1	0.7	0	0.0	2	3.4	3	1.3	2	0.6	0	0.0	1	7.1	9	1.0
10 Years	5	3.4	2	1.7	0	0.0	7	3.0	5	1.6	0	0.0	0	0.0	19	2.1
11 Years	6	4.1	3	2.6	4	7.0	10	4.3	8	2.6	0	0.0	0	0.0	31	3.5
12 Years	9	6.1	7	6.0	0	0.0	8	3.5	22	7.1	0	0.0	0	0.0	46	5.2
13 Years	27	18.4	18	15.4	9	15.5	29	12.7	54	17.4	4	33.3	4	28.6	145	16.3
14 Years	38	25.8	32	27.3	20	34.4	75	32.8	91	29.3	3	25.0	3	21.4	262	29.5
15 Years	53	36.1	53	45.3	23	39.7	89	38.9	117	37.6	5	41.7	5	35.8	345	38.9
16 Years	7	4.7	2	1.7	0	0.0	7	3.1	10	3.2	0	0.0	1	7.1	27	3.1
17 Years	0	0.0	0	0.0	0	0.0	1	0.4	2	0.6	0	0.0	0	0.0	3	0.3
TOTAL	147	100.0	117	100.0	58	100.0	229	100.0	311	100.0	12	100.0	14	100.0	888 <sup>2</sup>	100.0

<sup>1</sup>For combined data on age and sex by judges see Table B-12 in Appendix B.

<sup>2</sup>Although we are dealing with unique individuals, the total N is greater than 800 because we are talking about the total unique individuals seen by each judge. The same individual could have been seen by more than one judge due to the substitution of one judge for another.

<sup>3</sup>The five regular family court judges in 1973 included Judges Wagner, Selke, Pine, Pilato, and Branch.

In these last four tables if only the five regular judges are considered, the range of variation among the judges for any one variable can be as much as 10 percent (e.g., Table 35, City of Rochester variable, range 72.7% to 91.9%). When one considers, however, all of the possible variables on which juveniles could be matched (e.g., age, sex, homes where living, residence, etc.), and all of the factors that work against matching caseloads, such as the assignment of cases according to the one-judge-one family rule, these five regular judges in 1973 had caseloads of juvenile offenders that were fairly balanced.

TABLE 35  
Residence<sup>1</sup> of JD and PINS on Unique Official Petitions  
by Judge for 1973

Judge <sup>2</sup>	City of Rochester		Towns <sup>3</sup>		Other		Total County	
	N	%	N	%	N	%	N	%
1	119	73.9	40	24.9	2	1.2	161	100.0
2	104	72.7	37	25.9	2	1.4	143	100.0
3	54	80.6	11	16.4	2	3.0	67	100.0
4	212	81.9	43	16.6	4	1.5	259	100.0
5	273	78.9	67	19.4	6	1.7	346	100.0
Other	15	93.8	1	6.2	0	0.0	16	100.0
Unknown	9	64.3	4	28.6	1	7.1	14	100.0
Total	786	78.1	203	20.2	17	1.7	1006	100.0

<sup>1</sup>Residence was not on the petition sheets for the Violation status.

<sup>2</sup>The five regular family court judges in 1973 included Judges Wagner, Selke, Pine, Pilato, and Branch.

<sup>3</sup>These data are presented by each town in Table B-13 in Appendix B.

Law Guardians:

If the juvenile does not have his/her own legal counsel, the court provides one at arraignment in accordance with the law (as defined in Chapter 1).<sup>1</sup> For Monroe County, the Appellate Division of the Fourth Judicial District contracts with the local Legal Aid Society for these law guardians; presently there are three full-time positions. They handle all types of official petitions involving juveniles both as offenders and victims. Once a juvenile is assigned a law guardian, that guardian continues to handle all future encounters that that juvenile has with family court either on the same offense or on new offenses. The law guardians must do all of their own investigating for each case.

The next six tables depict the counsel for the juvenile offenders in 1973. Table 36 shows the type of counsel that was assigned by each judge for each one of the unique official petitions. . Once again there is a pretty good balance between public and private counsel across the judges. The table clearly shows that private counsels handled only 11.1% (130) of the total number of unique official juvenile offender petitions, while the law guardians had 84.8% of the caseload (994); counsel was unknown in 4.1% (48) of the cases.<sup>2</sup> The private attorney's caseload (Table 37) was largely official JD petitions (79.2%). In spite of their own caseload distribution,

<sup>1</sup>Technically, the law guardian is appointed at arraignment, but in local practice the law guardians go to the waiting rooms early in the morning and advise the juveniles and their parents of the right to counsel, and anyone who wishes to speak to a law guardian before court may do so.

<sup>2</sup>The instances when the law guardian was unknown were primarily cases transferred to Monroe County from other locations, or cases that were dismissed at arraignment, so no counsel was needed.

TABLE 36

Frequency Distribution of the Type of Counsel that Worked Under Each Judge for the Total Official Petitions for all Three Juvenile Offender Statuses in 1973

Judge <sup>1</sup>		Private Counsel	Counsel Law Guardian	Unknown	Total
1	N %	27 14.8%	147 80.3%	9 4.9%	183 100.0%
2	N %	24 14.1%	142 83.5%	4 2.4%	170 100.0%
3	N %	11 15.5%	59 83.1%	1 1.4%	71 100.0%
4	N %	33 11.1%	262 88.2%	2 0.7%	297 100.0%
5	N %	33 7.8%	370 87.9%	18 4.3%	421 100.0%
Other	N %	2 12.5%	14 87.5%	0 0.0%	16 100.0%
Unknown	N %	0 0.0%	0 0.0%	14 100.0%	14 100.0%
TOTAL	N %	130 11.1%	994 84.8%	48 4.1%	1,172 100.0%

<sup>1</sup>The five regular family court judges in 1973 included Judges Wagner, Selke, Pine, Pilato; and Branch.

TABLE 37  
Frequency Distribution of the Total 1973 Juvenile Offender  
Official Petitions by Petition Status for Private  
and Public Counsel<sup>1</sup>

<u>Counsel</u>	<u>Petition Status</u>							
	<u>JD</u>		<u>PINS</u>		<u>Violation</u>		<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Private	103	79.2	24	18.5	3	2.3	130	100.0
Public	614	61.8	218	21.9	162	16.3	994	100.0
Unknown	33	68.8	14	29.1	1	2.1	48	100.0
Total	750	64.0	256	21.8	166	14.2	1172	100.0

the private attorneys handled only 13.7% (103) of all (750) of the official JD petitions, but they did handle a larger percentage (24 cases or 18.5%) of the total 256 official PINS petitions.<sup>2</sup> Of the total 166 Violation petitions, the number they handled (3 or 1.8%) was extremely small. These three Violation petitions were only 2.3% of their own caseload. The 130

<sup>1</sup>These data are given by sex of the juvenile in Table B-14 in Appendix B.

<sup>2</sup>Present practice is to try to have the law guardians handle most of the PINS cases because too often the parent is the complainant and has obtained counsel for himself but not for the juvenile. If the parents can afford a private attorney, the attorney might claim conflict of interest if he/she already represents the parents and is also asked to represent the juvenile. If the parents cannot afford a private attorney for themselves, then the court frequently appoints the family court screener to be their prosecutor. Attempts are being made to encourage the private bar to take more JD cases.

TABLE 38  
Frequency Distribution of the Number of Official Petitions  
Handled by Private Attorneys in 1973

<u>Number of Official Petitions Handled</u>	<u>Number of Private Attorneys</u>	<u>Percent of Private Attorneys</u>	<u>Total Official Petitions</u>
1	55	64.7%	55
2	18	21.2%	36
3	10	11.7%	30
4	1	1.2%	4
5	1	1.2%	5
TOTAL	85	100.0%	130

TABLE 39  
Frequency Distribution of the Number of Official Petitions  
Handled by Each Law Guardian in 1973

<u>Number of Official Petitions Handled by Law Guardians</u>	<u>Number of Law Guardians</u>	<u>Percent of Official Petitions Handled by Each Law Guardian</u>
406	1	40.8
326	1	32.8
250	1	25.2
12 <sup>1</sup>	1	1.2
994		100.0

<sup>1</sup>This law guardian became a family court screener in 1973 and was replaced by a new law guardian.

official petitions were handled by 85 different private attorneys.<sup>1</sup> Over half of these 85 (55 or 64.7%) handled only one official petition in 1973; the most that any one private attorney handled was 5, while the three main law guardians<sup>2</sup> handled from 250 to 406 cases each (see Tables 38 and 39). Remember, also, that the law guardians handle other types of family court cases besides the juvenile offenders.

Looking at unique juveniles now instead of unique official petitions, Table 40 shows that the private attorneys' caseloads consisted

TABLE 40  
Frequency Distribution by Sex<sup>2</sup> of the Unique Juvenile Offenders  
Handled by Private and Public Counsel in 1973

<u>Counsel</u>	<u>Sex</u>				<u>Total</u>	
	<u>Male</u>		<u>Female</u>		<u>N</u>	<u>%</u>
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>		
Private	94	84.7	17	15.3	111	100.0
Public	515	70.0	221	30.0	736	100.0
Unknown	32	68.1	15	31.9	47	100.0
Total	641	71.7	253	28.3	894 <sup>3</sup>	100.0

<sup>1</sup>There are approximately 1,200 private attorneys in Monroe County.

<sup>2</sup>These data are presented by age in Table B-15 in Appendix B.

<sup>3</sup>Although we are dealing with unique juveniles, the total N is greater than 800 because we are talking about the total unique juveniles seen by each counsel. The same juvenile could have seen more than one counsel due to substitution or changes.

of a smaller percentage of females than that of the law guardians, but the distribution of the law guardians' caseloads by sex of the juvenile is closer to that of the total population (see Table 24). If the data in Table 40 are compared to those in Table 37, it can be seen that the private attorneys handled 111 unique juveniles on 130 unique official petitions; the other 19 official petitions (14.6%) involved additional offenses allegedly committed by some of their clients at other times during the same year. The law guardians handled 736 unique juveniles on 994 unique official petitions and the remaining 258 official petitions (26.0%) - almost twice the multiple petition percentage of the private attorneys - were clients who allegedly committed new offenses at some other time during the year.

Table 41 shows the counsels' caseloads by age of the unique juveniles; this closely approximates the distribution for the total population (see Table 24). The residence of the juvenile by the type of counsel is a different story (Table 42). The ratio of Rochester to town clients for the private attorneys is 44.4% to 55.6%, while that for the law guardians is 83.8% to 14.5%. That for the law guardians is a little more consistent with the distribution of the total population (see Table 27). This difference in type of counsel may reflect in part the overall economic differences between the residents of Rochester and those in the suburbs.

These population descriptions represent those juvenile offenders who got as far into the court system as the arraignment.

TABLE 41  
Frequency Distribution by Age<sup>1</sup> of the Unique Juvenile Offenders  
Handled by Private and Public Counsel in 1973

Age	Counsel						Total	
	Private Counsel		Law Guardian		Unknown		N	%
	N	%	N	%	N	%	N	%
7 years	0	0.0	0	0.0	0	0.0	0	0.0
8 years	0	0.0	1	0.1	0	0.0	1	0.1
9 years	3	2.7	5	0.7	1	2.1	9	1.0
10 years	4	3.6	14	1.9	0	0.0	18	2.0
11 years	2	1.8	29	3.9	1	2.1	32	3.6
12 years	5	4.5	38	5.2	4	8.5	47	5.3
13 years	16	14.5	120	16.3	12	25.5	148	16.6
14 years	33	29.7	221	30.0	13	27.7	267	29.9
15 years	47	42.3	282	38.4	13	27.7	342	38.2
16 years	1	0.9	23	3.1	3	6.4	27	3.0
17 years	0	0.0	3	0.4	0	0.0	3	0.3
TOTAL	111	100.0	736	100.0	47	100.0	894 <sup>2</sup>	100.0

<sup>1</sup>These data are presented by sex of the juvenile in Table B-15 in Appendix B.

<sup>2</sup>Although we are dealing with unique juveniles, the total N is greater than 800 because we are talking about the total unique juveniles seen by each counsel. The same juvenile could have seen more than one counsel due to substitution or changes.

TABLE 42  
Residence<sup>1</sup> of JD and PINS Unique Official Petitions  
by Private and Public Counsel for 1973

Counsel	Residence							
	City of Rochester		Towns <sup>2</sup>		Other		Total County	
	N	%	N	%	N	%	N	%
Private	56	44.4	70	55.6	0	0.0	126	100.0
Public	699	83.8	121	14.5	14	1.7	834	100.0
Unknown	31	67.4	12	26.1	3	6.5	46	100.0
Total	786	78.1	203	20.2	17	1.7	1006	100.0

Some cases were dismissed at this stage,<sup>3</sup> others went on into the second part or trial stage of adjudication. If the juvenile gets to the trial, the purpose of the court is to determine whether he/she actually did what was alleged in the official petition.<sup>4</sup> All of the facts are gathered by

<sup>1</sup>Residence was not on the petition sheets for the Violation status.

<sup>2</sup>These data are presented by town in Table B-16 in Appendix B.

<sup>3</sup>Although figures will be presented on the total number of official petitions that were dismissed, it was not possible to determine at which type of hearing this dismissal occurred, so the total number of official petitions that went on into trial is not available.

<sup>4</sup>McKinney, Family Court, 1974-75, Section 742.

the defense and prosecution and the evidence is presented.<sup>1</sup> If the juvenile is in detention, the adjudicatory hearing may not be adjourned for more than three days if the motion comes from the court or the prosecution, but can be adjourned for a "reasonable length of time" if the motion is made on behalf of the juvenile by the law guardian or adults legally responsible for the juvenile. Successive motions for adjournment are granted only under special circumstances.<sup>2</sup>

The next three tables show the sex of the juvenile and the offenses with which he/she was charged in each of the three official petition statuses in 1973. The violators (Table 43) of official petitions were fairly evenly split between males (52.4%) and females (47.6%) with slightly more males than females.<sup>3</sup> Almost one-third (29.5%) of these juveniles not only violated a previous official petition, but also

<sup>1</sup>The age restrictions placed on a witness does affect the admissible evidence at times. McKinney, Criminal Procedure Law, 1971, Section 60.20:

"Any person may be a witness in a criminal proceeding unless the court finds that, by reason of infancy or mental disease or defect, he does not possess sufficient intelligence or capacity to justify the reception of his evidence.

"Every witness more than twelve years old may testify only under oath unless the court is satisfied that he understands the nature of an oath. If the court is not so satisfied, such child may nevertheless be permitted to give unsworn evidence if the court is satisfied that he possesses sufficient intelligence and capacity to justify the reception thereof.

"A defendant may not be convicted of an offense solely upon the unsworn evidence of a child less than twelve years old given pursuant to subdivision two."

<sup>2</sup>McKinney, Family Court, 1974-75, Section 748. In practice, if there are too many delays, the defense may move for dismissal on the grounds that the juvenile's rights to a speedy trial have been violated.

<sup>3</sup>These data are presented by sex and age in Table B-17 in Appendix B.

TABLE 43  
Offense by Sex of Juvenile for the 1973  
Official Violation Petition<sup>1</sup>

Offense	Sex		Total	
	Male N %	Female N %	N	%
Detention Hearing	27	34	61	36.8
Warrant	20	29	49	29.5
Other Arraignment	34	13	47	28.3
Unknown	6	3	9	5.4
	87	79	166	100.0
	52.4	47.6		

had made their presence scarce enough for the judge to issue a warrant for them to be picked up and brought before the court. Another thing to note is that a large percentage of the balance who were brought in for arraignment required the special type of arraignment or detention (36.8%) hearing. There are no figures available on how many detentions were required for juveniles having official petitions in the other two statuses.

Offenses for the official PINS petitions (Table 44) were also fairly evenly balanced between males (48.8%) and females (51.2%), but with a slight edge going to the females this time. Parents (51.6%) and schools (47.3%) had an almost equal amount of PINS petitions reach official status;

<sup>1</sup>These data are presented by sex and age in Table B-17 in Appendix B.

TABLE 44

## Offense by Sex of Juvenile for the 1973

Official PINS Petitions<sup>1</sup>

Offense	Male		Female		Total	
	N	%	N	%	N	%
Ungovernable	50		82		132	51.6
Truancy	75		46		121	47.3
Transfer from other County	0		3		3	1.1
Totals	125	48.8	131	51.2	256	100.0

there are some indications that many of the juveniles whose parents file ungovernability petitions against them have histories of truancy.<sup>2</sup>

The ratio of the sexes changes drastically for the offenses alleged on the official JD petitions for 1973 - 9 males to every 1 female (Table 45). Known felonies (38.4%) were slightly more frequent than known misdemeanors (33.2%).

<sup>1</sup>These data are presented by sex and age in Table B-18 in Appendix B.

<sup>2</sup>Carlisle H. Dickson, Target PINS - An Experimental Action Program, Rochester-Monroe County Criminal Justice Pilot City Program, Graduate School of Management, The University of Rochester, June, 1975. See also the discussion on the Rochester City School District's filing of petitions in Chapter 2 of this report.

TABLE 45

## Offense Classification by Sex of Juvenile for 1973

Official JD Petitions<sup>1</sup>

Offense	Male		Female		Total	
	N	%	N	%	N	%
Felony	358		17		375	38.4
Misd/felony <sup>2</sup>	215		43		258	26.4
Misdemeanor	283		42		325	33.2
Violation <sup>3</sup>	5		3		8	0.8
Other	10		2		12	1.2
Total	871	89.1%	107	10.9%	978 <sup>4</sup>	100.0

<sup>1</sup>These data are presented by specific offense and age in Table B-19 in Appendix B.

<sup>2</sup>From the data it was not possible to discern if these offenses were classified as felonies or misdemeanors.

<sup>3</sup>Violation here refers to the offense classification for which there is a penalty and not to the violation of an official petition.

<sup>4</sup>Keep in mind that we are counting total offenses and consequently those juveniles who were charged with multiple offenses on the same petition will appear more than once in these data.

Keep in mind that total offenses were counted and consequently those juveniles who were charged with multiple offenses on the same official petition will appear more than once in these data (see Table 23). The number of multiple offenses on each official JD petition is shown in Table 46. While 546 official petitions (72.8%) named only one offense, 27.2% named more than one offense.

TABLE 46  
Frequency of Multiple Offenses on  
the 1973 Official JD Petitions

		<u>Number of Offenses Named</u>				
		1	2	3	4	Total
<u>Frequency of JD</u>	N	546	183	18	3	750
<u>Official Petitions</u>	%	72.8	24.4	2.4	0.4	100.0

The bulk of the balance of offenses in Table 45 were those which according to legal definition could be a misdemeanor or a felony depending upon the seriousness. The information to determine which category they belonged in was not available. Even if those 258 offenses (26.4%) were all misdemeanors, the almost 40% felony rate was a considerable proportion of the total offenses for this age group. This percentage is consistent with the number of arrests for felonies (41.5%) in Monroe County (see Table 12).

If the allegations of a petition are not established, the court must dismiss the petition.<sup>1</sup> On the other hand, if the allegations are

<sup>1</sup>McKinney, Family Court, 1963, Section 751.

substantiated, the court states the reasons for finding the juvenile either a JD or a PINS.<sup>1</sup> When the juvenile has been so adjudicated, the court orders a hearing for the disposition of the juvenile.

Special Diversion Program

Just as there were special programs designed to divert juveniles from the court system at the precourt stage, there is one such project proposed for the court stage. This project, called Target PINS, is an action grant prepared for the County of Monroe and the Department of Probation by the Rochester-Monroe County Criminal Justice Pilot City Program. The grant for \$90,000 covers a 14-month period with a proposed starting date of July 1, 1975 (subject to final grant approval). It calls for a full-time staff of five (director, 3 youth crisis counselor advocates, and a secretary), a part-time research analyst, and some part-time research assistants.

The purpose of the project is to divert as many of the unofficial PINS petitions out of court as possible, over and above those diverted out by the family court intake probation. The reasoning behind this is to remove all of the PINS cases from the court not only to reduce the workload within court, but also because such cases - which are called status cases in that if the "offense" were committed by an adult, it would NOT be a crime - should be settled outside of court, so that the juvenile is not "labeled". The crisis counselors will maintain a low caseload of only 15 juveniles and will be on call to them 24 hours a day

<sup>1</sup>Ibid, Section 752.

by means of an answering service. One aim is to create a low pressure but intensive type of counseling situation. No juvenile will be in the program more than three months, and will receive counseling from the staff member and referrals to various local agencies that work with juveniles. After the three-month period, the staff will make a recommendation on the juvenile to family court intake to either adjust the case informally or file an official petition. Juveniles who are randomly assigned to Target PINS will be compared with those who receive the normal intake services to determine whether or not this type of diversion is effective.

#### Court Stage Summary

Unofficial petitions from the precourt stage - police, school officials, parents - which are not adjusted at that stage, enter the family court system. The unofficial JD petitions go to the screener for review and are then passed on to intake probation. At intake these unofficial JD petitions plus the unofficial PINS petitions from school districts, and the unofficial petitions from walk-in clients are all reviewed by intake to see if any can be adjusted informally. Those that cannot be, are sent to the court calendaring clerk who clocks them in, making them official petitions. They are then processed for court hearing. Violation petitions and petitions of complainants who are dissatisfied with the disposition of their unofficial petition at the precourt stage come directly to the court calendaring clerk. The intake probation officer technically is responsible for the juvenile through adjudication or fact finding; i.e., arraignment and trial. The case

may be dismissed at any stage for various reasons, so the number of appearances before the judge varies. The cases may also be adjourned at various times, so the length of a case is unpredictable. When all of the facts are in, the juvenile is either dismissed or adjudicated (i.e., found guilty of the allegations on the official petition) a JD or PINS. Those juveniles who are adjudicated then enter the postcourt stage of the process.

