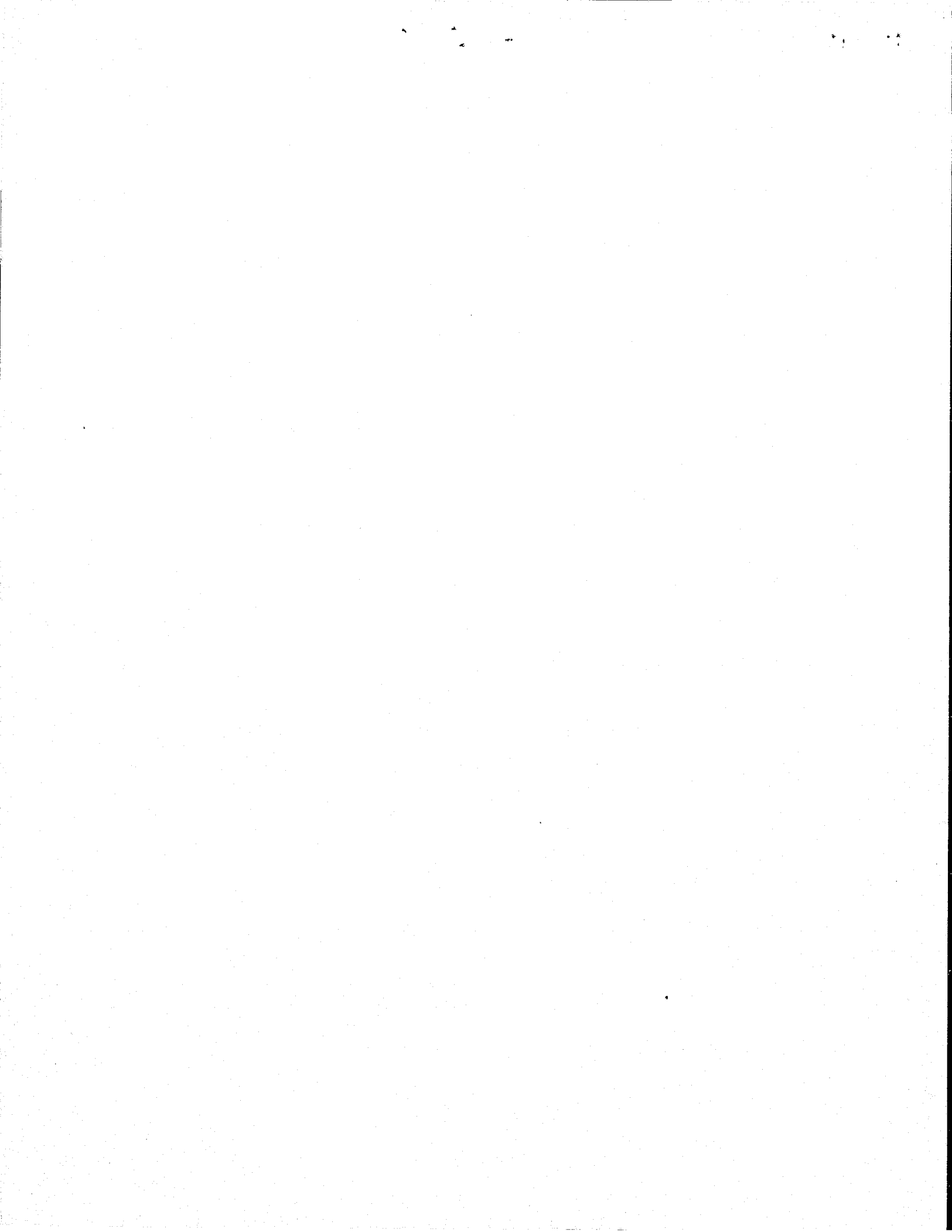


IMPACTS

The First Year

Virginia's Juvenile Code Revision 1977

52194



NCJRS

NOV 15 1978

ACQUISITIONS

IMPACTS OF THE FIRST YEAR
OF THE
1977 JUVENILE CODE REVISION

Prepared By:

Virginia Department of Corrections
Division of Program Development & Evaluation
Evaluation and Monitoring Unit
October 1978

FOREWORD

In March 1978, the Department of Corrections published a report which assessed the impact of the first six months of the 1977 Virginia Juvenile Code revision. This report, which assesses the first full year of the new Juvenile Code, follows the basic format of the earlier report. The main body of the report reviews statewide impacts and Regional data is presented in the appendices. Regional data reflects the Department's administrative regions existing during the report period. These regions were changed in the Department reorganization which became effective September 1, 1978.

