

IMPACTS

VIRGINIA'S JUVENILE CODE REVISION 1977

49526

NCJRS
JUL 25 1978
ACQUISITIONS

IMPACTS OF THE FIRST SIX MONTHS
OF THE
1977 JUVENILE CODE REVISION

Prepared By:

Virginia Department of Corrections
Division of Youth Services
Program Evaluation Unit
March, 1978

IMPACTS OF THE FIRST SIX MONTHS
OF THE
1977 JUVENILE CODE REVISION

The 1977 Juvenile Code revision went into effect July 1, 1977 containing a number of significant provisions including the following:

- A. All complaints for the Juvenile Court were required to begin with the Court Services Intake Unit.
- B. A category of Children In Need of Services was designated with specific court dispositions enumerated.
- C. The jailing of Children In Need of Services was prohibited.
- D. The jailing of delinquent children was limited to three specific conditions.
- E. The detention of Children In Need of Services was limited to 72 hours.
- F. The commitment of Children In Need of Services to the State Board of Corrections was prohibited.
- G. The age of delinquent children who can be committed was limited.

Information collected at various points of the juvenile justice system between July and December, 1976 was compared with like information collected between July and December of 1977 in order to determine the six month impacts of the Code revision on the Juvenile Justice System.

With the procedural changes as outlined above, it was expected that:

- 1. The number of court services intakes would increase.
- 2. The number of Children In Need of Services received by intake would decrease.
- 3. The number of diversions from court through intake would increase.

4. The incidence of children placed in jail would show a marked decrease.
5. The incidence of juveniles placed in detention would increase slightly.
6. The length of stay of Children In Need of Services in detention would drop to less than three days.
7. The number of children committed to the State Board of Corrections would decrease.

Intake information is captured on the basis of cases (individual children referred) and on the basis of complaints (one or more offenses alleged to have been committed by one child, or case).

COMPLAINTS AT INTAKE			
	ChINS	Delinquents	Total
1976	7,347 (18.7%)	31,998 (81.3%)	39,345 (100.0%)
1977	5,060 (12.8%)	34,550 (87.2%)	39,610 (100.0%)

Between July and December of 1976, 39,345 complaints were handled by court services intake and between July and December of 1977, 39,610 complaints were handled by intake. This increase in intake complaints represents an overall 1 percent increase and is particularly interesting when considering that the Children In Need of Services complaints at intake decreased between these two time periods. In 1976, 7,347 Children In Need of Services accounted for 19 percent of all intake complaints and in 1977, 5,060 Children In Need of Services accounted for 13 percent of all intake complaints. Complete statewide intake is not available for the like time period in 1975, but the data available indicate that 19 percent of the reported complaints were Children In Need of Services.

In 1976, there were 33,613 cases served by intake and in 1977, there were 34,448 cases at intake representing an overall 3 percent increase in intake cases.

In comparing these cases with the complaints above, it was determined that every case (child) had on the average of 1.2 complaints (offenses) in 1976 and in 1977.

INTAKE DECISIONS

	Diversion	Court	Total
1976	9,875 (29.4%)	23,738 (70.6%)	33,613 (100.0%)
1977	10,888 (31.6%)	23,600 (68.4%)	34,488 (100.0%)

Of the cases received at intake, 9,875 or 29 percent were diverted from court in 1976 and 10,888 or 32 percent were diverted in 1977 representing an increase in the diversion decision at intake. All Regions reflected this trend toward increased diversion.¹

WEEKLY AVERAGE OF CHILDREN JAILED

	Female	Male	Total
1976	6 (2.8%)	206 (97.2%)	212 (100.0%)
1977	3 (1.6%)	180 (98.4%)	183 (100.0%)

By eliminating the jailing of Children In Need of Services and limiting the jailing of delinquent children, it was expected that the number of jailings would decrease. The Department of Corrections obtains a population count from each jail in the state on Tuesday of each week. The average juvenile population on Tuesdays in 1976 was 212 children and in 1977 was 183 children.² This decrease of children held in jail represents an overall 14 percent decrease. Since the provisions of 16.1-249-B would tend to restrict the jailing of juveniles to

¹The intake information was taken from the Virginia Juvenile Justice Information System (a portion of Norfolk and Fairfax information was obtained by phone from their information system liaison). See Appendix for regional breakdowns.

²The jail information was taken from the weekly Population Survey of Local Correctional Institutions.

those serving sentences, it was expected that this decrease would be substantially greater. Information separating the juveniles in adult status from those awaiting a juvenile hearing and on other factors such as age, offense and length of stay will not be available until the end of the fiscal year.