Postcourt Stage<sup>1</sup>

Those juveniles who are adjudicated either a JD or a PINS, must have a dispositional hearing. The purpose of this type of hearing is to determine if the JD requires supervision, treatment or confinement, and if a PINS needs supervision or treatment.<sup>2</sup> In order to make this decision, the judge uses the information from the adjudication hearings on the present case and in addition requests that a social history investigation<sup>3</sup> be done by the supervision probation section of the probation department.<sup>4</sup> To accomplish the latter, the case is adjourned. Adjournments after an adjudicatory hearing or during a dispositional hearing may

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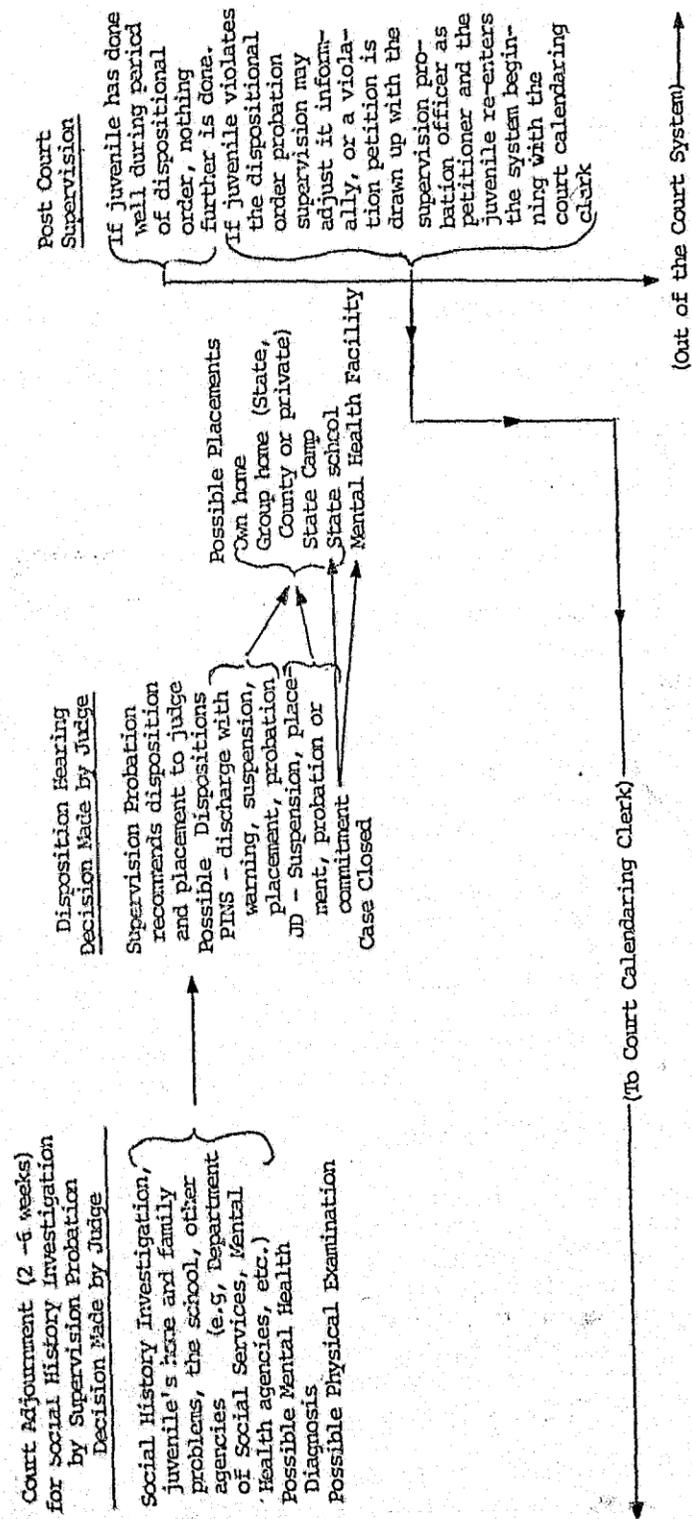
<sup>1</sup>There are two ways in which the postcourt stage for juvenile offenders can be defined. The first choice is to say that all time that involves court hearings -- from the arraignment through disposition -- is the court stage and the physical placement of the juvenile, either in his/her own home or away from that home is postcourt. The other alternative is to define all court hearings from arraignment through fact finding as the court stage. Everything after that, even the dispositional hearing is then referred to as postcourt because any juvenile who is not dismissed, is assigned to supervision probation for an investigation before the dispositional hearing. The entrance into the process of this section of the probation department can constitute the beginning of the postcourt stage. It is the second definition that is followed in this report.

<sup>2</sup>McKinney, Family Court, 1963, Section 743.

<sup>3</sup>"Reports prepared by the probation services for use by the court at any time prior to the making of an order of disposition shall be deemed confidential information furnished to the court which the court in a proper case may, in its discretion, withhold from or disclose in whole or in part to the law guardian, counsel, party in interest, or other appropriate person. Such reports may not be furnished to the court prior to the completion of an adjudicatory hearing but may be used in a dispositional hearing." McKinney, Family Court, 1974-75, Section 746.

<sup>4</sup>Intake probation officers have technically been with the juvenile through the adjudication -- arraignment and trial. In order not to confuse that section of probation with the section that handles the postcourt investigation and supervision, the latter will be referred to in this report as supervision probation.

FIGURE 5  
Flow Diagram of Postcourt Stage of Processing of Juvenile Offenders<sup>1</sup>



not be more than 10 days and a total of two such adjournments will be granted without special circumstances if the motion is from the court or the prosecution. If the motion comes on behalf of the juvenile, it may be for a "reasonable length of time".<sup>1</sup>

### Supervision Probation

Assignment of Cases: Supervision probation officers are assigned to cases based primarily on two criteria -- geographic residence of the juvenile and some matching of the juvenile's problems with the probation officer's experience. The importance of geographic residence is one of the changes that has occurred in the probation department's reorganization over the past two or three years. The aim was to decentralize the supervision probation section into four groups. Each group would have the responsibility for residents in one fourth of Monroe County.<sup>2</sup> This part of the changeover has been accomplished.<sup>3</sup>

<sup>1</sup>McKinney, Family Court, 1974-75, Section 749.

<sup>2</sup>These four sections are identical to the catchment area system defined for Monroe County as mandated by HEW in the Comprehensive Community Mental Health Centers Acts, 1963, 1965, and 1970.

<sup>3</sup>This part of the changeover was made possible through a grant that was prepared by the Pilot City Program for the County of Monroe and the Probation Department. For details refer to Monroe County Family Court Probation Project, Rochester-Monroe County Criminal Justice Pilot City Program, Graduate School of Management, University of Rochester, 1973. The next phase is to have a satellite office in each of the four quadrants which would increase mobility between the caseworker and client, and, hopefully, would save many clients long trips down to the Hall of Justice. The location for the first such office in the northwest quadrant of the county (Area D) has been decided on and is currently being made functional. The staff for that area is expected to be physically located on Buffalo Road sometime this year. Another phase of the changeover is to establish what might be called "subsattellite" offices at other locations within each quadrant. Such smaller offices would only be open at specific times based upon the need in the area. For example, such an office might be open in one town or village one or two days a week, and in another town or village one day a month; and some towns and villages would have no need for such services. The subsattellite offices would be operated by the satellite office.

Once the juvenile's residence is known, the case is assigned to the supervision probation team in that geographical area. Each team has one principal probation officer, one or two supervisors, and several senior probation officers, probation officers, and probation officer trainees. The entire supervision probation section has a staff of approximately 65, but each team size depends upon the caseload of the area.<sup>1</sup>

After assignment to a team, the juvenile is then assigned to a specific supervision probation officer within that team. If the juvenile has been assigned to supervision probation before, the probability is high that he/she will be assigned to the same probation officer -- unless during the recent changeover the former probation officer was assigned to a geographical area different from the one in which the juvenile resides. In the latter instance, the juvenile would be assigned to a new probation officer and attempts are made to try to make the assignment on the basis of the juvenile's specific needs and the probation officer's experience with that type of problem.<sup>2</sup>

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<sup>1</sup>For further information on probation staff and budgets, refer to Tables B-1 through B-6 in Appendix B.

<sup>2</sup>With the recent combination of adult and family court probation, many of the probation officers formerly with adult probation had experience only with criminal cases, where the philosophy is to protect the public. Family court matters and especially juvenile cases are geared toward helping the child, and require a slightly different approach. The probation department has no rules as to the type of caseload the probation officers must carry. Some teams have probation officers who handle only juvenile cases; other teams have only probation officers who handle both juveniles and adults. It is largely based on personal preference and the philosophy of each team.

Investigation and Supervision: The supervision probation officer then meets with the juvenile and his/her family, and begins compiling information for the social history, and starts counseling and supervising the juvenile. It is because this supervision begins at this point, that this is considered a part of the postcourt stage even though there is still a court hearing in the picture. The social history investigation requires interviews with the family regarding the juvenile's current and past problems, physical and mental health history, and any contacts with other agencies (drug groups, Department of Social Services, etc.). With the parents' consent, these agencies are contacted for relevant information, as well as the teachers and counselors at the juvenile's own school. A mental health diagnostic might be requested from an appropriate agency and a physical examination might be deemed necessary.

In addition to this, the investigation involves looking into the juvenile's past history with the police and court system. Any recurrence of such contacts, called recidivism, helps to point out whether the situation is acute or chronic, and the seriousness of the past behavior activities. Some idea of the degree of recidivism among the juvenile population for 1973 can illustrate some of the patterns and problems that confront the supervision probation officers.

Recidivism: There are two ways of looking at the recidivism data for 1973. First of all, a look at the number of juveniles who had more than one official petition before the court within the calendar year 1973 (which will be called multiple petitions) can give an idea

of the recent frequency of recidivism. Secondly, the number of official petitions before family court prior to 1973 (which will be called "priors") can provide some information on the historical aspect of recidivism.

The number of multiple official petitions incurred by juveniles within each of the three petition statuses can be seen in Table 47. While most of the unique individuals within each petition status had only one official petition of that particular status, one JD had as many as seven official JD petitions within 1973 alone and another juvenile had as many as five violations; three official PINS petitions was the largest number for any single juvenile.

The figures in Table 47 count each unique juvenile within each petition status, but some juveniles had petitions of more than one status. When considering the unique juveniles in the total population (800) and counting the number of official petitions they had in 1973 across all three statuses (Table 48), the picture changes slightly. Nearly 30% of the 800 unique juveniles who came before family court in 1973 were there on more than one official petition. About half of that percentage (13.8% or 110 unique juveniles) were involved with official petitions of more than one status; and seven of these juveniles had official petitions of all three statuses. Table 49 provides a further breakdown of those unique juveniles who had official petitions in more than one status. Glancing at each of the four possible types of official petition combinations, it can be seen that slightly more than half (62 or 56.3%) of the 110 juveniles had only one official petition for each of the possible combinations.

TABLE 47

Frequency of Multiple Petitions

Incurred in 1973 by the Unique Juveniles Within Each Petition Status

Petition Status	Petition Frequency							Total Unique Individuals Within Each Status <sup>1</sup>	Total Number of Petitions <sup>2</sup>
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>		
Violation	108	22	3	0	1	0	0	134	166
PINS	247	3	1	0	0	0	0	251	256
JD	<u>394</u>	<u>89</u>	<u>30</u>	<u>15</u>	<u>3</u>	<u>1</u>	<u>1</u>	<u>533</u>	<u>750</u>
TOTAL	N 749	114	34	15	4	1	1	918	1,172
	% 81.6	12.5	3.7	1.6	0.4	0.1	0.1	100.0	

<sup>1</sup>This total is 918 and not 800 (the number of unique juveniles in the total population) because when counting the total unique juveniles within each petition status, some juveniles have petitions of more than one status so are counted more than once.

<sup>2</sup>This figure is obtained by multiplying the number of unique individuals in a cell by the petition frequency number at the top of that column. For example, the violation row is interpreted as follows: Cell 1 = 108, unique individuals, the petition frequency for that column also is 1. Therefore, 108 x 1 = 108 total petitions. The next cell has 22 unique individuals, the column frequency is 2. Therefore, 22 x 2 = 44 total petitions represented in that cell, and so on.

TABLE 48

Frequency of Multiple Petitions Incurred  
in 1973 by Unique Juveniles

<u>Official Petition Combinations</u>	<u>Frequency of the Number of Unique Juveniles</u>	
	<u>N</u>	<u>%</u>
Single Petition/Single Status:		
Violation Only	48	(6.0)
PINS Only	182	(22.7)
JD Only	339	(42.3)
TOTAL	569	71.0
Multiple Petition/Single Status:		
Violation Only	12	(1.5)
PINS Only	2	(0.3)
JD Only	107	(13.4)
TOTAL	121	15.2
Multiple Petition/Two Statuses:		
Violation and PINS	23	(2.9)
Violation and JD	43	(5.4)
PINS and JD	37	(4.6)
TOTAL	103	12.9
Multiple Petition/Three Statuses:		
Violation, PINS, and JD	7	(0.9)
GRAND TOTAL	800 <sup>1</sup>	100.0

<sup>1</sup>Data on age and sex and number of official petitions incurred in 1973 are given in Table C-1 in Appendix C.

TABLE 49

Frequency of Unique Individuals Having Multiple Petitions  
in 1973 for Combinations of 2 and 3 Statuses

<u>Violation Petition Frequency</u>	<u>PINS Petition Frequency</u>			
	<u>1</u>	<u>2</u>	<u>3</u>	
1	19			
2	4			
3				
TOTAL INDIVIDUALS	23	0	0 = 23	
<hr/>				
<u>Violation Petition Frequency</u>	<u>JD Petition Frequency</u>			
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
1	19	9	6	1
2	6	1		
3	1			
TOTAL INDIVIDUALS	26	10	6	1 = 43
<hr/>				
<u>PINS Petition Frequency</u>	<u>JD Petition Frequency</u>			
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
1	20	9	3	3
2	2			
3				
TOTAL INDIVIDUALS	22	9	3	3 = 37
<hr/>				
<u>3 Status Combinations Possible Frequency of Petition</u>			<u>Number of Individuals Having That Combination</u>	
<u>V</u>	<u>P</u>	<u>JD</u>		
1	1	1		4
2	1	1		1
5	1	1		1
1	1	4		1
TOTAL INDIVIDUALS				7 = 7
GRAND TOTAL INDIVIDUALS				= 110

In other words, looking at each box in Table 49 separately, it can be seen that 19 juveniles had one Violation and one PINS official petition; another 19 juveniles had one Violation and one JD official petition; 20 others had one PINS and one JD official petition; and for the three status combination, 4 juveniles had one Violation, one PINS, and one JD official petition.

If 30% of the 1973 juvenile offender population recidivated within 1973, the next question would be to ask how much of this population had offenses prior to 1973. With the constraints of the filing system at family court, the answer to this question was not available for the total population. Data on certain subsets of the total population are presented in the next six tables. There was no file at family court from which all of the prior official petitions of any one juvenile could be obtained. A JD file indicated only how many prior official JD petitions that juvenile had. In addition, this information was also available for Violations which were Violations of a JD petition. From these two sources there were found to be 497 unique juveniles with official JD petitions in 1973 on whom the number of JD priors could be obtained. These data are presented by sex of the juvenile (Table 50)<sup>1</sup>, and indicate that 73.4% of this subgroup had no prior official JD petitions. For those JDs who had priors, the percentage of males (30.0%) is greater than that for females (16.1%) by about two to one.

<sup>1</sup>These data are given by age in Table C-2 in Appendix C.

TABLE 50  
Frequency Distribution of the Number of JD Petitions Incurred  
Prior to 1973 by Sex of the Juveniles<sup>1</sup>

Frequency of JD Petitions Prior to 1973		Sex		
		Males	Females	Total
0	N %	261 70.0%	104 83.9%	365 73.4%
1		62	13	75
2		22	4	26
3		18	1	19
4		6	2	8
5		2	0	2
6		1	0	1
7		0	0	0
8		1	0	1
TOTAL With 1 or More Priors	N %	112 30.0%	20 16.1%	132 26.6%
GRAND TOTAL	N %	373 100.0%	124 100.0%	497 <sup>2</sup> 100.0%

<sup>1</sup>These data are given by age in Table C-2 in Appendix C.

<sup>2</sup>See the narrative for the explanation of this N.

The information on PINS priors was acquired in a similar manner. A PINS file indicated only the number of prior official PINS petitions that that juvenile had incurred. This plus the information obtained from those Violations where the juvenile had violated a PINS official petition are summarized by sex of the juvenile in Table 51.<sup>1</sup> This subgroup totaled 345, of which 77.1% had no PINS priors. In accordance with previous PINS data, the ratio between the sexes is more evenly balanced, with the females (25.8%) having a slight edge over males (20.2%) on the number of priors.

TABLE 51  
Frequency Distribution of the Number of PINS Petitions Incurred  
Prior to 1973 by Sex of the Juveniles

Frequency of PINS Petitions Prior to 1973	N	Sex		Total
		Male	Female	
0		142	124	266
	%	79.8%	74.2%	77.1%
1		35	40	75
2		1	3	4
Total With 1 or More Priors	N	36	43	79
	%	20.2%	25.8%	22.9%
Grand Total	N	178	167	345 <sup>2</sup>
	%	100.0%	100.0%	100.0%

<sup>1</sup>These data are presented by age in Table C-3 in Appendix C.

<sup>2</sup>See the narrative for the explanation of this N.

Because of the court's filing system, the only group for whom the total recidivism history - including both official JD and PINS priors could be collected was that group of juvenile offenders who had multiple official petitions in 1973 in two or three different petition statuses. These were the 110 unique juveniles defined in Tables 48 and 49. The age and sex of the

TABLE 52  
Age and Sex of the Subgroup of the Total Population Which Shows  
Both the JD and PINS Recidivism for Each Unique Juvenile Prior to 1973

Age	Sex		Total	
	Male	Female	N	%
7				
8				
9				
10	2		2	1.8
11	6		6	5.5
12	6		6	5.5
13	13	7	20	18.1
14	25	6	31	28.2
15	23	22	45	40.9
16				
17				
TOTAL	N		110	
	%			100.0

juveniles in this subgroup is shown in Table 52, and if compared to the description for the total population (Table 24), it can be seen that this subgroup is a fairly representative sample on these two variables. In Table 53 the figures show that over half (57.3%) of the population had no priors of any kind before 1973; another 11.9% had no JD priors, but did have some PINS priors; another 25.4% had some JD priors but no PINS priors. The balance of the population (5.4%) had both JD and PINS priors.

TABLE 53

Frequency of Official JD and PINS Petitions Incurred Prior to 1973 by the Subgroup of Unique Juveniles Who Had Multiple Official JD and PINS Petitions

In 1973

Frequency of JD Priors	<u>0</u>		<u>1</u>		<u>2</u>		<u>TOTAL</u>	
	N	%	N	%	N	%	N	%
0	63	57.3	11	10.1	2	1.8	76	69.2
1	17	15.5	4	3.6			21	19.1
2	4	3.6	1	0.9			5	4.5
3	3	2.7					3	2.7
4	2	1.8	1	0.9			3	2.7
5	1	0.9					1	0.9
6	<u>1</u>	0.9					<u>1</u>	0.9
TOTAL	91	82.7	17	15.5	2	1.8	110	100.0

In other words, the data seem to indicate that a juvenile either had a history of JD or of PINS, but only a small percent had a history of both. Since these 110 juveniles represent a fair sample of the total population in terms of age and sex, one might -- with caution -- say this is true of the total 1973 juvenile offender population. Generalizations beyond 1973 could only be substantiated by further research.

In summary, what can be said about recidivism for the 1973 juvenile offender population is that 29% had multiple official petitions in 1973 alone. (Table 48). From a subgroup of the total JD population, 26.6% had incurred official JD petitions prior to 1973 (Table 50). From a subgroup of the total PINS population, 22.9% had incurred official PINS petitions prior to 1973 (Table 51). In the sample population (with cautious generalizations to the total population), 42.7% of the juveniles had a history of priors consisting of all JD's or all PINS, or some combination of both (Table 53). While not recidivism per se, it might be well to note that another 41 (37.3%) juveniles from this sample population had multiple offenses (more than one offense charged on any one petition); these 41 represent 20.1% of the total 204 juvenile offenders in 1973 who had multiple offenses (Table 46).<sup>1</sup>

<sup>1</sup>Data showing combined multiple petition and priors history for each of these 110 juvenile offenders by age are in Table C-4 in Appendix C.

Serious consideration must be given by the supervision probation officer to the recidivism patterns of a juvenile, as well as what dispositions have been made in the past, why they did not work, and what would work in the future?

#### Disposition and Placement

As mentioned before, during the time of the investigation, the supervision probation officer also counsels the juvenile and his/her family. Frequently, the outcome is that the recommendation originally outlined for the court is changed before the dispositional hearing. For example, the supervision probation officer might have originally planned on a placement, but adequate counseling and possibly referrals might alter the decision so that the final recommendation to the court would be to leave the juvenile at his/her own home.