The publication of this report would not have been possible without the diligent efforts of the staff members in the Regional Offices who spent many hours verifying data on individual jail and detention entries. We would like to thank each of them.

Impacts of the First Year
Of The
1977 Juvenile Code Revision

Introduction

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 (ChINS) 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 specific conditions.
- E. The commitment of Children In Need of Services to the State Board of Corrections was prohibited.
- F. The commitment of delinquent children to the State Board of Corrections was limited by age.

Methodology

Due to the changes 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 less serious delinquent offenses received by intake would increase.
- 4. The number of diversions from court through intake would increase.
- 5. The number of jail admissions would decrease.

6. The number of detention admissions would increase.
7. The number of children committed to the State Board of Corrections would decrease.
8. The number of children placed in Community Youth Homes would increase.

Information collected at various points of the juvenile justice system between July 1, 1976 and June 30, 1977 was compared with like information collected between July 1, 1977 and June 30, 1978 in order to determine impacts of the Code Revision on the juvenile justice system. The points of the juvenile justice system where information was collected were intake, court, jails, detention homes, and community youth homes.

Findings

Intake information is computed 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				
	<u>ChINS</u>	<u>Custody/ Child Welfare</u>	<u>Delinquent</u>	<u>Total</u>
1977	15,869 (21.8%)	14,012 (19.2%)	43,024 (59.0%)	72,905 (100.0%)
1978	13,751 (15.1%)	19,276 (21.2%)	57,924 (63.7%)	90,951 (100.0%)

Between July 1, 1976 and June 30, 1977, 72,905 complaints were handled by court services intake and between July 1, 1977 and June 30, 1978, 90,951 complaints were handled. This increase of complaints at intake represents an overall 25 percent increase and is particularly significant when considering that Children In Need of Services com-

plaints at intake decreased. In 1977, 15,869 Children In Need Of Services accounted for 22 percent of all intake complaints and in 1978, 13,751 Children In Need Of Services accounted for 15 percent of all intake complaints. This represents a 13 percent decrease. It is particularly interesting to note that beyond the control of welfare offenses decreased from 178 to 77 or 56.74 percent and truancy offenses increased from 1,734 to 2,269 or 30.9 percent.

LESS SERIOUS DELINQUENT OFFENSES

<u>OFFENSE</u>	<u>1977</u>	<u>% of Total Complaints</u>	<u>1978</u>	<u>% of Total Complaints</u>	<u>Total % Increased</u>
Simple Assault	2860	(4.3%)	3415	(4.3%)	19.4%
Break & Enter	3335	(5.1%)	4267	(5.4%)	27.9%
Petty Larceny	4029	(6.1%)	4685	(6.0%)	16.3%
Shoplifting	2787	(4.2%)	3016	(3.8%)	8.2%
Unauthorized Use of Auto	347	(0.5%)	554	(0.7%)	59.7%
Tampering with Auto	236	(0.4%)	397	(0.5%)	68.2%
Bad Checks	71	(0.1%)	149	(0.2%)	100.0%
Vandalism	1861	(2.8%)	2536	(3.2%)	36.3%
Vandalism - Destroying Public Property	342	(0.5%)	479	(0.6%)	40.0%
Trespassing	2295	(3.5%)	2732	(3.5%)	19.0%
Check - Forgery	325	(0.5%)	474	(1.0%)	45.8%
Disorderly Conduct	492	(0.7%)	722	(0.9%)	46.7%
Cursing, Obscenity	732	(1.1%)	1062	(1.4%)	45.1%
Drinking in Public	258	(0.4%)	419	(0.5%)	62.4%
Littering	55	(0.1%)	76	(0.1%)	38.2%
Telephone Misuse	93	(0.1%)	138	(0.2%)	48.4%
Other Offense Against Morality, Decency and Peace	174	(0.3%)	294	(0.4%)	69.0%
Contempt of Court	118	(0.2%)	169	(0.2%)	43.2%
Illegal Possession of Liquor	505	(0.8%)	601	(0.8%)	19.0%
Other Offense Against Public Justice, Policy and Property	1427	(2.2%)	4080	(5.2%)	100.0%

The above table indicates that there were significant increases in many of the less serious delinquent offenses between 1977 and 1978.

In 1977, there were 62,547 cases (children) handled by court services intake and in 1978, there were 79,445 cases (children) handled representing an overall 27 percent increase in intake cases. In comparing these cases with the complaints above, it can be determined that each case (child) had an average of 1.2 complaints (offenses) in 1977 and 1.1 complaints (offenses) in 1978.