CHILDREN DETAINED			
	ChINS	Delinquents	Total
		<u>Secure Detention</u>	
1976	2,259 (42.5%)	3,054 (57.5%)	5,313 (100.0%)
1977	773 (17.9%)	3,556 (82.1%)	4,329 (100.0%)
		<u>Less Secure Detention</u>	
1976	69 (35.0%)	128 (65.0%)	197 (100.0%)
1977	71 (27.5%)	187 (72.5%)	258 (100.0%)
		<u>Outreach Detention</u>	
1976	143 (44.8%)	176 (55.2%)	319 (100.0%)
1977	50 (20.2%)	198 (79.8%)	248 (100.0%)
		<u>Total Detention</u>	
1976	2,471 (42.4%)	3,358 (57.6%)	5,829 (100.0%)
1977	894 (18.5%)	3,941 (81.5%)	4,835 (100.0%)

With the limitation on detention of Children In Need of Services, it was expected that the number of detentions would decrease and the average length of stay for Children In Need of Services in secure detention would meet the statutory maximum of 3 days (72 hours). In 1976, 5,829 children were held in detention (secure, less secure, and outreach) and in 1977, 4,835 children were held in detention. This decrease of children held in detention

represents an overall 17 percent decrease and is particularly important when considering that the Children In Need of Services held in detention decreased considerably. In 1976, 2,471 Children In Need of Services accounted for 42 percent of all those detained and in 1977, 894 Children In Need of Services accounted for 19 percent of all of those detained. Of the Children In Need of Services, there was a shift from 1976 to 1977 with fewer children being held in secure detention and more being held in less secure detention.

The average length of stay of all children in secure detention was 10.5 days in 1976 and 11.6 days in 1977 representing an one day increase. The average length of stay of Children In Need of Services was 9.3 days in 1976 and 5.0 days in 1977 representing a decrease of four days.³

CHILDREN COMMITTED

	Females	Males	Total
1976	160 (21.6%)	582 (78.4%)	742 (100.0%)
1977	123 (18.9%)	528 (81.1%)	651 (100.0%)

By prohibiting the commitment of Children In Need of Services and establishing a minimum age at which children can be committed, it was expected that the number of commitments would show a marked decrease. In the 1976 study period, 742 children were committed to the State Board of Corrections and in the 1977 period, 651 children were committed. This represents an overall 12 percent decrease. Since the children defined as In Need of Service

³The detention information was taken from the Detention Home (JC-34) Reporting System. See Appendix for home breakdowns.

had previously represented 25 percent of the committed population, the degree of decrease was much less than anticipated.⁴

In summary, the following changes have occurred in the juvenile justice system between July and December of 1976 and July and December of 1977:

1. The number of Court Services intakes has increased.
2. The number of Children In Need of Services received at intake has decreased.
3. The number of diversions from court during intake has increased.
4. The incidence of juveniles in jail has decreased but not to the degree expected.
5. The incidence of juveniles in detention has decreased.
6. The average length of stay of Children In Need of Services detained has decreased but is in excess of the statutory limit of 72 hours.
7. The number of commitments has decreased but not to the anticipated level.

⁴The commitment information was obtained from the Reception and Diagnostic Center for Children.

A P P E N D I X

COMPLAINTS AT INTAKE BY REGIONS

	ChINS	Delinquents	Total
	<u>1976</u>		
Region I	2,660 (20.7%)	10,173 (79.3%)	12,833
Region II	1,102 (14.4%)	6,552 (85.6%)	7,654
Region III	1,164 (16.4%)	5,921 (83.6%)	7,085
Region IV	518 (19.5%)	2,139 (80.5%)	2,657
Region V	1,254 (19.6%)	5,150 (80.4%)	6,404
Region VI	<u>649 (23.9%)</u>	<u>2,063 (76.1%)</u>	<u>2,712</u>
Total	7,347 (18.7%)	31,998 (81.3%)	39,345

	ChINS	Delinquents	Total
	<u>1977</u>		
Region I	2,043 (17.7%)	9,490 (82.3%)	11,533
Region II	1,088 (13.2%)	7,185 (86.8%)	8,273
Region III	669 (9.4%)	6,479 (90.6%)	7,148
Region IV	359 (12.6%)	2,492 (87.4%)	2,851
Region V	427 (6.6%)	6,092 (93.4%)	6,519
Region VI	<u>474 (14.4%)</u>	<u>2,812 (85.6%)</u>	<u>3,286</u>
Total	5,060 (12.8%)	34,550 (87.2%)	39,610