If the supervision probation officer favors placement, then a suitable agency must be found. There are three types of placement facilities: group homes (state or private), state camps (conservation type work camps), and institutions (state training schools or private agencies). Some facilities have certain restrictions such as age, physical, or mental health, and type of offense (state law says that JDs and PINS will not be placed in the same facilities).<sup>1</sup> This means that the supervision probation officer must have a knowledge of which agencies a particular juvenile is eligible to enter and then contact these agencies to

<sup>1</sup>This applies to the New York State facilities only; private agencies may combine juveniles classified in the two statuses.

search for vacancies.

There are two resources for general information, one of which is already functioning - the New York State Division for Youth (NYSDFY),<sup>1</sup> and one which is just organizing - the Monroe County Department of Social Services (MCDSS) Central Placement Intake Service.<sup>2</sup> Private agencies are also contacted.<sup>3</sup>

The parents or legal guardians are still responsible for the juvenile and, therefore, are expected to contribute toward the financing of the juvenile's placement outside of his/her own home. MCDSS works out the payment schedule with the parents. If parents object, the matter can be brought before the family court as a support case.

<sup>1</sup>The NYSDFY is a part of the Executive Department of the State of New York and not the Correctional Division. They have two major functions: 1.) offer direct services to juveniles 7 through 18 years of age, i.e., commitment, placement, counseling, aftercare, etc., and 2.) monetary, the allocation of money to different localities for juvenile programs such as the county youth boards (they finance about 50% of youth board budgets). The NYSDFY presently operates eight training schools and five camps in New York State, and five group homes in Monroe County alone. The state training schools take juveniles who are classified as Title III; that means they have been sent to NYSDFY by the court; custody and responsibility for their care has been transferred to NYSDFY also. Title II juveniles are either voluntary (they did not come through the court system, but were possibly referred by a private person or agency) or on condition of probation (the juvenile is placed on probation provided that he/she spend some part of that time at a NYSDFY camp or group home). These juveniles are still the responsibility of supervision probation.

<sup>2</sup>This service is to provide centralized information on the various placement facilities within Monroe County, i.e., entrance requirements, bed capacity, openings available, etc. When this is functional, the supervision probation officer will make a recommendation to the court for placement of the juvenile with MCDSS and that agency in turn will do the checking for the appropriate and available facility.

<sup>3</sup>All placement facilities whether state, county, or private are operated under guidelines set up by the New York State Board of Social Welfare. This agency is responsible for visiting each facility regularly and seeing that it is operated according to standards.

The collection of all of this investigatory material takes from four to six weeks. This time naturally varies depending on whether it is the juvenile's first time in supervision probation or whether there have been several previous appearances for which much of this information had already been gathered and needs only some updating. For those juveniles in detention who have to come before the court every ten days for review of their detention status, extra efforts are made to expedite the process. The final recommendations which are prepared for the dispositional hearing are made on a case by case, family by family need basis.

#### Dispositional Hearings

According to New York State Law, the disposition on JDs may be suspended judgment,<sup>1</sup> placement, probation, or commitment.<sup>2</sup> Those for PINS may be discharged with a warning, suspended judgment, placement, or probation.<sup>3</sup> At the dispositional hearing, the supervision probation officer makes recommendations to the judge on what an appropriate disposition might be in the case, as well as recommendations on where the juvenile should be placed. Justification for these recommendations must also be presented. In the case of placement of the juvenile outside of his/her own home, there must be justification not only of the place recommended, but also justification of why the other agencies were felt to be not appropriate.

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<sup>1</sup>A judge may suspend judgment on a case for a maximum of one year, and if during that time the juvenile has no further difficulties with the law, the official petition terminates by statute.

<sup>2</sup>McKinney, Family Court, 1963, Section 753.

<sup>3</sup>Ibid, Section 754.

When all of the information is before the judge, the final decisions are made.<sup>1</sup> The maximum term of suspended judgment is one year.<sup>2</sup> Placement may be in the juvenile's own home, with a relative, private person, authorized agency, or youth center. The maximum time of placement is 18 months, however, the case is usually reviewed after a year to see if the continuance is necessary. Extensions may be granted under certain circumstances, but no placement may be continued after the juvenile reaches his/her 18th birthday.<sup>3</sup> Probation is for a maximum period of two years for JDs and one year for PINS. This may be continued for one additional year.<sup>4</sup> Commitment to an institution<sup>5</sup> for JD is a maximum of three years, but locally, this disposition is avoided in favor of placement.

The dispositions on the 1,172 official 1973 petitions are shown in Table 54. The placement category refers to placement outside of the juvenile's own home. The chance of being so placed was greater for those juveniles who violated a previous official petition (47.0% of all dispositions on the Violation petitions). Juveniles on PINS petitions had close to equal probabilities of being placed (28.1%),

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<sup>1</sup>In order to avoid attaching certain stigma to a juvenile, the court on its own motion at any time during the proceedings may substitute a PINS petition for the original JD petition, or may substitute a neglect petition for the original official PINS petition. Ibid, Section 716.

<sup>2</sup>Ibid, Section 755.

<sup>3</sup>McKinney, Family Court, 1974-75, Section 756.

<sup>4</sup>Ibid, Section 757.

<sup>5</sup>Ibid, Section 758.

TABLE 54

Disposition by Status of Each Unique Official  
Petition for the 1973 Juvenile Offenders<sup>1</sup>

<u>Disposition</u>		<u>Petition Status</u>			<u>Total</u>
		<u>JD</u>	<u>PINS</u>	<u>Violation</u>	
Placement	N	87	72	78	237
	%	11.6	28.1	47.0	20.2
Probation	N	134	79	17	230
	%	17.8	30.8	10.2	19.6
Suspended/ Dismissed <sup>2</sup>	N	488	91	26	605
	%	65.1	35.6	15.7	51.7
Other <sup>3</sup>	N	41	14	45	100
	%	5.5	5.5	27.1	8.5
TOTAL	N	750	256	166	1,172
	%	100.0	100.0	100.0	100.0

put on probation (30.8%), or having their case suspended (35.6%).

The JDs, however, had a much higher probability (65.1%) of having their cases suspended, placed on general reserve<sup>4</sup> or dismissed.

<sup>1</sup>These data are shown in more detail in Table C-5 in Appendix C. Also, additional information on disposition by age, residence, and home where the juvenile lived at the time of his/her offense can be found in Tables C-6, C-7, and C-8 respectively in Appendix C.

<sup>2</sup>Includes Suspended Judgment, Withdrawn, Dismissed, General Reserve.

<sup>3</sup>Includes Unknown, Transfer, Vacated Dispositions, etc.

<sup>4</sup>General reserve is when a petition is held in abeyance for a specified short amount of time - most frequently 30, 60, or 90 days. It can be reactivated if the juvenile gets into trouble before the end of the stipulated time period. If the juvenile has no further encounters before the termination date of the general reserve stipulation is reached, the petition is dismissed.

One reason for this high percentage might be that if a JD has more than one official petition at the same hearing, the judge might make a disposition on only one of them and put the others on general reserve or suspension. This is done provided the juvenile does not violate the provisions outlined in the disposition of the one official petition that the judge does make a decision on, and provided the juvenile does not get involved in new offenses. Tables 47, 48, and 49 show that more juveniles who had multiple petitions in 1973 were JDs, and it is known from the data<sup>1</sup> that more than one official petition was processed on a given day for a given juvenile.<sup>2</sup>

The number of new cases added to the supervision probation section over the last ten years is shown in Table 55. Do not be deceived by the percentage of new juvenile cases each year. While the total number of new juvenile cases may be greater than the number of new adult cases, there is a much faster turnover of juvenile cases because of the short duration of probation. On the other hand, adults may be on probation for several years. Therefore, carryover of adult cases from year to year exceeds the carryover of juvenile cases, which makes the overall caseload of any one supervision probation officer contain more adults than juveniles.

Most juveniles who are suspended or receive probation, are returned to their own homes. Table 56 shows the placement for each

<sup>1</sup>See footnote 1, page 74 in this report.

<sup>2</sup>Refer to the section on Research Problems in Appendix C for a further discussion of this topic.

TABLE 55

Number of New Adult and Juvenile Cases Placed on  
Probation from 1962 through 1971<sup>1</sup>

<u>Year</u>	<u>Total New Cases</u>	<u>Total New Adult Cases</u>	<u>Total New Juvenile Cases</u>	<u>Percent of Juvenile Cases</u>
1962	402	157	245	61.0
1963	428	173	255	60.0
1964	366	128	238	65.0
1965	395	123	272	68.9
1966	397	154	243	61.2
1967	518	185	333	64.3
1968	520	180	340	65.4
1969	536	187	349	65.1
1970	682	240	442	64.8
1971	503	149	354	70.4

<sup>1</sup>Source: Annual Reports of the Monroe County Family Court, 1962-1971. No figures are available after 1971.

TABLE 56

Placement for Each Unique 1973 Official Petition

<u>Type of Agency</u>		<u>JD</u>	<u>PINS</u>	<u>Violations</u>	<u>Total</u>
Sectarian <sup>1</sup>	N	16	16	11	43
	%	2.1	6.3	6.6	3.7
Non-Sectarian <sup>2</sup>	N	17	17	21	55
	%	2.2	6.6	12.7	4.7
New York State Division for Youth <sup>3</sup>	N	53	17	27	97
	%	7.1	6.6	16.3	8.3
Monroe County <sup>4</sup>	N	9	25	21	55
	%	1.2	9.8	12.7	4.7
Mental Health <sup>5</sup>	N	5	4	4	13
	%	0.7	1.6	2.4	1.1
Court <sup>6</sup>	N	44	1	9	54
	%	5.9	0.3	5.4	4.6
Parents or Relative	N	582	163	62	807
	%	77.6	63.7	37.3	68.8
Unknown	N	24	13	11	48
	%	3.2	5.1	6.6	4.1
TOTALS	N	750	256	166	1,172
	%	100.0	100.0	100.0	100.0

<sup>1</sup>Includes the Catholic Family Center, St. Joseph's Villa, Holy Angels Home, St. Anne Institute, Lincoln Hall, Gustavus Adolphus.

<sup>2</sup>Includes Berkshire Farm for Boys, the Children's Village, Elmcrest Children's Center, Elmira Grove House, The George Junior Republic, and Hillside Children's Center.

<sup>3</sup>Includes juveniles placed on probation in various camps, as well as Highland School for Children, Hudson School, Industry School, and Tryon School.

<sup>4</sup>Includes Monroe County Department of Social Services, Foster Homes, Group Homes, Genesee Settlement House, and Forman Center.

<sup>5</sup>Includes Newark Development Center, Monroe Development Center, and Rochester State Hospital.

<sup>6</sup>Includes juveniles who were already in placement under another petition and that placement was maintained and those juveniles released from the court's jurisdiction, for example, because they were too old.

official unique petition for juvenile offenders in 1973.<sup>1</sup> Approximately 68.6% were returned to their parents or relatives. Of the 97 that were placed with the NYSDFY, 42 were sent to the State Training School at Industry which is in Monroe County. Those 42, plus the 807 who returned home, the 54 who were merely released from the court's jurisdiction, the 55 that went to other agencies in Monroe County, and the 13 in the mental health category, total 971 or 82.8% of the total official petitions. This represents the number of official 1973 petitions for which placement of the juvenile was in Monroe County.

When the decisions are made by the judge, those cases on general reserve and suspension are held in abeyance until the stipulated time limits are up. The other cases are closed to the court<sup>2</sup> and the juveniles are either under the jurisdiction of the supervision probation officer or some one at NYSDFY. If the juvenile fulfills all of the conditions stipulated by the court and probation, then he/she is released at the end of the specified amount of time. If the juvenile fails to comply with the judge's disposition, i.e., violates the disposition of the official petition, he/she may be brought back before the court, and the disposition changed.<sup>3</sup>

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<sup>1</sup> Additional data on placement by age, residence, and home where the juvenile lived at the time the offense was committed are in Tables C-9, C-10, and C-11 respectively in Appendix C.

<sup>2</sup> The court, however, on its own motion or that of any interested person may grant a new adjudicatory or dispositional hearing. McKinney, Family Court, 1974-75, Section 761.

<sup>3</sup> McKinney, Family Court, 1963, 1974-75, Sections 776-779.

The juvenile may require a lot of support from the supervising probation officer at the beginning of his/his probation period. This may or may not diminish as the time proceeds. The main focus of the probation officer is to keep the juvenile busy. They both counsel and may even refer the juvenile to various tutoring, recreational programs, or for more one-to-one adult contact (e.g., the VIP program).<sup>1</sup> If the juvenile does not make appointments with the probation officer, then the probation officer must follow through. Violations of the disposition are first dealt with informally in an attempt to adjust them without having to go to court. If the violations are too serious, or if the juvenile cannot be located, the probation officer may have to go to court and request a warrant be issued. In such cases, the supervision probation officer becomes the petitioner and the juvenile is brought back into the system starting with the court calendaring clerk. (Juveniles also come back into the system at the precourt stage when they commit new offenses.)

#### Postcourt Stage Summary

The final stage in the process begins at the point the supervision probation section is asked to take charge of the juvenile in order to compile a social history upon which a disposition and placement may be recommended and justified. The supervision probation officer also counsels and refers the juvenile and/or his/her family. The

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<sup>1</sup> Volunteers in Partnership (VIP) is a program that started operation in 1972 as an ancillary service to supervision probation. It uses volunteers to provide supportive friendship and guidance to young people under court supervision. Annual Report of the Monroe County Family Court, 1963, p. 13.

dispositional hearing is held, at which time the supervision probation officer presents all of the relevant information. The judge then makes the final decision. The juvenile may be under the court's jurisdiction for a specified period of time either under suspension, probation, or placement. If the juvenile gets into no further difficulty, he/she is released at the end of the defined time period. If the disposition is violated, he/she re-enters the system at the court calendaring phase of the court stage. If the juvenile commits a new offense, then he/she re-enters at the precourt stage and the whole process begins again.

APPENDIX A

Precourt Stage

TABLE A-1

1970 Juvenile Census Population for Monroe County by City and Town<sup>1</sup>

	7 yrs.			8 yrs.			9 yrs.			10 yrs.			11 yrs.		
	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T
City of Rochester	2,516	2,480	4,996	2,492	2,447	4,939	2,475	2,428	4,903	2,544	2,549	5,093	2,428	2,388	4,816
Irondequoit	570	535	1,105	554	595	1,149	614	532	1,146	623	602	1,225	623	609	1,232
Webster	279	298	577	336	293	629	314	315	629	336	296	632	291	326	617
Penfield	315	300	615	295	280	575	310	310	620	300	296	596	291	275	566
Perinton	416	447	863	442	401	843	468	379	847	423	393	816	401	340	741
Pittsford	288	260	548	261	255	516	280	257	537	330	283	613	301	317	618
Mendon	45	48	93	55	38	93	45	48	93	49	50	99	45	51	96
Brighton	273	289	562	327	275	602	307	273	580	328	301	629	301	302	603
Henrietta	470	425	895	465	415	880	486	442	928	466	454	920	425	434	859
Rush	46	25	71	48	32	80	42	41	83	27	42	69	36	36	72
Greece	799	738	1,537	794	730	1,524	875	813	1,688	872	817	1,689	856	810	1,666
Gates	306	282	588	312	266	578	271	271	542	285	264	549	256	257	513
Chili	234	238	472	231	233	464	253	237	490	261	243	504	258	248	506
Wheatland	47	49	96	51	49	100	59	50	109	52	66	118	54	56	110
Parma	145	164	309	163	135	298	137	138	275	158	139	297	142	125	267
Ogden	171	155	326	149	161	310	153	142	295	164	151	315	159	157	316
Riga	40	33	73	36	42	78	38	45	83	39	33	72	37	35	72
Hamlin	65	52	117	54	49	103	52	47	99	46	37	83	51	50	101
Clarkson	42	46	88	33	51	84	47	33	80	43	37	80	41	40	81
Sweden	104	88	192	86	86	172	120	91	211	103	92	195	98	76	174
TOTAL Towns (Including Villages)	4,663	4,472	9,135	4,692	4,386	9,078	4,871	4,464	9,335	4,905	4,596	9,501	4,666	4,544	9,210
TOTAL County	7,178	6,952	14,131	7,184	6,833	14,017	7,346	6,892	14,238	7,449	7,145	14,594	7,094	6,932	14,026
Villages <sup>2</sup>															
Brockport <sup>3</sup>	56	46	102	45	54	99	62	59	121	50	47	97	41	33	74
East Roch.	65	76	141	71	63	134	75	82	157	88	66	154	81	89	170
Fairport	74	70	144	82	68	150	79	63	142	78	71	149	62	61	123
TOTAL Villages	195	192	387	198	165	363	216	204	420	216	184	400	184	183	367

<sup>1</sup>Source of data: 1970 Census of Population and Housing, Second Count, File A, (On microfilm at the Monroe County Planning Office).

<sup>2</sup>The only villages for which census data are available are those which are themselves defined by one unique census tract. This occurs for five of the ten villages (Fairport, East Rochester, Hilton, Spencerport, and Brockport). Data for total population in the other five (Webster, Pittsford, Irondequoit Falls, Scottsville, and Churchville) is available in *County and Population, Towns and Villages of Monroe County, New York*, Monroe County Department of Planning, 1973, Tables IIIA and IIIB. Since only three of the ten villages have their own police departments, they are the only ones presented individually.

<sup>3</sup>These figures include the population at S.U.N.Y. since that college is physically located within the Village of Brockport and is thereby under the jurisdiction of the Brockport Police Department.

TABLE A-1, Continued

1970 Juvenile Census Population for Monroe County by City and Town<sup>1</sup>

	12 yrs.			13 yrs.			14 yrs.			15 yrs.			TOTALS		
	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T
City of Rochester	2,550	2,264	4,814	2,296	2,263	4,559	2,330	2,319	4,649	2,325	2,247	4,572	21,956	21,385	43,341
Irondequoit	671	620	1,291	636	668	1,304	688	710	1,398	679	697	1,376	5,658	5,568	11,226
Webster	325	303	628	318	327	645	317	304	621	291	276	567	2,807	2,731	5,538
Penfield	343	300	643	322	245	567	261	273	534	275	267	542	2,712	2,541	5,253
Perinton	352	326	678	306	303	609	327	288	615	304	291	595	3,439	3,166	6,605
Pittsford	295	286	581	307	308	615	291	302	593	293	261	554	2,646	2,525	5,171
Mendon	65	63	128	49	68	117	50	57	107	61	53	114	464	471	935
Brighton	304	352	656	307	301	608	340	343	683	313	322	635	2,800	2,751	5,551
Henrietta	436	380	816	403	416	819	361	364	725	319	316	635	3,339	3,646	6,985
Rush	35	43	78	62	23	85	130	26	156	156	27	183	582	295	877
Greece	889	803	1,692	794	834	1,628	855	772	1,627	732	812	1,544	7,466	7,129	14,595
Gates	299	267	566	255	235	490	282	248	530	264	209	473	2,530	2,299	4,829
Chili	251	224	475	264	256	520	239	208	447	257	212	469	2,248	2,099	4,347
Wheatland	58	58	116	46	51	97	46	44	90	44	44	88	457	467	924
Parma	150	136	286	145	116	261	121	141	262	116	119	235	1,277	1,213	2,490
Ogden	164	139	303	161	152	313	152	133	285	141	139	280	1,414	1,329	2,743
Riga	44	41	85	45	50	95	31	38	69	37	35	72	347	352	699
Hamlin	38	40	78	52	43	95	30	45	75	33	51	84	421	414	835
Clarkson	47	42	89	48	39	87	47	32	79	28	35	63	376	355	731
Sweden	99	102	201	99	85	184	98	101	199	103	86	189	910	807	1,717
TOTAL Towns (Including Villages)	4,865	4,525	9,390	4,619	4,520	9,139	4,666	4,429	9,095	4,446	4,252	8,698	42,393	40,188	82,581
TOTAL County	7,415	6,789	14,204	6,915	6,783	13,698	6,996	6,748	13,744	6,771	6,499	13,270	64,349	61,573	125,922
Villages <sup>2</sup>															
Brockport <sup>3</sup>	61	50	111	57	46	103	44	54	98	56	41	97	472	430	902
East Roch.	81	64	145	92	88	180	79	76	155	97	76	173	729	680	1,409
Fairport	70	64	134	52	48	100	76	58	134	56	57	113	629	560	1,189
TOTAL Villages	212	178	390	201	182	393	199	188	387	209	174	383	1,330	1,670	3,500

TABLE A-2

Mileage of Public Roads in Monroe County by City, Town, and Village<sup>1</sup>

City, Town, and Village	State Highways	County Roads	Town Streets and Roads	Village Streets	Total Mileage
City of Rochester	17.00	0.00	529.00	0.00	546.00
Irondequoit	10.44	25.68	150.65	0.00	186.77
Webster <sup>2</sup>	15.25	46.23	56.39	12.87	130.74
(Village)	3.00	0.00	0.00	12.87	15.87
(Less Village)	12.25	46.23	56.39	0.00	114.87
Penfield	25.12	34.57	75.09	0.00	134.78
Perinton	21.53	34.35	93.89	25.07	174.84
Fairport Village	1.01	0.00	0.00	16.20	17.21
*Part East Roch. Village <sup>3</sup>	1.98	1.00	0.00	8.87	11.85
Perinton (Less Villages) <sup>3</sup>	18.54	33.35	93.89	0.00	145.78
*(Total East Roch. Village)	3.95	1.99	0.00	17.74	23.68
Pittsford	26.89	27.98	64.19	14.37	133.43
*Part East Roch. Village <sup>3</sup>	1.97	.99	0.00	8.87	11.83
Pittsford Village <sup>4</sup>	2.75	0.60	0.00	5.50	8.85
Pittsford (Less Villages)	22.17	26.39	64.19	0.00	112.75
Mendon	21.41	39.25	26.70	3.95	91.31
Moncayo Falls Village	2.68	2.48	0.00	3.95	9.11
Mendon (Less Village)	18.73	36.77	26.70	0.00	82.20
Brighton	17.56	22.62	86.50	0.00	126.68
Berrietta	24.39	41.63	81.47	0.00	147.49
Rush	16.09	25.41	20.78	0.00	62.28
Greene	21.36	61.69	157.52	0.00	240.57
Galea	16.25	18.52	64.58	0.00	99.35
Chili	29.54	30.19	60.77	0.00	120.50
Swatland	14.62	32.47	20.23	5.07	72.39
(Kottsville Village)	2.52	1.26	0.00	5.07	8.85
Swatland (Less Village)	12.10	31.21	20.23	0.00	63.54
Parma	18.23	50.05	16.01	9.48	93.77
Hilton Village	1.68	1.21	0.00	9.48	12.37
Parma (Less Village)	16.55	48.84	16.01	0.00	81.40
Ogden	16.42	38.43	31.08	7.94	93.87
Lynchester Village	2.24	2.26	0.00	7.94	12.44
Ogden (Less Village)	14.18	36.17	31.08	0.00	81.43
Riga	16.60	30.93	20.06	2.20	69.79
Churchville Village	2.80	2.30	0.00	2.20	7.30
Riga (Less Village)	13.80	28.63	20.06	0.00	62.49
Hardin	21.02	35.35	22.34	0.00	78.41
Clarkson	20.88	16.02	9.27	0.00	46.17
Sweden	13.69	30.81	22.64	14.40	81.54
(Fairport Village)	2.48	.90	0.00	14.40	17.78
Sweden (Less Village)	11.21	29.91	22.64	0.00	63.76
TOTAL Towns	367.29	642.18	1,079.86	95.35	2,184.68
Total Villages	25.11	13.00	0.00	95.35	133.46
Total Towns (Less Villages)	342.18	629.18	1,079.86	0.00	2,051.22
TOTAL Monroe County	384.29	642.18	1,608.86	95.35	2,730.68

<sup>1</sup> Sources of Data: Towns - Monroe County Department of Public Works; City - Rochester Department of Public Works; Villages - Village Clerks.