INTAKE DECISIONS

	<u>Diversion</u>	<u>Court</u>	<u>Total</u>
1977	19,007 (30.4%)	43,540 (69.6%)	62,547 (100.0%)
1978	26,176 (32.9%)	53,269 (67.1%)	79,445 (100.0%)

Of the cases received at intake, 19,007 or 30 percent were diverted in 1977 and 26,176 or 33 percent were diverted in 1978 representing an increase of 38 percent in diversion decision at intake. Diversion here is defined as any case in which a petition was not filed. The child may have received unofficial services, been referred to another agency, or received other dispositions.¹

INCIDENTS OF CHILDREN JAILED

	<u>ChINS</u>	<u>Delinquents</u>	<u>Total</u>
July 1976- March 1977	276 (7.6%)	3365 (92.4%)	3641 (100.0%)
July 1977- March 1978	23 (0.9%)	2634 (99.1%)	2657 (100.0%)

¹ The 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 breakdown.

Between July 1, 1976 and March 31, 1977, there were 3,641 incidents of children jailed and between July 1, 1977 and March 30, 1978, there were 2,657 incidents. This decrease of children jailed represents an overall 27 percent decrease. Identifying information is not available from the jail information system so the actual number of individual children held is not known. The above number represents incidents of jailing and contains duplications each time a child was placed in jail on more than one occasion. The incidents of Children In Need Of Services jailed has decreased substantially. There were, however, 23 incidents which were illegal. When verifying this information, 10 of these incidents were unexplained and may include children admitted prior to July 1, 1977. The remaining 13 incidents were explained by the following reasons:

1. held on teletype for another state (fugitive)
2. held only for a few hours - often not behind bars
3. held for the purpose of receiving a meal (usually while waiting for court or transportation)

It should be noted that the incidents of jailings include both incidents of children being held pending a court hearing and those who are serving sentences pursuant to the provisions of 16.1-284 Code of Virginia. They can not be separated at this time.²

² The jail information was taken from the Jail Information System and verified by the Regional Offices. Data for the last three months of the fiscal year will be available in the near future. See Appendix for regional breakdowns.

INCIDENTS OF CHILDREN DETAINED

Secure Detention

	<u>ChINS</u>	<u>Custody/ Child Welfare</u>	<u>Delinquent</u>	<u>Total</u>
1977	4528 (42.3%)	254 (2.4%)	5930 (55.3%)	10712 (100.0%)
1978	1427 (16.4%)	107 (1.2%)	7169 (82.4%)	8703 (100.0%)

Less Secure Detention

1977	173 (36.4%)	15 (3.2%)	287 (60.4%)	475 (100.0%)
1978	201 (35.3%)	20 (3.5%)	349 (61.2%)	570 (100.0%)

Outreach Detention

1977	290 (46.3%)	4 (0.6%)	333 (53.1%)	627 (100.0%)
1978	275 (33.3%)	6 (0.7%)	544 (66.0%)	825 (100.0%)

Crisis Detention

1977	431 (41.1%)	161 (15.3%)	457 (43.6%)	1049 (100.0%)
1978	344 (22.9%)	238 (15.9%)	917 (61.2%)	1499 (100.0%)

Between July 1, 1976 and June 30, 1977, there were 10,712 incidents of children detained in secure detention homes and between July 1, 1977 and June 30, 1978, there were 8,703 incidents of children detained. This decrease of children detained represents an overall 18.75% percent decrease. It is particularly interesting to note that incidents of Children In Need Of Services detained also decreased. In 1977, 4,528 Children In Need Of Services detained accounted for 42 percent of all secure detention and in 1978, 1427 Children In Need Of Services accounted for 16 percent of the incidents.

Incidents of children placed in alternative programs to secure detention increased significantly. In 1977, there were 475 incidents of children detained in less secure detention homes and in 1978, there were 570 incidents representing a 20 percent increase. In 1977, there were 627 incidents of children detained in detention outreach programs and in 1978, there were 825 incidents representing a 32 percent increase. In 1977, there were 1,049 incidents of children detained in crisis detention homes and in 1978, there were 1499 incidents of children detained representing a 43 percent increase. For each type of detention program, the incidents of Children In Need Of Services detained decreased. It should be noted that part of this overall increase in the use of outreach detention probably is due to additional programs being developed and thus providing more space. In 1976-77, there were 2 less secure detention homes, 3 detention outreach programs, and 3 crisis detention homes. In 1977-78, there were 3 less secure detention homes, 5 detention outreach programs, and 6 detention crisis homes.