INTAKE DECISIONS BY REGION

	Diversion	Court	Total
		<u>1976</u>	
Region I	3,849 (34.4%)	7,348 (65.6%)	11,197
Region II	2,101 (31.6%)	4,556 (69.4%)	6,657
Region III	1,506 (25.4%)	4,416 (74.6%)	5,922
Region IV	718 (31.8%)	1,537 (68.2%)	2,255
Region V	1,228 (23.0%)	4,103 (77.0%)	5,331
Region VI	<u>473 (21.0%)</u>	<u>1,778 (79.0%)</u>	<u>2,251</u>
Total	<u>9,875 (29.4%)</u>	<u>23,738 (70.6%)</u>	<u>33,613</u>

	Diversion	Court	Total
		<u>1977</u>	
Region I	3,546 (34.9%)	6,624 (65.1%)	10,170
Region II	2,643 (35.9%)	4,717 (64.1%)	7,360
Region III	1,786 (28.8%)	4,411 (71.2%)	6,197
Region IV	801 (33.8%)	1,567 (66.2%)	2,368
Region V	1,288 (23.6%)	4,173 (76.4%)	5,461
Region VI	<u>824 (28.1%)</u>	<u>2,108 (71.9%)</u>	<u>2,932</u>
Total	<u>10,888 (31.6%)</u>	<u>23,600 (68.4%)</u>	<u>34,488</u>



CHILDREN DETAINED BY DETENTION PROGRAM

	1976			1977		
	<u>ChINS</u>	<u>Delinquent</u>	<u>Total</u>	<u>ChINS</u>	<u>Delinquent</u>	<u>Total</u>
SECURE DETENTION⁵						
Tidewater	310 (40.9%)	448 (59.1%)	758	85 (14.9%)	484 (85.1%)	569
Norfolk	250 (39.5%)	383 (60.5%)	633	93 (17.0%)	454 (83.0%)	547
Newport News	160 (39.9%)	241 (60.1%)	401	79 (20.8%)	301 (79.2%)	380
Petersburg	99 (31.6%)	214 (68.4%)	313	28 (12.8%)	190 (87.2%)	218
Chesterfield	123 (40.7%)	179 (59.3%)	302	32 (14.4%)	190 (85.6%)	222
Richmond	112 (25.6%)	325 (74.4%)	437	21 (5.4%)	367 (94.6%)	388
Fredericksburg	136 (55.1%)	111 (44.9%)	247	130 (38.8%)	205 (61.2%)	335
Northern Va.	321 (57.1%)	241 (42.9%)	562	67 (19.3%)	280 (80.7%)	347
Staunton	122 (39.2%)	189 (60.8%)	311	40 (13.2%)	264 (86.8%)	304
Lynchburg	97 (43.3%)	127 (56.7%)	224	45 (26.9%)	122 (73.1%)	167
Roanoke	183 (47.7%)	201 (52.3%)	384	48 (17.6%)	225 (82.4%)	273
Danville	137 (46.3%)	159 (53.7%)	296	36 (13.2%)	237 (86.8%)	273
Christiansburg	108 (52.7%)	97 (47.3%)	205	38 (33.3%)	76 (66.7%)	114
Bristol	101 (42.1%)	139 (57.9%)	240	31 (16.1%)	161 (83.9%)	192
Total	2,259 (42.5%)	3,054 (57.5%)	5,313	773 (17.9%)	3,556 (82.1%)	4,329
LESS SECURE DETENTION						
Tidewater	24 (25.5%)	70 (74.5%)	94	37 (26.1%)	105 (73.9%)	142
Norfolk	45 (43.7%)	58 (56.3%)	103	34 (29.3%)	82 (70.7%)	116
Total	69 (35.0%)	128 (65.0%)	197	71 (27.5%)	187 (72.5%)	258
DETENTION OUTREACH						
Norfolk	38 (45.8%)	45 (54.2%)	83	8 (18.6%)	35 (81.4%)	43
Newport News	60 (42.3%)	82 (57.7%)	142	33 (25.6%)	96 (74.4%)	129
Roanoke	45 (47.9%)	49 (52.1%)	94	9 (11.8%)	67 (88.2%)	76
Total	143 (44.8%)	176 (55.2%)	319	50 (20.2%)	198 (79.8%)	248

⁵Northern Virginia Detention Home ran below capacity for approximately two months during this time period due to renovations. Fredericksburg Detention Home was used to hold children for Northern Virginia.



END