<sup>2</sup> The only information available from the Village of Webster was the total mileage. In 1968 their breakdown as shown in the report, Highways and Bridges in Monroe County, (by Thomas Hooney, Center for Governmental Research, July, 1969, PP. 7-8), was State - 2.04; County - 0.51; Village - 10.50; Total - 13.05. In order to derive current figures, the difference between the present total mileage (15.87) and that for 1968 (13.05) was estimated at .96 State Highways and 1.86 Village streets.

<sup>3</sup> For the purpose of estimation, the total mileage for the Village of East Rochester was divided into two equal halves - one added to Perinton and one to Pittsford.

<sup>4</sup> These figures were estimates made by the Pittsford Village Clerk's Office; they had no actual figures available.

TABLE A-3

## Public, Private, and Parochial Schools by Census Tracts

Census Tract	Name of School		
	Public	Private	Parochial
01	School Without Walls		
	Operation Young Adults		
02			Immaculate Conception
03			
04	School #3		
05			
06			
07			St. Michael
08	School #20		
09	East Main St. Annex		
10	Interim Jr. High	Our School	
	School #31	Elimu Maisha Schule	
11			
12			
13	Schools #6, #9		
14	Edison Tech		
15			
16	School #5		
17			St. Anthony of Padua
18	School #40		
19	Marshall Jr.-Sr. High		
	School #41		
20			Sacred Heart
21			Nazareth Hall
			Nazareth High
			Aquinas Institute
			Holy Rosary
22	Schools #7, #34		
23			
24	School #30		Our Lady of Mt. Carmel
25			
26	Madison Jr. High		
	West Main St. Annex		
	School #4		
27			
28			
29			
30	Monroe Jr.-Sr. High		
	School #15		
31	Jefferson Jr.-Sr. High		Blessed Sacrament
	School #23		St. Boniface
32			
33			
34	Schools #12, #13		
35			
36	School #24		
37	School #35	Beth Shalom	
38	School #49		St. Anne
39			
40			Holy Apostles
41			
42	Whitney St. Annex		
43			
44			
45	School #14		Corpus Christi
46		Rochester School for the Deaf	
		Baptist Christian	
47	School #50		
48	School #22		Our Lady of Perpetual Help
49			
50	School #8		

TABLE A-3 CONTINUED

## Public, Private, and Parochial Schools by Census Tracts

Census Tract	Name of School		
	Public	Private	Parochial
51			
52	School #26		
53			
54			
55	Neighborhood Street Academy		
	School #27		
56	School #25		
57			
58	Schools #11, #33		
59			
60	School #52		
61			
62			
63	Schools #16, #29, #58		
64			
65	School #2		
66	School #19		
67	Wilson Jr. High		
68			Our Lady of Good Counsel
69			St. Monica
70			
71	School #37		
72	School #17		
73	School #21		Holy Family
74			
75			St. Augustine
76	East Jr.-Sr. High		
	School #28		
	School #46		St. John Evangelist
77			Bishop Hogan Jr. High
78	School #1	Atkinson School	
79	Ben Franklin High		St. Stanislaus
80	School #36		Holy Redeemer
81			St. Andrew
82	School #39		Annunciation
83	Douglas Jr. High		St. Philip Neri
84			
85	Charlotte Jr.-Sr. High		Holy Cross
	School #38		
	School #42		
	Schools #43, #44		
86			Most Precious Blood
87			28
88			
Total Rochester	63	6	
101	Iroquois Middle		
	Colebrook Elem.		
	Lakeview Elem.		
102	Pinegrove Elem.		St. Thomas
	Seneca Elem.		
103	Rainwood Elem.		
104	Rogers Middle		St. Margaret Mary
	Southlawn Elem.		St. Josephat
	Parkside Elem.		
105	Irondequoit High		
	Listwood Elem.		
	Duke Middle		
	Oakview Elem.		
106.01	Whipple Lane Elem.	Culver 7th Day Adv.	Bishop Kearney High
106.02	Brookview Elem.		Christ the King
	Karlan Elem.		
107	Durand Eastman Elem.		St. Salome
108	Eastridge High		
109.01	Abraham Lincoln Elem.		
109.02	Ridgewood Middle		St. Cecilia
110	Norwood Middle		
	Laurelton Elem.		
111	Pardee Elem.		St. Ambrose
			St. James
Total Irondequoit	23	1	9

144 1

TABLE A-3 CONTINUED

## Public, Private, and Parochial Schools by Census Tracts

Census Tract	Name of School		
	Public	Private	Parochial
112.01	Bay Road Elem.		
	DeWitt Rd. Elem.		
112.02			
112.03			
112.04	R. L. Thomas High		St. Rita
	Herbert W. Schroeder Jr.-Sr. High		
113	Klem Road N. Elem.		
	Klem Road S. Elem.		
114	Edward W. Spry Jr. High		Holy Trinity
	Ridgecrest Elem.		
	State Road Elem.		
Total Webster	9	0	2
115.01			
115.02			
115.03			Rochester Christian School
115.04	Scribner Rd. Elem.		
	Plank Road N. Elem.		
	Plank Road S. Elem.		
	Bay Trail Middle		
	Harris Hill Elem.		
115.05			
116.01			
116.02			
116.04			
116.05	Penfield High		St. Joseph
	Baird Road Elem.		
	Denonville Middle		
	Cobbles Elem.		
Total Penfield	9	1	1
117			
117.01	Martha Brown Jr. High		St. John
117.02	Fairport High		
	Northside Middle		
	Dudley Elem.		
118	Minerva Defand Jr. High		
	West Avenue Middle		
	Johanna Perrin Middle		
119			
119.01	BOCES #1		
119.02	Jefferson Avenue Elem.		
	Brooks Hill Elem.		
120	East Rochester Elem.		
	East Rochester Jr. High		
Total Perinton	12	0	1
121	East Rochester High		St. Jerome
122			
122.01			Allendale-Columbia
122.02			
123			
123.01	Sutherland High		St. Louis
	Jefferson Road Elem.		
	Mendon High		
123.02	Pittsford Jr. High		
	Park Road Elem.		
	Barker Road Elem.		
	Thornell Road Elem.		
	Barker Road Jr. High		
Total Pittsford	9	1	2
124	Senior High		
	Middle		
	Manor Elem.		
Total Mendon	3	0	0

145

TABLE A-3 CONTINUED

Public, Private, and Parochial Schools by Census Tracts

Census Tract	Name of School		
	Public	Private	Parochial
125	Indian Landing Elem.		Our Lady of Mercy High
126	Council Rock Elem. Allen Creek Elem.	Harley School	St. Thomas More Our Lady of Lourdes
127		Hillel School	McQuaid Jesuit High
128	Brighton High		
129	Twelve Corners Elem. Twelve Corners Middle		
130			St. Agnes High
130.01	Brookside Elem. Crittenden Elem.		Our Lady Queen of Peace
130.02	French Road Elem.	2	6
Total Brighton	9		
131.01	Crane Elem. Gillette Elem.	Talmudical Institute	
131.02			Guardian Angels
132.01			
132.03	Sperry High Winslow Elem. Roth Jr. High Sherman Elem.		Good Shepherd
132.04	Burger Jr. High Fyle Elem. Webster Jr. High Vollmer Elem.		
132.02			
Total Henrietta	10	1	2
133	Leary Elem.		
Total Rush	1	0	0
134			
135			
135.01	Northwood Elem.		
135.02	Autumn Land Elem.	God and Country	St. Lawrence Mother of Sorrows
136.01	English Village Elem. Kirk Road Elem. Parkland Elem. Greece Arcadia High Paddy Hill Elem. Greece Athena Jr. High Greece Athena Sr. High		
136.02			
137.01			Our Lady of Mercy
137.02	Lakeshore Elem. Britton Road Jr. High		
138			
139.01	Barnard Elem. Longridge Elem.		St. Joseph's Villa St. Charles of Broneo
139.02			Cardinal Mooney High
140.01			
140.02			St. John the Evangelist
140.03	Brookside Elem. West Ridge Elem.		
140.04	Duckman Heights Elem. Greece Olympia High		
141			
141.01	Craig Hill Elem.		
141.02	Holmes Road Elem. Hoover Drive Jr. High		
Total Greece	20	1	7

TABLE A-3 CONTINUED

Public, Private, and Parochial Schools by Census Tracts

Census Tract	Name of School		
	Public	Private	Parochial
142			
142.01	Neil Armstrong Elem.		
142.02	Walt Disney Elem.		Holy Ghost
143	Gates-Chili High Gates-Chili Middle Thomas Edison Elem. Warren Harding Elem. Washington Irving Elem.	Rochester Christian Academy	St. Theodore
144			St. Helen
Total Gates	7	1	3
145.01			
145.03	Florence Brasser Elem.		St. Pius X
145.04			
145.02			
146	Chestnut Ridge Elem. Paul Road Elem.		
Total Chili	3	0	1
147	Junior High Thomas J. Connor		
Total Wheatland	2	0	0
148.01			
148.03			
148.04	Village Elem. #1 Village Elem. #2 Merton Williams High West Avenue Elem. Hilton Central High	St. Paul's Lutheran	
148.02			
Total Parma	5	1	0
149.01	Elementary School Leo Bernabi Middle Trowbridge Elem.		St. John the Evangelist
149.02			
149.03	Townline Elem.		
149.04	Manitou Road Elem. Ada Cosgrove Jr. High Ellsworth J. Wilson High BOCES #2		
Total Ogden	8	0	1
150			
150	Churchville-Chili Jr. High Churchville-Chili High Churchville Elem. Fairbanks Elem.		
Total Riga	4	0	0
151		St. John's Lutheran	
Total Hamlin	0	1	0
152			
Total Clarkson	0	0	0
153			
153.01 (SUNY)	Demonstration Elem.		
153.02	Middle School		Blessed Virgin Mary
154	Sweden High Ginther Elem. Barclay Elem. Fifth Grade		
Total Sweden	6	0	1

These data were taken from the academic year 1974-75 and are subject to changes each year. For additional information, refer to the footnotes on Table 4 in the text.

## Centralized Sources of Juvenile Data

### 1.) The Juvenile Central Registry (JCR)

The JCR began April 1, 1968 and was funded on an annual basis by the city, the county, and the New York State Division for Youth (NYSDFY) and operated by the local Rochester-Monroe County Youth Board. The program had two components: 1.) police, and 2.) social caseworkers. There were two purposes for the police components: 1.) "To encourage effective interchanges of information among the police units in the County"; and 2.) "To encourage enlightened treatment of chronic juvenile offenders in regard to judicial and police action by centrally compiling minor juvenile offenses in the county".<sup>1</sup> The functioning aspect of the police component was located in the Rochester Police Department with one full-time officer in charge, supported by clerical help.

The purpose of the social caseworker component, was "to provide direct services to problem-prone juveniles identified through police contacts."<sup>2</sup> This component was contracted to a private agency, the Catholic Family Center, and did not begin until March, 1969.

The Rochester Police Department was the only police department that reported all of its juvenile contacts; other agencies reported certain ones or none. Although it was not known at the time the JCR was functioning whether some police departments did not report to the JCR because of no incidence of juvenile delinquency or because of lack of

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<sup>1</sup>Intra-Office Communique Regarding the Juvenile Central Registry, Carol, K. Wagner, Rochester-Monroe County Youth Board, May 9, 1972, p. 1.

<sup>2</sup>Police Juvenile Central Registry Project, Youth Board Project Review, June, 1971, p. 2.

cooperation, it can be seen in Chapter 2 where juvenile offense rates are discussed, and in Chapter 3 on petitions filed with family court, that some of the smaller police departments reported no incidence of juvenile offenses for 1973.

In addition to reporting to the JCR, the police departments also had use of its information. The major users were the police departments in Rochester, Gates, Greece, Irondequoit, and the Sheriff. For example, a field officer could radio the registry to ask if they had any information on a particular youth. Only a yes or a no could be given over the public police radio. If further information was needed, the officer would have to call from a private telephone. The JCR was not utilized to its intended extent, perhaps because many field officers were not aware of its existence.

Referrals of the problem-prone juveniles were made by the police to the social caseworker in the hopes that such referrals at the precourt stage would avoid petitioning the youth to family court. The advent of the Youth Board's Youth Services Project, discussed in Chapter 2, replaced the social caseworker component of the JCR. The police component no longer functions with a full-time staff although some police departments are still both contributors and users of the partial system (Brighton, Gates Irondequoit, Webster, Greece, Rochester, Sheriff, State Police), and some other departments indicated they would use it if it was reinstated. The Sheriff's Department has offered informally to undertake the supervision of the JCR, but nothing has been formalized on this issue.

Most police departments, as well as the JCR report,<sup>1</sup> have sugges-

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<sup>1</sup>Wagner, op. cit.

tions for changes, should it become totally functional again. Due to the assumed mobility of juveniles today, they feel a JCR would need: 1.) the full cooperation of all local and county-wide police departments; 2.) full utilization by all of these departments in an effort to try to divert more juveniles at the precourt level; 3.) utilization services available 24 hours a day, 7 days a week (in the past, the JCR operated 9 to 5, five days a week; while many of the juvenile offenses are committed evenings and weekends); 4.) to have all agencies including all field officers aware of its existence and purposes; 5.) standardization of JCR forms; 6.) computerization of records; 7.) the addition of census tract data (e.g., residence where offense was committed) to be used on periodic general statistical reports, and make these general statistical reports more complete than they used to be (include breakdowns by sex, age, offense, etc.); and 8.) to preserve the confidentiality of the records, i.e., impose restrictions on the use of data, except for the periodic general statistical reports.

In addition to the increased mobility of juveniles as a reason for maintaining the JCR, another reason might be the ability to verify data about an individual. Some juveniles are inclined to lie about their age and address. For those youths over 16, it means the difference between being treated as a juvenile or as an adult. A juvenile brought to a police station is not released unless the parents or guardians come. When an incorrect address is given and responsible adults cannot be located, the juvenile is held much longer than would be necessary if the police had the correction information. If the juvenile continues to give false information, the only alternative for the police is to put the youth in the Children's Center until the matter is settled. A central source of information to clarify such details would save the police a lot of time.

## 2.) County-Wide Reporting System

As of January 1, 1975 a new uniform police reporting form for both adults and juveniles was ready to be implemented by all of the local police departments and the Sheriff's office. Not all of the departments were able to start using the form promptly on January 1st, but all are now using it.

A copy of the completed form is sent to the central processing office, which is the computer system at the Rochester Police Department. In return, the local departments will receive prepared copies of their own department's reports for the FBI and the New York State Department of Correctional Services.

While the new 1975 county-wide reporting system may be a source for data for research in the future, it is very important to note that NO JUVENILE DATA is in the on-line system; i.e., it is not available on an on-call basis to anyone including police officers. Information is stored for statistical purposes, and even agencies wishing to do research on juveniles will have to have appropriate authorizations before they can request any statistical reports on juveniles.

In summary then, data collection on juveniles at the precourt level was difficult to acquire. The problems encountered in writing this report will, hopefully, be alleviated in the future by either the new county-wide system and/or the reorganization of the JCR.

Geographic Jurisdictions of the Police Departments in Monroe County

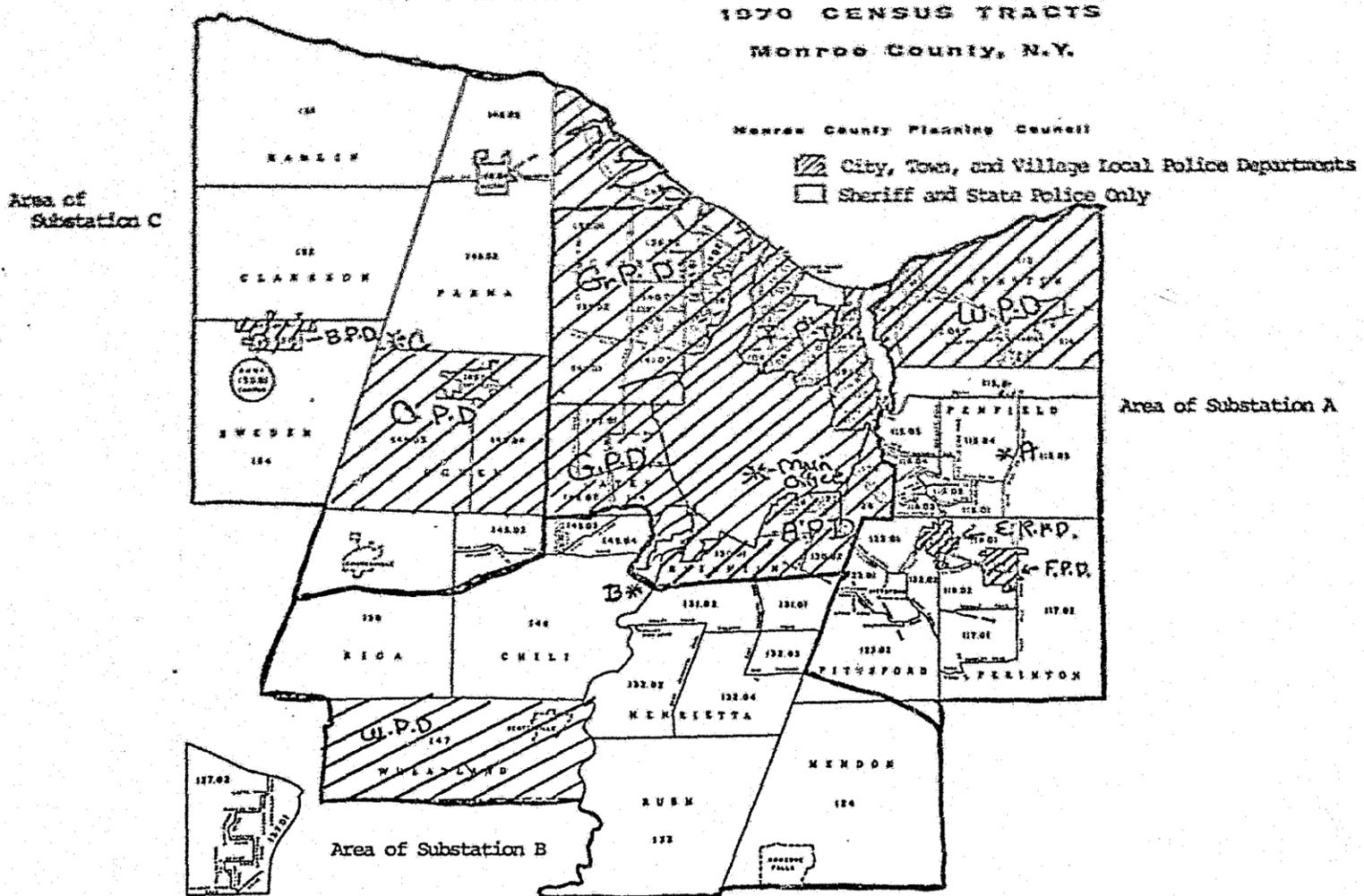
Figure A-1 shows the local police department's and the sheriff's jurisdictions (technically the sheriff's department has jurisdiction over the entire county, but gives particular attention to those areas that do not have their own police departments). The sheriff's main office is in the City of Rochester, and while they have recently formed three substations in the county (indicated in Figure A-1 as A, B, and C), these stations function only as terminals to which the officers report at the change of shift. They are only open about one hour at each shift change (6 a.m., 2 p.m., and 10 p.m.), and are open at other times only upon special request when circumstances require. All calls for service go through the main office.