The average length of stay of children detained in secure detention has increased from 10 days in 1977 to 12 days in 1978. For Children In Need Of Services, the average length of stay has decreased from 7 days to 4.5 days. These figures includes 276 children who were in detention prior to July 1, 1977 so the stay might be somewhat longer than if just considering children admitted after July 1, 1977.

This is particularly important when considering length of stay of Children In Need Of Services. There were 56 children who were in detention prior to July, 1977.³

CHILDREN COMMITTED

1977	1386
1978	1215

In 1977, there were 1386 children committed to the State Board of Corrections and in 1978, there were 1215 children committed. The decrease of children committed represents a 12.3% decrease.⁴

³ The detention information was taken from the Detention Home Information System and verified by the Regional Office. (Fairfax was not verified as Fairfax County Service Unit was unable to verify them). Here regional numbers are compiled from adding all incidents of children detained the facilities during the year regardless of what jurisdiction issued the detention order. See Appendix for regional breakdown.

⁴ The commitment information taken from the report Children Received Into Care By the Reception and Diagnostic Center (1976-1977 and 1977-1978). This report is compiled by the Reception and Diagnostic Center.

INCIDENTS OF CHILDREN HELD IN
COMMUNITY YOUTH HOMES

1977	457
1978	614

In 1977, there were 457 incidents of children in community youth homes and in 1978 there were 614 incidents of children held. This increase represents a 34 percent increase in the use of community youth homes and reflects a similar increase in the development of these homes. It should be noted that part of this overall increase is due to additional homes being developed and thus providing more space. In 1976-77 there were 20 homes and in 1977-78 there were 26 homes.⁵

⁵ The community youth home information was taken from the Community Youth Home Information System. See Appendix for regional breakdown.

Conclusions

The findings indicated that very definite changes in the juvenile justice system took place following the Virginia Juvenile Code Revision. There was a 25 percent increase in complaints (offenses) coming through court services intake. Since all complaints for the Juvenile Court were required to begin with the Court Service Intake Unit, this increase was expected. In the past, complaints could come through the Clerk of the Juvenile Court or the Justice of the Peace and would not be seen at intake.

With the designation of a category of Children In Need Of Services and specific court dispositions for this category, it was expected that the number of Children In Need Of services received by intake would decrease. In the past, Children In Need Of Services were considered to be status offenders and were treated in the same manner as delinquent offenders in terms of court dispositions. This number of Children In Need Of Services did decrease by 13 percent.

The number of less serious delinquent offenses increased significantly as expected since Children In Need Of Services offenses decreased, custody/child welfare offenses increased only slightly, and delinquent offenses increased greatly.

Diversion from court through intake increased by 38 percent. This increase was expected with the increased emphasis placed on intake and on diversion by the Court Service Units.

With the prohibition of jailing of Children In Need Of Services and the limitation of jailing of delinquent children, it was expected that the number incidents of jail admissions would decrease. There were a 27 percent decrease in the incidents of children jailed.

Twenty-three Children In Need Of Services were jailed illegally.

With the above restrictions placed on jailing of children, it was expected that the number of detention admissions would increase. It was expected that this would particularly be true in the case of secure detention. Surprisingly, the incidents of children placed in secure detention decreased by 18.75 percent and the incidence of Children In Need Of Services decreased by 68.48 percent. Incidents of less secure detention, outreach detention and crisis detention increased by 20 percent, 32 percent, and 43 percent respectively, but incidents of detention of Children In Need Of Services decreased in all but one of these alternative programs. Part of this increase of less secure detention, outreach detention, and crisis detention is a result of new programs being developed and thus providing more space. Utilization rates indicate an increased use of these programs as alternatives to jail and secure detention.

Commitments to the State Board of Corrections decreased 12.3 percent. With the prohibition of committing Children In Need Of Services and limitations of committing delinquent offenders, it had been expected that this decrease would have been substantially greater.

Children placed in community youth homes increased 34 percent. Part of this increase is the result of new homes being developed and thus providing more space while part is apparently the result of these being used as alternatives to commitment.

Summary

The Juvenile Code Revision did impact the Juvenile Justice System and did so in the following ways:

1. The number of court service intakes increased.
2. The number of Children In Need Of Services received by intake decreased.
3. The number of less serious delinquent offenses received by intake increased.
4. The number of diversions from court through intake increased.
5. The number of jail admissions decreased.
6. The number of detention admissions decreased.
7. The number of children committed to the State Board of Corrections decreased.
8. The number of children placed in community youth homes increased.