Figure A-2 shows the local police department's and the State Police's jurisdictions. The State Police has two functional substations in the county. Henrietta's eight primary posts cover: 1.) Wheatland (own PD), 2.) Pittsford, 3.) Henrietta, 4.) Rush and Mendon, 5.) Webster (own PD), 6.) Penfield, 7.) New York Interstate #90 East, and 8.) New York Interstate #90 West. The Clarkson posts are: 9.) Hamlin, Clarkson, Parma, and Greece (own PD), 10.) Sweden, Ogden (own PD), and Gates (own PD), and 11.) Riga and Chili.

Figure A-3 is an enlargement of the City of Rochester and indicates the borders of its seven new team policing districts. There will be a police substation in five districts (some of which are now open) that will have limited functions. They will be open for roll call

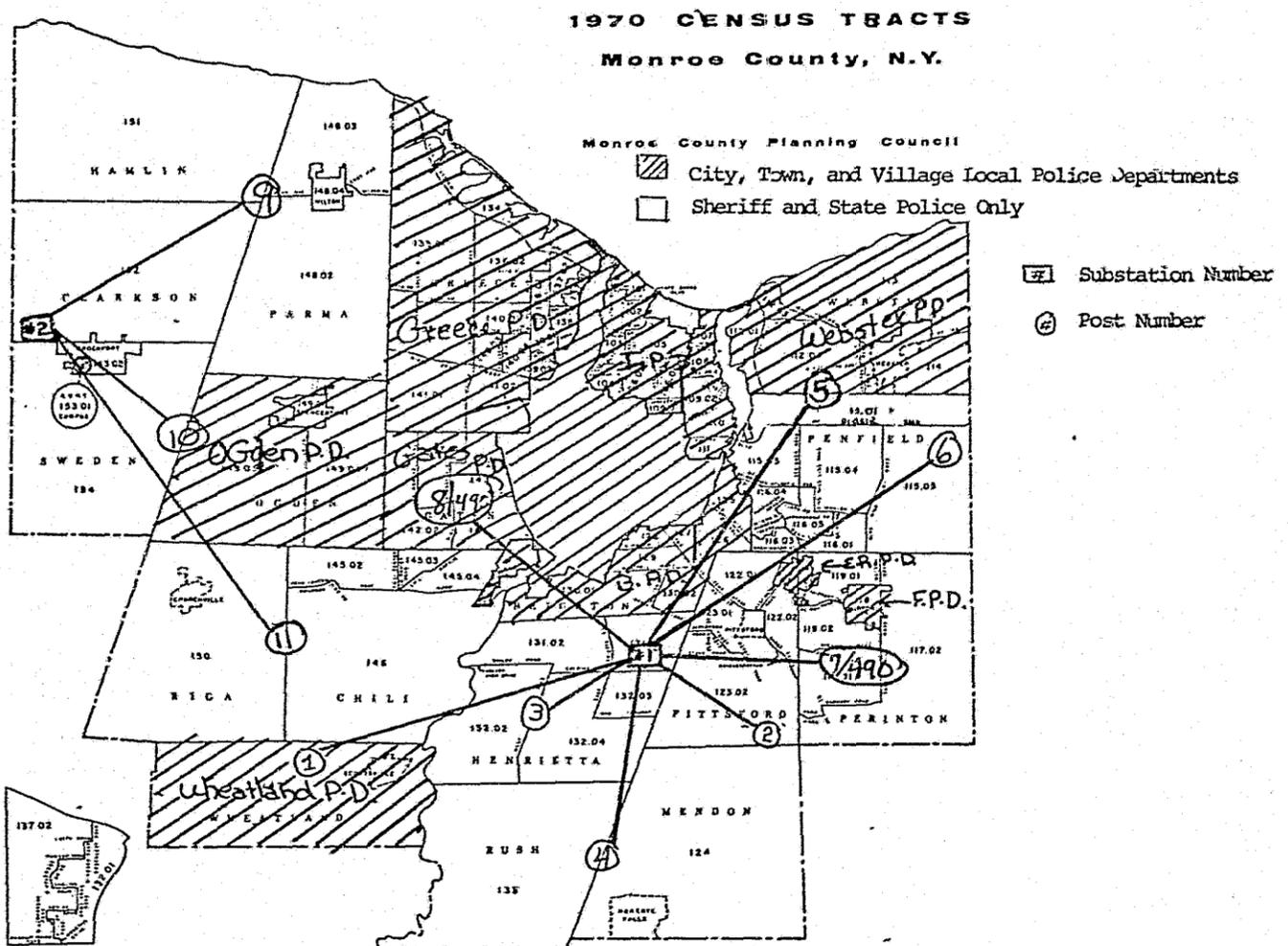
when there is a change of shift, and certain records will be there, however, at the present, these substations are not designed to handle walk-in complaints. All calls for service will still go through the main office.

FIGURE A-1  
Local Police Departments and the Sheriff's Jurisdiction<sup>1</sup>



<sup>1</sup>Technically the sheriff serves the entire county, but their primary emphasis is in the towns with no local police system.

FIGURE A-2  
Local Police Departments and the State Police's Two Substations<sup>1</sup>



<sup>1</sup>Technically the State Police serve the entire county, but their primary emphasis is in the towns with no local police system and the State Thruway.

FIGURE A-3

Rochester Police Department's Seven Proposed Substation Jurisdictions

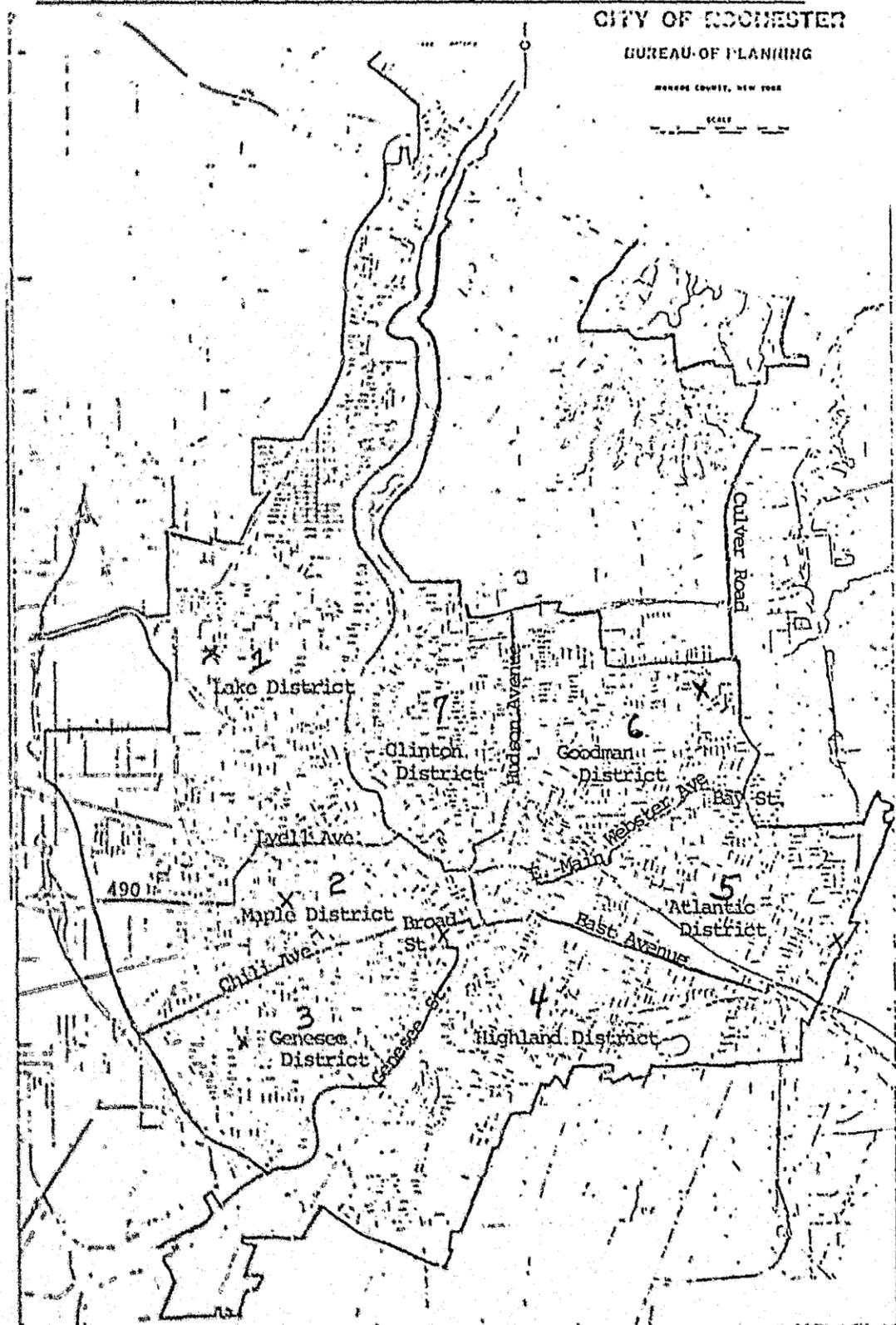


TABLE A-4

Residence of Juveniles Admitted to the Detention Center in 1973<sup>1</sup>

Residence in City of Rochester		Residence in Other New York State Counties <sup>2</sup>	
Northeast Quadrant	168	Albion	1
Southeast Quadrant	82	Aplachin	1
Southwest Quadrant	119	Baldwinsville	1
Northwest Quadrant	113	Batavia	1
	482 (68.3%)	Bolivar	1
		Big Flats	1
<u>Residence in Monroe County</u>		Black Creek	1
Brighton	7	Buffalo	10
Brockport	6	Canandaigua	3
Chili	8	Corfu	2
Clarkson	1	Clayton	2
East Rochester	1	Clifton Springs	1
Fairport	8	Clyde	1
Gates	6	Conesus	1
Gates - Chili	1	Corning	1
Greece	9	Elmira	2
Hamlin	1	Endwell	1
Henrietta	9	Fineview	1
Irondequoit	16	Friendship	2
Penfield	3	Geneva	1
Perinton	1	Gorham	2
Pittsford	8	Gouverneur	1
Rush	1	Holley	1
Spencerport	4	Hornell	3
Webster	6	Hudson Falls	1
West Webster	2	Kennore	1
	98 (13.9%)	Knowlesville	1
		Lima	3
		Lyons	5
		Macedon	1
<u>Residence in Other States and Canada</u>		Marion	1
California	2	Newark	2
Florida	4	Niagara Falls	1
Indiana	3	Norfolk	1
Massachusetts	5	Northville	1
Minnesota	2	North Tonawanda	1
Missouri	1	Norwich	1
New Jersey	1	Ontario	2
Ohio	2	Owego	3
Pennsylvania	6	Painted Post	2
Virginia	5	Palmyra	1
West Virginia	1	Penn Yan	1
	32 (4.5%)	Savona	1
		Sodus	4
		Spencer	3
		Syracuse	5
		Tonawanda	1
		Union Springs	1
		Waterloo	1
		Watkins Glenn	1
		Waverly	1
		Wayne	1
		Wellsville	2
		West Chazy	1
		West Seneca	1
			94 (13.3%)

Total Admissions = 706 (100.0%)

<sup>1</sup>Monroe County Children's Center - The Year 1973. Report by the Monroe County Department of Social Services, April 12, 1974.

<sup>2</sup>Residence in other New York State Counties include the following counties: Alleghany 6; Broome 1, Chemung 2, Chenango 1, Clinton 1, Erie 14, Jefferson 1, Fulton 1, Genesee 3, Livingston 4, Niagara 1, Onondaga 6, Ontario 8, Orleans 3, Schuler 1, St. Lawrence 4, Seneca 2, Steuben 10, Tioga 8, Washington 1, Wayne 15, Yates 1. Total = 94. Of the 94 juveniles, 63 were pre-arranged admissions.

TABLE A-5

Juvenile Arrests in Monroe County for 1973 by Police Department<sup>1</sup>

Reportable Offenses	City Police Department Rochester		Town Police Departments													
	M	F	Irondequoit		Webster		Brighton		Gates		Greene		Wheatland		Ogden	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Felony	3	0														
Murder	53	9														
Rape	18	4	1	0												
Assault	235	3	22	1	5	0	9	0	13	2	13	0	8	0		
Burglary	25	0	7	0					2	0	1	0				
Grand Larc.-Except Auto	1	1	3	0	1	0										
Grand Larc.-Auto	2	2														
Crab. Poss. Stolen Prop.	8	0					2	0								
Forgery	6	0														
Arson	1	0	6	1					1	1						
Sex Offenses-Except Rape	2	0	1	0	1	0										
Insq. Drug Offenses	14	2									0	1				
Insq. Weapons Offenses	3	1	2	0												
Criminal Mischief	371	22	42	2	7	0	11	0	16	3	14	1	8	0	0	0
All Other Felonies																
Total Felonies																
Misdemeanors																
Assault	31	11	0	1	2	0	3	0	2	0	1	0				
Petit Larceny	92	2	28	9	32	25	9	4	11	4	3	7	1	0		
Unauthorized Use-Auto	160	1	3	0			0	1	6	0	1	0	4	0	1	0
Prison	9	0	10	0			2	1	2	0						
Forgery	0	1														
Sex Offenses	4	0			1	0					1	0				
Insq. Drug Offenses	7	0	5	2	6	0	3	0	5	0						
Insq. Weapons Offenses	1	0	1	0	1	0	6	0								
NSI - 1st Offense	1	0														
Offenses Against Children	26	1														
Motor Law	9	4	4	0			3	0	6	0						
Off. Against Pub. Disorder	29	1	2	0	40	2	2	0	7	0	1	0	4	0	1	0
Criminal Mischief	47	6	6	0	7	0										
Criminal Trespass	5	0							1	0						
Arrest on Warrant/Escape Jrd	6	7	10	1												
All Other Misdemeanors																
TOTAL Misdemeanors	327	34	68	13	89	27	28	6	40	4	7	7	9	0	2	0
TOTAL FELONIES AND Misdemeanors	698	56	110	15	96	27	39	6	56	7	21	8	17	0	2	0
Selected Violations																
NSI - 2nd Offense	10	2					0	1								
Disorderly Conduct	2	2					3	0								
TOTAL Selected Violations	12	4	0	0	0	0	3	1	0	0	0	0	0	0	0	0
TOTAL of All Offenses	710	60	110	15	96	27	42	7	56	7	21	8	17	0	2	0
Arrests of Persons for Referred to Other Agencies for Prosecution	9	1	0	0	0	0	2	0	0	0	0	0	0	0	0	0
TOTAL ARRESTS	719	61	110	15	96	27	44	7	56	7	21	8	17	0	2	0
Percent of Offenses Committed by Previous	(7.8%)		(12.0%)		(22.0%)		(13.7%)		(11.1%)		(27.6%)		(0.0%)		(0.0%)	

<sup>1</sup>Source - Crime in Monroe County 1960, 1964, 1970-1973 (Crime Data Supplement) by the Staff of the Rochester-Monroe County Criminal Justice Pilot City Program, Graduate School of Management, The University of Rochester, September, 1974.

<sup>2</sup>Some of the State Police which has jurisdiction over Monroe County files a 10 county report, which gives Monroe County data only for Part I crimes and does not break down the juvenile statistics at all.

TABLE A-5 CONTINUED

Juvenile Arrests in Monroe County for 1973 by Police Department

Village Police Departments						Total Villages and Towns		Sheriff's Department		State Police <sup>2</sup>		Total Monroe County Outside of Rochester		Total Monroe County			
Brockport		East Rochester		Fairport		M		F		M		F		M		F	
M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
								1	0			1	0	3	0	1	0
								3	0			3	0	56	9	56	9
								1	0			2	0	20	4	20	4
								70	3	29	1	99	4	334	7	334	7
								10	0	3	0	13	0	38	0	38	0
								1	0	1	0	2	0	2	0	2	0
								3	0			3	0	4	1	4	1
								2	0			2	0	10	0	10	0
								7	2	1	1	8	3	9	3	9	3
								2	0	1	0	3	0	5	0	5	0
								0	1			0	1	14	3	14	3
								2	0	2	0	4	0	7	1	7	1
0	0	0	0	0	0	0	0	98	6	42	2	0	0	140	8	511	30
								8	1	5	0	13	1	44	12	44	12
								85	49	3	1	88	50	140	52	140	52
								15	1	16	4	31	5	131	6	131	6
								14	1	1	0	15	1	24	1	24	1
								2	0			2	0	0	1	0	1
								19	2	0	1	19	3	26	3	26	3
								7	0			7	0	7	0	7	0
														1	0	1	0
														1	0	1	0
								13	0	1	3	14	3	27	7	27	7
								57	2	8	0	65	2	94	3	94	3
								13	0	4	0	17	0	64	6	64	6
														5	0	5	0
								11	1	8	7	19	8	25	15	25	15
0	0	0	0	1	0	0	0	244	57	47	16	0	0	291	73	618	107
0	0	0	0	1	0	0	0	342	63	89	18	0	0	431	81	1,129	137
								0	1			0	1	10	3	10	3
								3	0			3	0	5	2	5	2
0	0	0	0	1	0	0	0	345	64	89	18	0	0	434	82	1,144	142
0	0	0	0	0	0	0	0	2	0	2	1	0	0	4	1	13	2
0	0	0	0	1	0	0	0	347	64	91	19	0	0	438	83	1,157	144
(0.0%)		(0.0%)		(0.0%)		(15.6%)		(17.3%)		(0.0%)		(15.9%)		(11.1%)			

APPENDIX B

COURT STAGE

TABLE B-1

Family Court Budgets 1970-1975<sup>1</sup>

Itemized Budget Account Description	Actual for 1970	Actual for 1971	Actual for 1972	Actual for 1973	Estimated for 1974	County Manager Estimate 1975
<b>PERSONAL SERVICES</b>						
101 Salaries	\$1,287,280.18	\$1,436,478.02	\$1,516,611.75	\$1,496,007.04	\$1,666,064.00	\$683,417.00
103 Temporary Help	4,993.16	3,940.05	1,200.00	3,077.52	1,200.00	
104 Overtime	106.46	315.08	1,626.04	1,092.93	600.00	
108 Special Court Exp.	232.00		311.65	1,336.90	400.00	1,000.00
112 Longevity					1,670.00	1,080.00
114 Education-Training		181.00	81.00	210.00	200.00	100.00
117 Med. Surg. Dental Exp.				100.00	200.00	200.00
<b>TOTAL</b>	<b>1,292,611.80</b>	<b>1,440,914.15</b>	<b>1,519,833.44</b>	<b>1,501,824.39</b>	<b>1,670,334.00</b>	<b>685,797.00</b>
<b>PURCHASE - EQUIPMENT</b>						
201 Adv. Machine and Calc					386.85	
202 Typewriters	808.00	918.00	653.30		3,541.50	1,550.00
203 Chairs		213.60				140.00
204 Desk Table Bookcase		1,148.40				360.00
205 Filing Cabinets	497.19	649.84	375.60	350.00		
207 Shorthand-Dictating Machine -						250.00
208 Books	574.20	651.33	670.85	11.76	500.00	400.00
209 Duplicating Equip.	400.00	1,320.00			1,001.00	
210 Misc Office Equip.		61.62	1,204.00	250.00	500.00	375.00
214 Autos Trucks Buses			5,054.40			
229 Law Books and Supplies	2,543.54	1,884.34	2,327.73	2,964.49	2,400.00	2,500.00
<b>TOTAL</b>	<b>4,822.93</b>	<b>6,847.13</b>	<b>10,285.88</b>	<b>3,576.25</b>	<b>8,329.35</b>	<b>5,575.00</b>
<b>EXPENSES</b>						
401 Travel	6,385.72	11,716.75	6,690.71	5,291.64	8,000.00	1,200.00
402 Mileage Private Cars	13,844.15	14,505.86	11,872.54	6,769.51	12,000.00	
407 Judicial Travel			1,645.52		2,000.00	2,000.00
411 Newspaper Advertising			582.98	380.31	300.00	250.00
417 Maint. Autos	782.29	655.91				
418 Maint. Office Equipment	2,608.17	2,706.19	3,118.60	2,580.17	4,135.00	1,426.00
420 Maint. Furniture Fixtures						
432 Postage	6,200.00	8,400.00	9,607.32	11,080.00	14,250.00	4,850.00
433 Telephone-Teletype	18,593.98	19,943.52	19,712.21	19,047.75	20,500.00	6,700.00
442 Clothing Allowance						600.00
447 Rental of Equipment	180.00	189.00	393.86	204.00	250.00	78.00
456 Legal Transcripts	477.10	655.10	1,094.80	3,207.63	1,200.00	2,600.00
457 Subscriptions	359.09	416.40	460.80	590.50	573.00	347.00
458 Expert Services			58.37	5,057.80	1,500.00	
459 Building Maint.	900.00	394.26	408.50	329.35		1,800.00
465 Misc. Expense	104.26	105.77	58.78	49.12	75.00	
471 Central Index Service	2,756.32	2,892.01				
483 Intdpt Chg-Data Proc.	3,905.88					
<b>TOTAL</b>	<b>57,096.96</b>	<b>62,580.77</b>	<b>55,704.99</b>	<b>55,374.59</b>	<b>64,783.00</b>	<b>21,851.00</b>
<b>SUPPLIES AND MATERIALS</b>						
501 Office Printing	8,010.26	7,492.92	8,825.68	12,018.47	10,600.00	1,550.00
503 Office Supplies	4,757.57	5,415.84	5,889.28	5,218.48	6,500.00	5,700.00
510 Clothing	564.00	507.25	401.94	287.50	600.00	
530 Automotive Parts	171.61	136.27	148.16	175.00	175.00	100.00
531 Gas Oil Anti-Freeze	680.44	520.45	408.73	675.55	2,521.00	850.00
552 Occupational Supplies			14.50	26.64		
553 Volunteer Services				56.11	200.00	
<b>TOTAL</b>	<b>14,183.88</b>	<b>14,072.73</b>	<b>15,540.13</b>	<b>19,130.91</b>	<b>20,596.00</b>	<b>8,200.00</b>
<b>BENEFITS</b>						
820 Retirement	157,437.00	196,360.00	222,041.00	328,405.00	377,496.00	373,392.00
833 Social Security Contrib.	46,251.76	53,633.90	59,130.62	67,690.93	86,616.00	31,925.00
836 Hospital Benefits	23,961.32	32,873.25	32,834.12	33,125.90	46,614.00	18,558.00
838 Automobile Insurance	9,149.35	14,947.13	16,538.91	16,862.68	17,830.00	8,503.00
803 Education Handicapped Children					40,000.00	50,000.00
<b>TOTAL</b>	<b>236,799.43</b>	<b>297,814.28</b>	<b>330,584.65</b>	<b>446,094.51</b>	<b>568,556.00</b>	<b>482,378.00</b>
<b>INTERGOV'T TRANSFERS</b>						
914 Intdpt Chg-Data Proc.		21,619.40	174,333.55	56,528.40	195,608.00	5,364.00
936 Intdpt Chg-Hall of Justice						79,002.00
939 Intdpt Chg-Central Services						1,150.00
941 Intdpt Chg-Graphic Arts						
<b>TOTAL</b>		<b>21,619.40</b>	<b>174,333.55</b>	<b>56,528.40</b>	<b>195,608.00</b>	<b>80,516.00</b>
<b>GRAND TOTAL</b>	<b>1,605,515.00</b>	<b>1,843,848.46</b>	<b>2,106,302.64</b>	<b>2,082,519.05</b>	<b>2,528,206.35</b>	<b>1,293,977.00</b>

Monroe County Budgets, 1970-1975.

TABLE B-2

Sources of Federal and State Revenue in the Family Court Budgets 1970-1975<sup>1</sup>

Revenue Applicable to This Account	1970	1971	1972	1973	1974	1975
STATE AID	\$418,000.00	\$490,000.00	\$460,000.00	\$47,300.00	\$50,800.00	\$71,300.00
State Aid Judicial Salaries				502,500.00	586,000.00	
State Aid Probation Services					20,000.00	25,000.00
State Aid Special Education					23,800.00	
State Aid Drug Abuse Treatment						
FEDERAL AID				343,000.00		
Federal Aid Probation Services						
TOTAL State Aid	\$418,000.00	\$490,000.00	\$460,000.00	\$549,800.00	\$680,600.00	\$96,300.00
TOTAL Federal Aid				343,000.00		
TOTAL REVENUE	\$418,000.00	\$490,000.00	\$460,000.00	\$892,800.00	\$680,600.00	\$96,300.00

Monroe County Budgets, 1970-1975.

TABLE B-3

FAMILY COURT STAFF, 1970-1975<sup>1</sup>

POSITION TITLE	NUMBER OF POSITIONS										
	1970	±	1971	±	1972	±	1973	±	1974	±	1975
Judge Family Court	4		4		4		4		4		4
Executive Director of Family Court	1		1		1		1		1	-1	
Counsel to Family Court	1		1		1		1		1	-1	
Law Assistant, Grade 1										+1	1
Director of Probation Family Court	1		1		1		1		1	-1	
Deputy Director of Probation	1		1		1	-1	1		1	-1	
Court Clerk-Family Court	1		1		1		1		1	+1	1
Court Clerk Grade 3										+1	1
Supervising Probation Officer	6		6	+1	7		7	+1	8	-8	
Conciliation Counselor	1		1		1		1		1	-1	
Case Work Supervisor	1		1		1		1		1	-1	
Court Stenographer	5		5		5		5		5	-5	
Court Reporter Grade 1										+5	5
Assignment Clerk	1		1	-1							
Senior Probation Officer	20	+3	23	+2	25		25		25	-25	
Supervising Probation Officer's Assistant								+1	1		1
Deputy Court Clerk	1		1	+1	2		2		2	-2	
Court Clerk Grade 1										+2	2
Administrative Assistant	1		1		1		1		1	-1	
Administrator Grade 1										+1	1
Probation Officer	17	-2	15	-2	13	+2	15	-1	14	-14	
Deputy Sheriff, Transfer Supervisor		+1	1		1		1	-1			
Case Worker	7	-1	6		6		6		6	-6	
Probation Officer Assistant								+5	5	-5	
Auditor 2								+1	1	-1	
Deputy Sheriff, Transfer-Female	1	+1	2		2		2	-2			
Deputy Sheriff, Transfer	3	+2	5		5		5	-3	2		2
Confidential Clerk	4		4		4		4		4	-4	
Deputy Sheriff Interpreter	1	-1									
Secretary to Judge										+4	4
Supervising Bookkeeper	1		1		1		1		1	-1	
Supervisor of Records and Stenographer Pool	1		1		1		1	-1			
Clerk Grade 1	8		8		8		8		8	-8	
Assistant Court Clerk										+7	7
Deputy Sheriff, Civil, 40 Hours or More	4		4		4		4		4	+1	5
Stenographer, Grade 1	2		2		2		2		2	-1	1
Clerk 2	3		3		3		3		3	-3	
Court Assistant Grade 1										+3	3
Cashier, 2	2		2		2		2		2	-2	
Bookkeeper	3		3		3		3		3	-3	
Senior Stenographer										+1	1
Stenographer, 2	11		11		11		11		11	-11	
Intake Clerk		+1	1		1		1		1	-1	
Clark, 3	11		11		11		11		11	-11	
Court Office Assistant										+9	9
Receptionist	1	-1									
Stenographer 3	2		2		2		2		2	-1	1
Typist Clerk	2		2		2		2		2	-2	
Probation Officer Trainee	1		1		1		1		1	-1	
Counsel to Family Court Judge, Part Time	4		4	+5	6	-5	1		1	-1	
Law Secretary to Judge, Part Time										-4	
<b>TOTALS</b>	<b>134</b>		<b>137</b>		<b>143</b>		<b>139</b>		<b>139</b>	<b>+4</b>	<b>4</b>

<sup>1</sup>Monroe County Budgets, 1970-1975.

TABLE B-4

Probation Department Budgets, 1972-1975<sup>1</sup>

ITEMIZED BUDGET	Actual for 1972	Actual for 1973	Estimated for 1974	County Manager Estimate 1975
<b>PERSONAL SERVICES</b>				
101 Salaries	\$613,553.76	\$593,376.07	\$665,834.00	\$1,852,870.00
103 Temporary Help	955.70	4,528.68		
104 Overtime	925.00	2,073.39	1,000.00	
112 Longevity			1,747.00	3,072.00
114 Education-Training	200.00		650.00	300.00
<b>TOTAL</b>	<b>615,634.46</b>	<b>599,978.14</b>	<b>669,231.00</b>	<b>1,856,242.00</b>
<b>PURCHASE-EQUIPMENT</b>				
201 Add. Machines and Calc.				300.00
202 Typewriters			756.00	3,700.00
203 Chairs				100.00
204 Desk Table Bookcase				700.00
205 Filing Cabinets			1,098.00	400.00
208 Books	477.51	369.00	500.00	600.00
210 Misc. Office Equip.				7,800.00
<b>TOTAL</b>	<b>477.51</b>	<b>369.00</b>	<b>2,354.00</b>	<b>13,600.00</b>
<b>EXPENSES</b>				
401 Travel	440.83	395.24	1,400.00	8,400.00
402 Mileage Private Cars	10,281.26	8,668.05	11,500.00	23,500.00
404 Bus Fare	75.30	85.40	125.00	150.00
417 Maint. Automobiles				250.00
418 Maint. Office Equip.	2,154.22	2,033.46	2,696.00	5,634.00
420 Maint. Furn. Fixtures				
432 Postage	948.00	992.00	1,400.00	11,850.00
433 Telephone-Telegraph	11,421.29	10,797.56	11,500.00	25,300.00
447 Rental of Equipment				173.00
457 Subscriptions	87.00	87.00	90.00	236.00
458 Expert Services				1,500.00
459 Building Maint.	140.25			
465 Misc. Expense	78.00			200.00
<b>TOTAL</b>	<b>25,626.15</b>	<b>23,058.71</b>	<b>28,711.00</b>	<b>77,193.00</b>
<b>SUPPLIES AND MATERIALS</b>				
501 Office Printing	1,893.80	2,307.57	2,150.00	5,450.00
503 Office Supplies	1,791.38	1,763.06	2,300.00	7,300.00
513 Photo-Xray Supplies				200.00
518 Clothing		123.00		
530 Automotive Parts				100.00
533 Gas Oil Anti-Freeze				850.00
553 Volunteer Services				200.00
<b>TOTAL</b>	<b>3,685.18</b>	<b>4,193.63</b>	<b>4,450.00</b>	<b>14,100.00</b>
<b>BENEFITS</b>				
828 Retirement	94,588.30	134,149.00	150,448.00	141,028.00
833 Social Security Contr.	24,062.69	27,776.66	35,347.00	100,285.00
836 Hospital Benefits	14,897.86	13,631.70	16,926.00	51,000.00
838 Allocable Insurance	9,831.38	8,639.80	9,135.00	25,785.00
<b>TOTAL</b>	<b>143,380.23</b>	<b>184,197.16</b>	<b>211,856.00</b>	<b>318,098.00</b>
<b>INTERFUND TRANSFERS</b>				
914 Intdpt Chg-Data Proc.	1,862.00	1,719.64	1,566.00	91,872.00
936 Intdpt Chg-Hall of Justice				224,851.00
939 Intdpt Chg-Central Services				4,040.00
941 Intdpt Chg-Graphic Arts				3,150.00
<b>TOTAL</b>	<b>1,862.00</b>	<b>1,719.64</b>	<b>1,566.00</b>	<b>323,913.00</b>
<b>GRAND TOTAL ANNUAL BUDGET</b>	<b>\$790,665.53</b>	<b>\$813,516.28</b>	<b>\$918,168.00</b>	<b>\$2,603,146.00</b>

<sup>1</sup>Monroe County Budgets, 1972-1975.

TABLE B-5

Sources of Federal and State Revenue in the Probation Budget, 1972-1975<sup>1</sup>

Revenue Applicable to This Account	1972	1973	1974	1975
State Aid	\$310,000.00			
State Aid-Adult Probation		\$328,250.00	\$343,800.00	\$1,132,298.00
Federal Aid		208,400.00		
TOTAL State Aid	\$310,000.00	\$328,250.00	\$343,800.00	\$1,132,298.00
TOTAL Federal Aid		\$208,400.00		
TOTAL Revenue	\$310,000.00	\$536,650.00	\$343,800.00	\$1,132,298.00

<sup>1</sup>Monroe County Budgets, 1972-1975.

TABLE B-6

Probation Department Staff, 1972-1975<sup>1</sup>

POSITION TITLE	NUMBER OF POSITIONS						
	1972	+	1973	+	1974	+	1975
Director of Probation Services	1		1		1		1
Deputy Director of Probation Services	1	-1		+1	1		1
Assistant Director of Administration						+1	1
Assistant Director IV						+3	3
Principal Research Analyst						+1	1
Principal Probation Officer						+6	6
Supervising Probation Officer	3		3		3	-3	
Chief Probation Officer	1		1		1	-1	
Probation Supervisor	1		1		1	+8	9
Supervising Accountant						+1	1
Supervising Caseworker						+1	1
Senior Systems Analyst						+1	1
Senior Probation Officer	18	-2	16	-1	15		15
Court Probation Consultant	1		1		1	-1	
Conciliation Counsel							
Caseworker Supervisor	1		1	-1			
Supervising Probation Officer Assistant						+29	43
Probation Officer	11	+2	13	+1	14	+1	1
Systems Analyst						+1	2
Administrative Assistant	1		1		1	+1	1
Control Analyst						+1	1
Senior Support Investigator						+6	6
Case Worker							
Auditor, Grade 2						+4	4
Probation Assistant						+1	1
Clerk I						+1	1
Junior Accountant							
Probation Court Attendant	1		1		1	+1	4
Steno I	3		3		3	+6	6
Support Investigator						+1	1
Cashier	1		1	-1		+1	1
Bookkeeper	1		1		1		1
Steno II	11		11		11	+2	13
Intake Clerk						+1	1
Clerk III						+2	2
Finance Clerk						+4	4
Receptionist	1		1		1		1
Steno III						+10	10
Dictaphone Operator	1		1		1		1
Typist Clerk	1		1		1	+2	3
Probation Trainee	2	-2				+1	1
Drug and Alcohol Consultant, Part Time	1		1		1	-1	
TOTALS	62		59		58		149

<sup>1</sup>Monroe County Budgets, 1972-1975.

TABLE B-7

Diversion of Juvenile Petitions at the Family Court Intake Level from 1964 Through 1973<sup>1</sup>

YEAR	TOTAL JD PETITIONS				TOTAL PINS PETITIONS				TOTAL JD AND PINS PETITIONS			
	Total Unofficial <sup>3</sup>	Official	Adjusted	Percent Adjusted	Total Unofficial <sup>3</sup>	Official	Adjusted	Percent Adjusted	Total Unofficial <sup>3</sup>	Official	Adjusted	Percent Adjusted
1962 <sup>2</sup>	169	414			33	58						
1963 <sup>2</sup>	314	381			256	188						
1964	452	397	55	12.2	311	162	149	47.9	763	559	204	26.7
1965	538	445	93	17.3	484	195	289	59.7	1,022	640	382	37.4
1966	672	572	100	14.9	481	172	309	64.2	1,153	744	409	35.5
1967	778	489	289	37.2	553	205	348	62.9	1,331	694	637	47.9
1968	909	649	260	28.6	584	219	365	62.5	1,493	868	625	41.9
1969	1,027	656	371	36.1	729	338	391	53.6	1,756	994	762	43.4
1970	1,181	814	367	31.1	805	369	436	54.2	1,986	1,183	803	40.4
1971	1,430	722	708	49.5	752	272	480	63.8	2,182	994	1,188	54.5
1972	1,314	841	473	36.0	650	250	400	61.5	1,964	1,091	873	44.5
1973	1,081	750	331	30.6	592	256	336	56.8	1,673	1,006	667	39.9

<sup>1</sup>Source: Annual Reports of the Monroe County Family Court, 1962-1973.

<sup>2</sup>Prior to the Family Court Act of 1962, all offenses of juveniles were classified as JD's. Therefore, the figures during the changeover period (1962-1963) are not comparable to those from 1964 to the present after the new classification system stabilized.

<sup>3</sup>Total unofficial petitions is 25.8% of the official and adjusted petitions.

TABLE B-8  
Residence for 1973 JD and PINS  
Total Official Unique Petitions<sup>1</sup>

Residence	Status			TOTAL
	JD	PINS		
City or Rochester	N 608	178	69.5	786
	% 81.1			78.1
Irondequoit	19	12		31
Webster	13	4		17
Penfield	6	0		6
Perinton	4	6		10
Total East Rochester				
Village	4	1		5
Pittsford	2	3		5
Mendon	0	0		0
Brighton	8	7		15
Henrietta	8	7		15
Rush	0	1		1
Greece	16	14		30
Gates	28	10		38
Chili	10	6		16
Wheatland	3	0		3
Parma	0	0		0
Ogden	0	3		3
Riga	0	0		0
Hamlin	1	1		2
Clarkson	1	0		1
Sweden	4	2		6
TOTAL TOWNS	N 126	77		203
	% 16.8	30.1		20.2
TOTAL County	N 734	255		989
	% 97.9	99.6		98.3
New York State Outside Monroe County	N 15	1		16
	% 2.0	0.4		1.6
Non New York State	N 1	0		1
	% 0.1	0.0		0.1
GRAND TOTAL	N 750	256		1,006
	% 100.0	100.0		100.0

<sup>1</sup>There was no residence given on the petition sheets for the Violation Status.

TABLE B-9

Sex of the Juvenile and Homes Where Living at the Time of the Offense  
for the 1973 JD and PINS<sup>1</sup> Total Official Unique Petitions

Homes Where Living	JD			PINS			TOTAL		
	M	F	T	M	F	T	M	F	T
Both Parents	328	29	357	50	42	92	378	71	449
Mother Only	223	50	273	46	67	113	269	117	386
Father Only	35	6	41	4	1	5	39	7	46
Mother and Stepfather	29	5	34	9	9	18	38	14	52
Father and Stepmother	2	0	2	3	3	6	5	3	8
Grandparents	6	2	8	2	2	4	8	4	12
TOTAL Living with Relative	N 623 % 95.6	92 93.9	715 95.3	114 91.2	124 94.7	238 93.0	737 94.8	216 94.3	953 94.7
Foster Home	8	0	8	4	4	8	12	4	16
Other	16	6	22	7	3	10	23	9	32
Unknown	5	0	5	0	0	0	5	0	5
TOTAL Non Relative	N 29 % 4.4	5 6.1	35 4.7	11 8.8	7 5.3	18 7.0	40 5.2	13 5.7	53 5.3
GRAND TOTALS	652 100.0	98 100.0	750 100.0	125 100.0	131 100.0	256 100.0	777 100.0	229 100.0	1,006 100.0

<sup>1</sup>Homes Where Living was not given on the petition sheets for the Violation Status.

TABLE B-10

Source of Referral for JD and PINS  
Official Petitions in 1973<sup>1</sup>

Source of Referral	JD	Status PINS	TOTAL
	Police:		
Brighton	11	0	11
Brockport	0	0	0
East Rochester	0	0	0
Fairport	0	0	0
Gates	35	0	35
Greece	26	0	26
Henrietta	0	0	0
Irondequoit	37	0	37
New York State	8	0	8
Ogden	4	0	4
Private Detective Agency	1	0	1
Rochester	457	0	457
Sheriff of Monroe County	34	0	34
Webster	9	0	9
Wheatland	8	0	8
Arson Squad	5	0	5
Dept. Store, School Security Guard	29	0	29
Outside Monroe County	1	0	1
TOTAL	665	0	665
Other:			
Citizen-Witness	4	0	4
Citizen-Victim	64	0	64
Probation Officer	2	0	2
TOTAL	70	0	70
Agency:			
MCSS	1	16	17
Hillside	0	5	5
Berkshire	0	1	1
Other Court	13	3	16
TOTAL	14	25	39
School:			
City of Rochester	0	82	82
Brockport	0	0	0
Churchville-Chili	0	1	1
Gates-Chili	0	8	8
Hilton	0	0	0
Irondequoit	0	11	11
Mendon	0	0	0
Penfield	0	0	0
Rush-Henrietta	0	3	3
Wheatland-Chili	0	0	0
Greece Central	0	3	3
Spencerport	0	6	6
Brighton	0	6	6
Fairport	0	1	1
Lester Forman Center	0	1	1
TOTAL	0	122	122
Parents:			
Father	0	4	4
Mother	1	63	64
Both	0	40	40
Grandmother	0	1	1
Other Relative	0	1	1
TOTAL	1	109	110
Grand Total	750	256	1,006

<sup>1</sup>Source of Referral was not given on the petition sheets for the Violation Status.

TABLE B-11

Frequency Distribution of the Official Petition Status Handled by  
Each Judge in 1973 Showing the Sex of the Juvenile

Status	Judge <sup>1</sup>												TOTAL			
	1		2		3		4		5		Other		Unknown		N	%
JD:	N	%	N	%	N	%	N	%	N	%	N	%	N	%	552	
Males	95		95		45		161		233		14		0		98	
Females	15		10		8		33		32		14		8		750	64.0
TOTAL	110	60.1	106	62.3	53	74.7	194	65.3	265	63.0	14	87.5	8	57.1		
PDS:															125	
Male	29		13		8		37		35		0		3		131	
Female	22		24		6		28		46		2		3		256	21.8
TOTAL	51	27.9	37	21.8	14	19.7	65	21.9	81	19.2	2	12.5	6	42.9		
Violations:															87	
Male	12		19		3		20		33		0		0		79	
Female	10		8		1		18		42		0		0		166	14.2
TOTAL	22	12.0	27	15.9	4	5.6	38	12.8	75	17.8	0	0.0	0	0.0		
Total:															864	
Males	136		128		56		218		301		14		11		308	
Females	47		42		15		79		120		2		3		1,172	100.0
TOTAL	183	100.0	170	100.0	71	100.0	297	100.0	421	100.0	16	100.0	14	100.0		

<sup>1</sup>The regular family court judges in 1973 included Judges Wagner, Selke, Pine, Pilato, and Branch.

TABLE B-12

Frequency Distribution by Age and Sex of the Unique Juveniles  
Seen by Each Judge in 1973

Age	Judge <sup>1</sup>																								Total		
	1			2			3			4			5			Other			Unknown			M	F	T			
7 Years	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
8 Years	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1			
9 Years	1	0	1	0	0	0	2	0	2	2	1	3	2	0	2	0	0	0	1	0	1	8	1	9			
10 Years	4	1	5	2	0	2	0	0	0	5	1	7	4	1	5	0	0	0	0	0	0	16	3	19			
11 Years	5	1	6	3	0	3	4	0	4	7	3	10	8	0	8	0	0	0	0	0	0	27	4	31			
12 Years	6	3	9	5	2	7	0	0	0	3	5	8	18	4	22	0	0	0	0	0	0	32	14	46			
13 Years	21	6	27	10	8	18	8	1	9	22	7	29	36	18	54	3	1	4	3	1	4	103	42	145			
14 Years	32	6	38	24	8	32	16	4	20	52	23	75	62	29	91	3	0	3	3	0	3	192	70	262			
15 Years	36	17	53	37	16	53	17	6	23	62	27	89	86	31	117	4	1	5	3	2	5	245	100	345			
16 Years	4	3	7	2	0	2	0	0	0	4	3	7	4	6	10	0	0	0	1	0	1	15	12	27			
17 Years	0	0	0	0	0	0	0	0	0	0	1	1	1	1	2	0	0	0	0	0	0	1	2	3			
TOTAL	110	37	147	83	34	117	47	11	58	158	71	229	221	90	311	10	2	12	11	3	14	640	248	888 <sup>2</sup>			
	97.1%												1.3%			1.6%			100.0%								

<sup>1</sup>The five regular family court judges in 1973 included Judges Wagner, Selke, Pine, Pilato, and Branch.

<sup>2</sup>Although we are dealing with unique juveniles, the total N is greater than 800 because we are talking about the total unique juveniles seen by each judge. The same individual could have been seen by more than one judge due to the substitution of one judge for another or changes in judges due to election.

TABLE B-13

Residence of JD and PDS Official Petition Juveniles by Judge for 1973<sup>1</sup>

Residence	Judge <sup>2</sup>					Other	Unknown	Total
	1	2	3	4	5			
City of Rochester	N 119 % 73.9	104 72.7	54 30.6	212 81.9	273 78.9	15 93.8	9 64.3	786 78.1
Irondequoit	6	7	1	10	7	0	0	31
Webster	2	7	1	1	5	0	1	17
Penfield	1	1	0	3	0	0	1	6
Perinton	4	1	1	0	2	1	1	10
Total East Roch. Village	0	2	0	2	1	1	1	5
Pittsford	0	1	0	0	4	0	0	5
Mendon	0	0	0	0	0	0	0	0
Brighton	5	1	1	4	4	0	0	15
Henrietta	1	0	0	6	7	0	1	15
Rush	0	0	0	1	0	0	0	1
Greece	6	3	3	5	13	0	0	30
Gates	10	5	1	5	17	0	0	38
Chili	5	5	2	3	1	0	0	16
Wheatland	0	1	0	2	0	0	0	3
Panna	0	0	0	0	0	0	0	0
Ogden	0	2	1	0	0	0	0	3
Riga	0	0	0	0	0	0	0	0
Hawlin	0	1	0	1	0	0	0	2
Clarkson	0	0	0	0	0	0	0	0
Sweden	0	0	0	0	6	0	0	6
TOTAL Towns	N 40 % 24.9	37 25.9	11 16.4	43 16.6	67 19.4	1 6.2	4 28.6	203 20.2
NYS Outside Monroe Co.	2	2	2	4	5	0	0	16
Non New York State	0	0	0	0	1	0	0	1
TOTAL	N 2 % 1.2	2 1.4	2 3.0	4 1.5	6 1.7	0 0.0	1 7.1	17 1.7
GRAND TOTAL	N 161 % 100.0	143 100.0	67 100.0	259 100.0	346 100.0	16 100.0	14 100.0	1,006 100.0

<sup>1</sup>Residence was not on the petition sheets for the Violation Status.

<sup>2</sup>The five regular family court judges in 1973 included Judges Wagner, Selke, Pine, Pilato, and Branch.

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TABLE B-13

Residence of JD and PINS Official Petition Juveniles by Judge for 1973<sup>1</sup>

Residence	Judge <sup>2</sup>					Other	Unknown	Total
	1	2	3	4	5			
City of Rochester	N 119 % 73.9	104 72.7	54 80.6	212 81.9	273 78.9	15 93.8	9 64.3	786 78.1
Irondequoit	6	7	1	10	7	0	0	31
Webster	2	7	1	1	5	0	1	17
Penfield	1	1	0	3	0	0	1	6
Perinton	4	1	1	0	2	1	1	10
Total East Roch. Village	0	2	0	2	1	0	0	5
Pittsford	0	1	0	0	4	0	0	5
Mendon	0	0	0	0	0	0	0	0
Brighton	5	1	1	4	4	0	0	15
Henrietta	1	0	0	6	7	0	1	15
Rush	0	0	0	1	0	0	0	1
Greece	6	3	3	5	13	0	0	30
Gates	10	5	1	5	17	0	0	38
Chili	5	5	2	3	1	0	0	16
Wheatland	0	1	0	2	0	0	0	3
Farma	0	0	0	0	0	0	0	0
Ogden	0	2	1	0	0	0	0	3
Riga	0	0	0	0	0	0	0	0
Hamlin	0	1	0	1	0	0	0	2
Clarkson	0	0	0	0	0	0	0	0
Sweden	0	0	0	0	6	0	0	6
TOTAL Towns	N 40 % 24.9	37 25.9	11 16.4	43 16.6	67 19.4	1 6.2	4 28.6	203 20.2
NYS Outside Monroe Co.	2	2	2	4	5	0		16
Non New York State	0	0	0	0	1	0	0	1
TOTAL	N 2 % 1.2	2 1.4	2 3.0	4 1.5	6 1.7	0 0.0	1 7.1	17 1.7
GRAND TOTAL	N 161 % 100.0	143 100.0	67 100.0	259 100.0	346 100.0	16 100.0	14 100.0	1,006 100.0

<sup>1</sup>Residence was not on the petition sheets for the Violation Status.

<sup>2</sup>The five regular family court judges in 1973 included Judges Wagner, Selke, Pine, Pilato, and Branch.

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TABLE B-14  
Frequency Distribution of the Official Petition Status and Sex of the Juveniles

Seen by Private and Public Counsel in 1973

Status	Counsel			Total
	Private Counsel	Law Guardian	Unknown	
JD:				
Males	93	532	27	652
Females	10	82	6	98
TOTAL	103 79.2	614 61.8	33 68.8	750 64.0
PINS:				
Males	15	105	5	125
Female	9	113	9	131
TOTAL	24 18.5	218 21.9	14 29.1	256 21.8
Violations:				
Males	3	83	1	87
Females	0	79	0	79
TOTAL	3 2.3	162 16.3	1 2.1	166 14.2
Total:				
Males	111	720	33	864
Females	19	274	15	308
TOTAL	130 100.0	994 100.0	48 100.0	1,172 100.0

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TABLE B-15

Frequency Distribution by Age and Sex of the

Unique Juvenile Offenders Handled by Private and Public Counsel in 1973

Age	Counsel									TOTAL		
	Private Counsel			Law Guardian			Unknown			M	F	T
	M	F	T	M	F	T	M	F	T			
7 Years	0	0	0	0	0	0	0	0	0	0	0	0
8 Years	0	0	0	1	0	1	0	0	0	1	0	1
9 Years	3	0	3	4	1	5	1	0	1	8	1	9
10 Years	3	1	4	12	2	14	0	0	0	15	3	18
11 Years	2	0	2	25	4	29	1	0	1	28	4	32
12 Years	4	1	5	27	11	38	1	3	4	32	15	47
13 Years	12	4	16	87	33	120	7	5	12	106	42	148
14 Years	29	4	33	154	67	221	13	0	13	196	71	267
15 Years	40	7	47	193	89	282	6	7	13	239	103	342
16 Years	1	0	1	11	12	23	3	0	3	15	12	27
17 Years	0	0	0	1	2	3	0	0	0	1	2	3
TOTAL	94	17	111	515	221	736	32	15	47	641	253	894 <sup>1</sup>

<sup>1</sup> Although we are dealing with unique individuals, the total N is greater than 800 because we are talking about the total unique individuals seen by each counsel. The same individual could have seen more than one counsel due to substitution or change.

TABLE B-16

Residence of JD and PINS Petition Juveniles by

Private and Public Counsel for 1973<sup>1</sup>

Residence	Counsel			
	Private Attorney	Law Guardian	Unknown	Total
City of Rochester	N 56 % 44.4	699 83.8	31 67.4	786 78.1
Irondequoit	15	16	0	31
Webster	6	9	2	17
Penfield	3	1	2	6
Perinton	2	6	2	10
East Rochester	3	2	0	5
Pittsford	1	4	0	5
Mendon	0	0	0	0
Brighton	4	9	2	15
Henrietta	2	11	2	15
Rush	0	1	0	1
Greece	10	19	1	30
Gates	15	23	0	38
Chili	6	9	1	16
Wheatland	2	1	0	3
Parma	0	0	0	0
Ogden	0	3	0	3
Riga	0	0	0	0
Hamlin	0	2	0	2
Clarkson	0	0	0	0
Sweden	1	5	0	6
TOTAL Village and Towns	N 70 % 55.6	121 14.5	12 26.1	203 20.2
TOTAL Monroe County	126	820	43	989
New York State Outside Monroe County	0	13	3	16
Non-New York State	0 N 0 % 0.0	1 14 1.7	0 3 6.5	1 17 1.7
GRAND TOTAL	N 126 % 100.0	834 100.0	46 100.0	1,006 100.0

<sup>1</sup> Residence was not on the petition sheets for the Violation Status.

TABLE B-17

## Sex, Age, and Offense for 1973 Violation Petitions

Age and Sex	Offense				Totals
	Detention Hearing	Warrant	Other	Unknown	
7 Years:					
Male	0	0	0	0	0
Female	0	0	0	0	0
TOTAL	0	0	0	0	0
8 Years:					
Male	0	0	0	0	0
Female	0	0	0	0	0
TOTAL	0	0	0	0	0
9 Years:					
Male	0	0	0	0	0
Female	0	0	0	0	0
TOTAL	0	0	0	0	0
10 Years:					
Male	0	0	0	0	0
Female	0	0	0	0	0
TOTAL	0	0	0	0	0
11 Years:					
Male	1	0	3	0	4
Female	0	0	0	0	0
TOTAL	1	0	3	0	4
12 Years:					
Male	2	0	2	0	4
Female	0	0	0	0	0
TOTAL	2	0	2	0	4
13 Years:					
Male	4	1	1	0	6
Female	3	5	2	0	10
TOTAL	7	6	3	0	16
14 Years:					
Male	8	2	7	3	20
Female	10	8	1	0	19
TOTAL	18	10	8	3	39
15 Years:					
Male	10	7	17	1	35
Female	13	9	8	2	32
TOTAL	23	16	25	3	67
16 Years:					
Male	1	10	4	2	17
Female	7	7	1	1	16
TOTAL	8	17	5	3	33
17 Years:					
Male	1	0	0	0	1
Female	1	0	1	0	2
TOTAL	2	0	1	0	3
Total:					
Male	27	20	34	6	87
Female	34	29	13	3	79
TOTAL	61	49	47	9	166
	36.8%	29.5%	28.3%	5.4%	100.0%

TABLE B-18

## Sex, Age, and Offense for the 1973 PINS Petitions

Age and Sex	Offense			Total
	Ungovernable	Truancy	Transfer from Other County	
7 Years:				
Male	0	0	0	0
Female	0	0	0	0
TOTAL	0	0	0	0
8 Years:				
Male	0	0	0	0
Female	0	0	0	0
TOTAL	0	0	0	0
9 Years:				
Male	1	3	0	4
Female	0	0	0	0
TOTAL	1	3	0	4
10 Years:				
Male	1	2	0	3
Female	0	2	0	2
TOTAL	1	4	0	5
11 Years:				
Male	2	1	0	3
Female	1	1	0	2
TOTAL	3	2	0	5
12 Years:				
Male	3	3	0	6
Female	5	1	0	6
TOTAL	8	4	0	12
13 Years:				
Male	9	7	0	16
Female	16	8	0	24
TOTAL	25	15	0	40
14 Years:				
Male	17	23	0	40
Female	26	12	0	38
TOTAL	43	35	0	78
15 Years:				
Male	17	36	0	53
Female	34	22	3	59
TOTAL	51	58	3	112
16 Years:				
Male	0	0	0	0
Female	0	0	0	0
TOTAL	0	0	0	0
17 Years:				
Male	0	0	0	0
Female	0	0	0	0
TOTAL	0	0	0	0
Total:				
Male	50	75	0	125
Female	82	46	3	131
TOTAL	132	121	3	256
	51.6%	47.3%	1.1%	100.0%

TABLE B-19

Sex, Age, and Offense for the 1973 JD Petitions

Possible Offense Classifications	Offense	Age and Sex																	
		7			8			9			10			11					
		M	F	T	M	F	T	M	F	T	M	F	T	M	F	T			
F	Homicide							1			1			2			2		
F	Rape													8			8		
F	Burglary						1			1	5			5			8		
F	Arson																		
F	Gr. Larceny (non-auto)										2	1	3	1			1		
F	Robbery										2	1	3	1			1		
	<u>TOTAL</u>						1			1	10	2	12	12			12		
MF	Conspiracy																		
MF	Assault						1			1	4		4	5			9		
MF	Sexual Abuse				1		1				1		1	1	1		2		
MF	Unlawful Inpris.																		
MF	Criminal Mischief						1			1	2		2	3			3		
MF	Receiving or Poss. of Stolen Property																		
MF	Forgery																		
MF	Dangerous Drugs																		
MF	Poss. of Dangerous Weapons, Instruments or Appliances																		
MF	Escape						1			1	2		2	7			7		
	<u>TOTAL</u>				1		1	2		2	7		7	13			14		
M	Sexual Misconduct																		
M	Petit Larc.						1			1	2		8	8			7	1	8
M	Unauthorized Use of Auto													2			2		
M	Obstruction of Gover. Prop.																		
M	Injuring and Torturing																		
M	Falsely Reporting an Incident													1			1		
	<u>TOTAL</u>				1		1	2		8	8		10	11			11		
V	Disorderly Conduct																		
OTHER	Transfer of Probation from Another Co.						1			1									
	Unknown																		
	<u>TOTAL</u>				1		1												
	<u>GRAND TOTALS</u>				1		1	5		6	25	2	27	35	2	37			

1 Keep in mind that a separate data card was made out for each offense shown on the petition sheets, and consequently, those juveniles who were charged with multiple offenses on the same petition will appear more than once in these data.

TABLE B-19 CONTINUED

Sex, Age, and Offense for the 1973 JD Petitions

Possible Offense Classifications	Offense	Age and Sex																				
		12			13			14			15			16			17			TOTAL		
		M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T
F	Homicide	1									4		4	2			2			10		10
F	Rape	13		13			32	2	34		1		1	83	2	85	69	4	73	1		1
F	Burglary						1		1					2			2			211	8	219
F	Arson																			3		3
F	Gr. Larceny (non-auto)										4	1	5	18		18	28	1	29	33		33
F	Robbery										1	3	4	11		11	12	1	13	20	1	21
	<u>TOTAL</u>	19	4	23			62	2	64		128	4	132	126	5	131				358	17	375
MF	Conspiracy										4		4	1	1	2				5	1	6
MF	Assault						14	7	21		18	6	24	19	9	28				70	25	95
MF	Sexual Abuse						1	1	2		3		3	6		6				14	3	17
MF	Unlawful Inpris.																3		3	6		6
MF	Criminal Mischief						9		9		9		9	23	2	25	16	2	18	63	4	67
MF	Receiving or Poss. of Stolen Property										2		2	10	2	12	12	1	13	24	3	27
MF	Forgery										1		1	1	2	3				2	2	4
MF	Dangerous Drugs										2		2	10	2	12				12	2	14
MF	Poss. of Dangerous Weapons, Instruments or Appliances										1		1	6		6	3		3	10		10
MF	Escape						1		1		4	1	5	4	2	6	4	2	6	9	3	12
	<u>TOTAL</u>	17	4	21			29	8	37		71	11	82	75	19	94				215	43	258
M	Sexual Misconduct										1		1							1		1
M	Petit Larc.						35	5	40		51	5	56	49	11	60				155	27	182
M	Unauthorized Use of Auto						14	1	15		40	1	41	55	4	59				114	6	120
M	Obstruction of Gover. Prop.										3	4	7	4	2	6				7	6	13
M	Injuring and Torturing										1		1							1		1
M	Falsely Reporting an Incident																4	2	6	5	3	8
	<u>TOTAL</u>	7	4	11			50	7	57		95	10	105	112	19	131				283	42	325
V	Disorderly Conduct										1	1	2	4	1	5				5	3	8
OTHER	Transfer of Probation from Another Co.										2		2	1	1	2	4	4	2	2	2	10
	Unknown										1		1	1		1	4	4	2	10	2	10
	<u>TOTAL</u>						2	1	3		1	1	2	4	4	2	4	4	2	10	2	12
	<u>GRAND TOTALS</u>	43	12	55	143	19	162	296	27	323	321	44	365	321	44	365	2	2		871	107	978

APPENDIX C

Postcourt Stage

TABLE C-1

Frequency Distribution of Age, Sex, and the Number of Petitions Incurred in 1973 for Each Unique Juvenile

Number of Petitions in 1973		Age										Total		
		7	8	9	10	11	12	13	14	15	16			17
1	Male	0	1	7	9	19	18	67	114	149	10	1	395	(69.4%)
	Female	0	0	1	3	4	11	31	51	65	7	2	175	(75.8%)
	TOTAL	0	1	8	12	23	29	98	165	214	17	3	570	71.3%
2	Male	0	0	0	1	3	4	15	28	46	1	0	98	
	Female	0	0	0	0	0	2	5	12	18	4	0	41	
	TOTAL	0	0	0	1	3	6	20	40	64	5	0	139	
3	Male	0	0	0	2	3	3	8	15	13	1	0	45	
	Female	0	0	0	0	0	1	3	2	7	0	0	13	
	TOTAL	0	0	0	2	3	4	11	17	20	1	0	58	
4	Male	0	0	0	1	1	1	2	11	5	0	0	21	
	Female	0	0	0	0	0	0	1	0	0	0	0	1	
	TOTAL	0	0	0	1	1	1	3	11	5	0	0	22	
5	Male	0	0	0	0	1	0	1	3	2	0	0	7	
	Female	0	0	0	0	0	0	0	0	0	0	0	0	
	TOTAL	0	0	0	0	1	0	1	3	2	0	0	7	
6	Male	0	0	0	0	0	0	0	1	1	0	0	2	
	Female	0	0	0	0	0	0	0	0	1	0	0	0	
	TOTAL	0	0	0	0	0	0	0	1	1	0	0	2	
7	Male	0	0	0	0	0	0	1	0	0	0	0	1	
	Female	0	0	0	0	0	0	0	0	1	0	0	1	
	TOTAL	0	0	0	0	0	0	1	0	1	0	0	2	
Total #2-#7	Male	0	0	0	4	8	8	27	58	67	2	0	174	(30.6%)
	Female	0	0	0	0	0	3	9	14	26	4	0	56	(24.2%)
	Total	0	0	0	4	8	11	36	72	93	6	0	230	28.7%
Grand Total	Male	0	1	7	13	27	26	94	172	216	12	1	569	(100.0%)
	Female	0	0	1	3	4	14	40	65	91	11	2	231	(100.0%)
	Total	0	1	8	16	31	40	134	237	307	23	3	800	100.0%

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TABLE C-2

Frequency Distribution of the Number of Official Petitions Incurred Prior to 1973 by Age of the Juveniles

Frequency of JD Petitions Prior to 1973		Age										Total		
		7	8	9	10	11	12	13	14	15	16			17
0	N	0	0	3	8	21	18	68	107	125	12	3	365	
	%	0.0	0.0	100.0	80.0	84.0	94.7	80.9	78.1	64.8	54.5	100.0	73.4	
1		0	1	0	2	3	0	11	20	31	7	0	75	
2		0	0	0	0	1	1	3	4	15	2	0	26	
3		0	0	0	0	0	0	0	4	14	1	0	19	
4		0	0	0	0	0	0	2	1	5	0	0	8	
5		0	0	0	0	0	0	0	1	1	0	0	2	
6		0	0	0	0	0	0	0	0	1	0	0	1	
7		0	0	0	0	0	0	0	0	0	0	0	0	
8		0	0	0	0	0	0	0	0	1	0	0	1	
Total 1 or More Priors	N	0	1	0	2	4	1	16	30	68	10	0	132	
	%	0.0	100.0	0.0	20.0	16.0	5.3	19.1	21.9	35.2	45.5	0.0	26.6	
Grand Total	N	0	1	3	10	25	19	84	137	193	22	3	497 <sup>1</sup>	
	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	

<sup>1</sup> See the narrative for Table 50 in Chapter 4 for the explanation of this N.

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TABLE C-3

Frequency Distribution of the Number of Official PINS Petitions Incurred Prior to 1973 by Age of the Juveniles

Frequency of PINS Petitions Prior to 1973	Age										Total	
	7	8	9	10	11	12	13	14	15	16		17
0	0	0	4	5	7	14	42	76	116	2	0	266
	0.0	0.0	100.0	100.0	87.5	93.3	91.3	79.2	78.9	9.5	0.0	77.1
1	0	0	0	0	0	1	3	20	30	18	3	75
2	0	0	0	0	1	0	1	0	1	1	0	4
Total 1 or More Priors	0	0	0	0	1	1	4	20	31	19	3	79
	0.0	0.0	0.0	0.0	12.5	6.7	8.7	20.8	21.1	90.5	100.0	22.9
Grand Total	0	0	4	5	8	15	46	96	147	21	3	345
	0.0	0.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

<sup>1</sup>See the narrative for Table 51 in Chapter 4 for the explanation of this N.

TABLE C-4

Recidivism Summary by Unique Juveniles for the Subgroup of the Total Population That Had Multiple Official Petitions of More Than One Status in 1973

	Number of Official Petitions in 1973 by Status			Number of Official Petitions Prior to 1973 by Status	
	JD	PINS	Violation	JD	PINS
<u>2 Juveniles 10 years old</u>					
1.	1	1	0	0	0
2.	2	1	0	1	0
<u>6 Juveniles 11 years old</u>					
3.	4	1	0	0	0
4.	1	0	2	1	0
5.	1	0	1	2	0
6.	2	0	1	0	0
7.	2	1	0	0	2
8.	3	0	1	1	0
<u>6 Juveniles 12 years old</u>					
9.	1	1	0	0	0
10.	0	1	1	0	0
11.	1	1	1	0	0
12.	2	0	1	0	0
13.	3	0	1	0	0
14.	2	1	0	0	1
<u>20 Juveniles 13 years old</u>					
15.	0	1	1	0	0
16.	1	2	0	0	0
17.	1	0	1	0	0
18.	0	1	1	0	0
19.	0	1	1	0	0
20.	2	1	0	1	0
21.	1	1	1	1	0
22.	2	0	1	0	0
23.	1	1	0	0	0
24.	0	1	1	0	0
25.	0	1	2	0	0
26.	2	0	1	0	0
27.	1	1	2	0	0

TABLE C-4 CONTINUED

Number of Official Petitions  
in 1973 by StatusNumber of Official Petitions  
Prior to 1973 by Status

	JD	PINS	Violation		JD	PINS
<u>20 Juveniles 13 years old</u>						
28.	2	0	1		1	0
29.	1	2	0		0	0
30.	2	0	1		0	0
31.	2	0	1		0	0
32.	3	0	1		0	0
33.	1	0	2		0	0
34.	1	1	0		0	0
<u>31 Juveniles 14 years old</u>						
35.	4	1	1		0	0
36.	3	1	0		0	1
37.	1	1	0		0	0
38.	0	1	1		0	0
39.	1	1	0		0	0
40.	2	0	2		6	0
41.	1	0	1		1	0
42.	0	1	1		0	0
43.	1	0	1		5	0
44.	2	1	0		0	0
45.	0	1	1		0	0
46.	2	1	0		0	0
47.	4	0	1		2	1
48.	1	1	0		0	0
49.	1	0	1		1	0
50.	1	1	0		1	0
51.	2	1	0		0	1
52.	3	1	0		0	0
53.	1	1	0		4	1
54.	4	1	0		4	0
55.	1	0	1		2	0
56.	3	1	0		0	1
57.	1	0	1		0	0
58.	1	0	1		1	0
59.	0	1	2		0	0
60.	1	1	0		0	0
61.	3	0	1		0	0

TABLE C-4 CONTINUED

Number of Official Petitions  
in 1973 by StatusNumber of Official Petitions  
Prior to 1973 by Status

	JD	PINS	Violation		JD	PINS
<u>31 Juveniles 14 years old</u>						
62.	0	1	1		0	0
63.	1	0	0		0	0
64.	1	1	0		0	0
65.	1	1	5		0	0
<u>45 Juveniles 15 years old</u>						
66.	1	0	1		1	0
67.	1	0	2		3	0
68.	1	0	1		3	0
69.	4	1	0		0	0
70.	1	1	0		0	0
71.	1	1	0		0	0
72.	0	1	1		0	0
73.	1	0	1		1	0
74.	1	0	1		2	0
75.	1	0	3		0	1
76.	1	1	0		0	0
77.	0	1	1		0	0
78.	0	1	2		0	0
79.	3	0	1		3	0
80.	1	0	1		1	1
81.	0	1	1		0	0
82.	1	1	1		0	0
83.	1	0	2		2	0
84.	1	1	0		1	1
85.	1	0	1		1	1
86.	2	0	1		1	0
87.	0	1	1		0	0
88.	0	1	1		1	0
89.	1	0	1		1	0
90.	1	0	1		0	0
91.	1	1	0		0	0
92.	1	1	0		0	0
93.	3	0	1		1	0
94.	1	0	1		1	1
95.	1	0	1		0	0

TABLE C-4 CONTINUED

Number of Official Petitions in 1973 by Status			Number of Official Petitions Prior to 1973 by Status	
JD	PINS	Violation	JD	PINS
<u>45 Juveniles 15 years old</u>				
96.	1	1	0	1
97.	0	1	0	0
98.	2	0	0	1
99.	1	0	0	0
100.	1	0	0	2
101.	0	1	0	0
102.	1	1	0	1
103.	1	0	1	0
104.	0	1	0	1
105.	1	0	0	0
106.	2	1	4	0
107.	1	0	0	1
108.	0	1	0	0
109.	0	1	0	0
110.	1	0	0	1

TABLE C-5

Disposition by Status of Each Unique Official Petition  
for the 1973 Juvenile Offenders

Disposition	Petition Status			TOTAL
	JD	PINS	Violations	
Placed in Institution or Agency	67	59	50	176
Placed - Other	2	2	16	20
Committed to Institution	2	0	0	2
Probation with NYSDFY	16	11	12	39
TOTAL	N 87	72	78	237
	% 11.6	28.1	47.0	20.2
Probation	N 134	79	17	230
	% 17.8	30.8	10.2	19.6
Suspended Judgment	53	13	2	68
Withdrawn or Dismissed	173	36	16	225
General Reserve 60+ Days	121	33	5	159
General Reserve to 59 Days	49	7	3	59
Contemplation of Dismissal	92	2	0	94
TOTAL	N 488	91	26	605
	% 65.1	35.6	15.7	51.7
Other <sup>1</sup>	35	9	42	86
Unknown	6	5	3	14
TOTAL	N 41	14	45	100
	% 5.5	5.5	27.1	8.5
GRAND TOTAL	N 750	256	166	1,172
	% 100.0	100.0	100.0	100.0

<sup>1</sup>Includes Transfer, Vacated Dispositions, etc.

TABLE C-6

## Age of Juvenile by Disposition for All 1973 JD, PINS, and Violation Petitions

Disposition	Age											TOTAL	
	7	8	9	10	11	12	13	14	15	16	17		
Placed in Institution or Agency	0	0	2	3	4	7	37	61	55	7	0	176	
Placed - Other	0	0	0	0	0	0	4	5	6	5	0	20	
Committed to Institution	0	0	0	0	0	0	0	0	2	0	0	2	
Probation with NYSDFY	0	0	0	0	2	1	0	13	22	1	0	39	
TOTAL	N %	0 0.0	0 0.0	2 22.2	3 12.0	6 14.6	8 14.3	41 22.3	79 21.9	85 18.6	13 37.2	0 0.0	237 20.2
Probation	0	1	0	1	7	13	33	72	99	4	0	230	
TOTAL	N %	0 0.0	1 100.0	0 0.0	1 4.0	7 17.1	13 23.2	33 17.9	72 20.0	99 21.6	4 11.4	0 0.0	230 19.7
Suspended Judgment	0	0	1	2	3	5	6	19	31	0	1	68	
Withdrawn or Dismissed	0	0	3	9	7	12	38	65	83	6	2	225	
General Reserve 60+ Days	0	0	1	4	6	7	22	62	56	1	0	159	
General Reserve to 59 Days	0	0	0	2	5	2	7	17	26	0	0	59	
Contemplation of Dismissal	0	0	1	4	6	3	17	30	33	0	0	94	
TOTAL	N %	0 0.0	0 0.0	6 66.7	21 84.0	27 65.9	29 51.8	90 48.9	193 53.6	229 50.0	7 20.0	3 100.0	605 51.6
Other	0	0	1	0	1	6	15	12	41	10	0	86	
Unknown	0	0	0	0	0	0	5	4	4	1	0	14	
TOTAL	N %	0 0.0	0 0.0	1 11.1	0 0.0	1 2.4	6 10.7	20 10.9	16 4.5	45 9.8	11 31.4	0 0.0	100 8.5
GRAND TOTAL	N %	0 0.0	1 100.0	9 100.0	25 100.0	41 100.0	56 100.0	184 100.0	360 100.0	458 100.0	35 100.0	3 100.0	1,172 100.0

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TABLE C-7

Residence by Disposition for the 1973 Official and PINS Petitions<sup>1</sup>

Disposition	Residence					TOTAL
	City of Rochester	Monroe County Outside Rochester	NYS Outside Monroe County	Non-NYS	Unknown	
Placed in Institution or Agency	97	24	5	0	0	126
Placed - Other	1	3	0	0	0	4
Committed to Institution	2	0	0	0	0	2
Probation with NYSDFY	25	2	0	0	0	27
TOTAL	N %	125 15.9	29 14.3	5 31.3	0 0.0	159 15.8
Probation	N %	163 20.7	49 24.1	1 6.2	0 0.0	213 21.2
Suspended Judgment	51	15	0	0	0	66
Withdrawn or Dismissed	172	35	1	1	0	209
General Reserve 60+ Days	125	26	3	0	0	154
General Reserve to 59 Days	45	10	1	0	0	56
Contemplation of Dismissal	65	28	1	0	0	94
TOTAL	N %	458 58.3	114 56.2	6 37.5	1 100.0	579 57.5
Other	31	9	4	0	0	44
Unknown	9	2	0	0	0	11
TOTAL	N %	40 5.1	11 5.4	4 25.0	0 0.0	55 5.5
GRAND TOTAL	N %	786 100.0	203 100.0	16 100.0	1 100.0	1,006 100.0

<sup>1</sup>Residence was not given on the petition sheets for the Violation status.

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TABLE C-8

Homes Where the Juvenile Lived When the Offense Was Committed by Disposition of Petition for

1973 Official and PINS Petitions<sup>1</sup>

Disposition	Homes Where Living									TOTAL
	Parents	Mother	Father	Mother and Stepfather	Father and Stepmother	Foster Home	Grandparents	Other	Unknown	
Placed in Institution or Agency	49	46	4	8	1	8	4	6	0	126
Placed - Other	2	3	0	0	0	0	0	0	0	5
Committed to Institution	0	2	0	0	0	0	0	0	0	2
Probation with NYSDFY	8	12	1	2	1	0	0	3	0	27
TOTAL	N 59	63	5	10	2	8	4	9	0	160
	% 13.1	16.3	10.9	19.2	25.0	50.0	33.3	28.1	0.0	15.9
Probation	N 100	85	8	10	1	3	2	3	1	213
	% 22.3	22.0	17.4	19.3	12.5	18.8	16.7	9.4	20.0	21.2
Suspended Judgment	35	23	1	5	0	0	1	1	0	66
Withdrawn or Dismissed	101	74	12	11	2	2	1	6	0	209
General Reserve 60+ Days	66	63	6	9	2	1	0	6	1	154
General Reserve to 59 Days	22	24	3	3	0	0	1	3	0	56
Contemplation of Dismissal	54	28	8	1	0	0	2	1	0	94
TOTAL	N 278	212	30	29	4	3	5	17	1	579
	% 61.9	54.9	65.2	55.8	50.0	18.7	41.7	53.1	20.0	57.5
Other	11	21	3	2	0	1	1	3	2	44
Unknown	1	5	0	1	1	1	0	0	1	10
TOTAL	N 12	26	3	3	1	2	1	3	3	54
	% 2.7	6.8	6.5	5.8	12.5	12.5	8.3	9.4	60.0	5.4
	% 2.7	6.8	6.5	5.8	12.5	12.5	8.3	9.4	60.0	5.4
GRAND TOTAL	N 449	386	46	52	8	16	12	32	5	1,006
	% 100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

<sup>1</sup>Residence was not given on the petition sheets for the Violation Status.

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TABLE C-9

Placement for Each 1973 Official Unique Petition by Age of the Juvenile

Placement	Age											TOTAL
	7	8	9	10	11	12	13	14	15	16	17	
Sectarian	N 0	0	1	1	1	2	10	16	10	2	0	43
	% 0.0	0.0	11.1	4.0	2.4	3.6	5.4	4.4	2.2	5.7	0.0	3.7
Non Sectarian	N 0	0	1	1	3	3	12	11	22	1	1	55
	% 0.0	0.0	11.1	4.0	7.3	5.4	6.5	3.1	4.8	2.9	33.3	4.7
New York State	N 0	0	0	0	1	2	11	36	45	2	0	97
	% 0.0	0.0	0.0	0.0	2.4	3.6	6.0	10.0	9.8	5.7	0.0	8.3
Monroe County	N 0	0	0	1	1	0	8	24	16	5	0	55
	% 0.0	0.0	0.0	4.0	2.4	0.0	4.4	6.7	3.5	14.3	0.0	4.7
Mental Health	N 0	0	0	0	2	2	2	2	3	2	0	13
	% 0.0	0.0	0.0	0.0	4.9	3.6	1.1	0.6	0.7	5.7	0.0	1.1
Court	N 0	0	0	2	2	0	7	16	24	3	0	54
	% 0.0	0.0	0.0	8.0	4.9	0.0	3.8	4.4	5.2	8.5	0.0	4.6
Parents or Relative	N 0	1	6	20	30	46	124	246	317	15	2	807
	% 0.0	100.0	61.7	80.0	73.2	82.1	67.4	68.2	69.2	42.9	66.7	68.8
Unknown	N 0	0	1	0	1	1	10	9	21	5	0	48
	% 0.0	0.0	11.1	0.0	2.4	1.8	5.4	2.5	4.6	14.3	0.0	4.1
GRAND TOTAL <sup>1</sup>	N 0	1	9	25	41	56	184	360	458	35	3	1,172
	% 0.0	100.0	100.0	100.0	99.9	100.0	100.0	100.0	100.0	100.0	100.0	100.0

<sup>1</sup>Percentages may not total 100 due to rounding errors.

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TABLE C-10

Placement of 1973 JD and PINS Official Unique Petitions by Residence<sup>1</sup>

Placement	City of Rochester		Residence Monroe Co. Outside Rochester		NYS Outside Monroe County		Non-NYS		Unknown		TOTAL
	N	%	N	%	N	%	N	%	N	%	
Sectarian	22	2.8	9	4.4	1	6.3	0	0.0	0	0.0	32
Non-Sectarian	25	3.2	9	4.4	0	0.0	0	0.0	0	0.0	34
New York State	62	7.9	4	2.0	4	25.0	0	0.0	0	0.0	70
Monroe County	27	3.4	7	3.5	0	0.0	0	0.0	0	0.0	34
Mental Health	7	0.5	2	1.0	0	0.0	0	0.0	0	0.0	9
Court	39	5.0	4	2.0	2	12.5	0	0.0	0	0.0	45
Parents or Relative	576	73.3	160	78.8	8	50.0	1	100.0	0	0.0	745
Unknown	28	3.6	8	3.9	1	6.3	0	0.0	0	0.0	37
GRAND TOTAL	786	100.0	203	100.0	16	100.0	1	100.0	0	0.0	1,006

<sup>1</sup>Residence information was not available on the petition sheets for the Violation Status.

TABLE C-11

Placement of Each 1973 JD and PINS Official Unique Petition Shown by

Homes Where Living		the Home Where the Juvenile Lived							TOTAL <sup>1</sup>	
		Sectarian	Non-Sectarian	New York State	Monroe County	Mental Health	Court	Parents or Relative		Unknown
Unknown	N							2	3	5
	%							4.0	60.0	100.0
Both Parents	N	12	13	24	12	3	16	362	7	449
	%	2.7	2.9	5.4	2.7	0.7	3.5	80.6	1.5	100.0
Mother Only	N	13	14	29	17	3	16	277	17	386
	%	3.4	3.6	7.5	4.4	0.8	4.2	71.8	4.4	100.1
Father Only	N	0	1	3	2	0	2	36	2	46
	%	0.0	2.2	6.5	4.3	0.0	4.3	78.3	4.4	100.0
Mother and Stepfather	N	2	1	5	2	0	5	35	2	52
	%	3.9	1.9	9.6	3.9	0.0	9.6	67.3	3.9	100.1
Father and Stepmother	N	1	0	1	0	0	0	5	1	8
	%	12.5	0.0	12.5	0.0	0.0	0.0	62.5	12.5	100.0
Foster Home	N	2	2	1	1	2	2	5	1	16
	%	12.5	12.5	6.2	6.2	12.5	12.5	31.3	6.2	99.9
Grandparents	N	1	1	1	0	0	1	7	1	12
	%	8.3	8.3	8.3	0.0	0.0	8.3	58.3	8.3	99.8
Other	N	1	2	6	0	1	3	16	3	32
	%	3.1	6.3	18.7	0.0	3.1	9.4	50.0	9.4	100.0
Total	N	32	34	70	34	9	45	745	37	1,006
	%	3.2	3.4	7.0	3.4	0.9	4.5	74.0	3.7	100.1

<sup>1</sup>Percentages may not total to 100 due to rounding errors.

## RESEARCH PROBLEMS

The question of the high percentage of general reserve and suspension, etc., dispositions on official JD petitions could not be pursued further in this report because of the restrictions that were a function of the way in which the data were coded and set up for computer analysis. Early in Chapter 3 the numerical definition of the court-stage data was presented (see Table 23). Some juvenile offenders were alleged to have committed more than one offense on a single petition; each offense was counted once and a separate data card was punched accordingly.

Any question in this report dealing with offenses becomes rather complicated. For example, the data analysis is biased if one wishes to ascertain if the "punishment fit the crime", i.e., what disposition was handed down for what offense. If a juvenile had three offenses listed on one official petition, there would be three data cards - one for each offense - for that single petition number; however, there is only one disposition for that petition, and this same disposition appears on all three cards. If, on the other hand, one wanted to count only one disposition, then two of the offenses must be omitted. There was no way to determine which offense was being used to determine the disposition, i.e., which, if any, of the multiple offenses on that single petition might have been dropped along the way due to plea bargaining by counsels, for example. Further analysis into the multiple offense and multiple petition situation for each juvenile might help to determine why the general reserve category for the JDs was so high.

There was another question that could not be asked because of lack of data at the police department level. If one is really investigating the juvenile offender population, then one must consider intensively all of those juveniles who come into contact with the police departments and not just the ones that get sent on to family court. Some of the problems in this area of data collection were mentioned in Chapter 2 under the sections on Juvenile Offenses and Diversion by the Police. These problems included a different use of terms and record keeping systems among the various police departments. Since most of the departments had no summary data on juvenile offenders, it would have required more time than was available for this report to go into each department and search their records for the necessary information.

It would be essential for studies on the diversion methods already in operation to know how many juveniles are in the system at each stage from each town. For example, in 1973 the Brighton Police Department sent 35 unofficial petitions to family court out of 330 "juvenile interviews". That is a diversion rate of 89.4% (see Table 17). Only 8 of these 35 (22.9%) reached the official petition stage; that is another 77.1% diversion rate. Are the diversion rates the same for all police departments? At what stage does most diversion occur? What type of diversion occurs at each stage? What type of diversion methods are most successful? These are the types of questions that were beyond the scope of this report to address, although they are vital to the real assessment of the juvenile offender situation in Monroe County.

A third question of interest which could not be followed up in this report was a more in-depth look at the diversion of truants at the school district level, and a definition of just how the county school

districts operate. What methods of diversion do they use? What are the diversion rates for all PINS and how do they compare or differ from those for JDs?

Recidivism by definition (recurrence of the same type of behavior problem) signals a more serious trouble spot than a first-time and/or a one-time offender. Not only should more longitudinal studies of recidivism be done on family court data to see if the results for 1973 are representative of more than just that one year's situation, but also a much closer look should be taken at the chronic repeaters. While there is a need to reduce the court workload by removing large quantities of juveniles from the system, e.g., attempting to divert all PINS cases out of the court system, a study of what appears to be a small group of chronic repeaters is important in order to try to promote studies that will lead to the development of programs to prevent "hard core" offenders from continuing on into the adult system.

Some interest has been directed recently by the Rochester Health Association to the hypothesis that many chronic offenders might have some degree of minimal brain damage which causes learning disabilities. If these go undiagnosed and untreated, they can cause severe behavior patterns. If research were done on this issue and some relationship were found, it would probably not be the solution to the problem for all chronic offenders; but it might be the answer for some. Even one less juvenile offender in the system has its value.

These are just some of the questions that might be approached in both short- and long-range research projects in order to try to understand and solve the juvenile offender situation in Monroe County.

**END**