APPENDIX

COMPLAINTS AT INTAKE

	<u>ChINS</u>	<u>Custody/ Child Welfare</u>	<u>Delinquent</u>	<u>Total</u>
		<u>1977</u>		
Region I	6169 (25.3%)	4619 (18.9%)	13620 (55.8%)	24408 (100.0%)
Region II	2692 (18.3%)	2505 (17.0%)	9526 (64.7%)	14723 (100.0%)
Region III	1915 (17.6%)	2005 (18.4%)	6962 (64.0%)	10882 (100.0%)
Region IV	1133 (21.0%)	901 (16.7%)	3356 (62.3%)	5390 (100.0%)
Region V	2553 (20.9%)	2893 (23.7%)	6759 (55.4%)	12205 (100.0%)
<u>Region VI</u>	<u>1407 (26.6%)</u>	<u>1089 (20.5%)</u>	<u>2801 (52.9%)</u>	<u>5297 (100.0%)</u>
Total	15869 (21.8%)	14012 (19.2%)	43024 (59.0%)	72905 (100.0%)
		<u>1978</u>		
Region I	5509 (20.9%)	5089 (19.3%)	15753 (59.8%)	26351 (100.0%)
Region II	2675 (14.4%)	4055 (21.8%)	11849 (63.8%)	18579 (100.0%)
Region III	2036 (11.8%)	3000 (17.4%)	12238 (70.8%)	17274 (100.0%)
Region IV	917 (13.8%)	1333 (20.1%)	4392 (66.1%)	6642 (100.0%)
Region V	1425 (9.8%)	3718 (25.6%)	9404 (64.6%)	14547 (100.0%)
<u>Region VI</u>	<u>1189 (15.7%)</u>	<u>2081 (27.6%)</u>	<u>4288 (56.7%)</u>	<u>7558 (100.0%)</u>
Total	13751 (15.1%)	19276 (21.2%)	57924 (63.7%)	90951 (100.0%)

INTAKE DECISIONS

	<u>Diversion</u>	<u>Court</u>	<u>Total</u>
		<u>1977</u>	
Region I	7642 (35.7%)	13746 (64.3%)	21388 (100.0%)
Region II	4334 (33.6%)	8584 (66.4%)	12918 (100.0%)
Region III	2156 (23.6%)	6981 (76.4%)	9137 (100.0%)
Region IV	1484 (33.0%)	3016 (67.0%)	4500 (100.0%)
Region V	2417 (23.7%)	7765 (76.3%)	10182 (100.0%)
<u>Region VI</u>	<u>974 (22.0%)</u>	<u>3448 (78.0%)</u>	<u>4422 (100.0%)</u>
Total	19007 (30.4%)	43540 (69.6%)	62547 (100.0%)

		<u>1978</u>	
Region I	8579 (37.0%)	14588 (63.0%)	23167 (100.0%)
Region II	6062 (36.7%)	10461 (63.3%)	16523 (100.0%)
Region III	4695 (30.5%)	10677 (69.5%)	15372 (100.0%)
Region IV	1686 (31.1%)	3740 (68.9%)	5426 (100.0%)
Region V	3305 (27.2%)	8862 (72.8%)	12167 (100.0%)
<u>Region VI</u>	<u>1849 (27.2%)</u>	<u>4941 (72.8%)</u>	<u>6790 (100.0%)</u>
Total	26176 (32.9%)	53269 (67.1%)	79445 (100.0%)

INCIDENTS OF CHILDREN JAILED

	<u>ChINS</u>	<u>Delinquent</u>	<u>Total</u>
		<u>1977</u>	
Region I	68 (08.6%)	723 (91.4%)	791 (100.0%)
Region II	39 (05.4%)	679 (94.6%)	718 (100.0%)
Region III	38 (06.7%)	525 (93.3%)	563 (100.0%)
Region IV	74 (16.4%)	377 (83.6%)	451 (100.0%)
Region V	31 (05.5%)	536 (94.5%)	567 (100.0%)
<u>Region VI</u>	<u>26 (04.7%)</u>	<u>525 (95.3%)</u>	<u>551 (100.0%)</u>
Total	276 (07.6%)	3365 (92.4%)	3641 (100.0%)
		<u>1978</u>	
Region I	2 (0.6%)	542 (99.4%)	544 (100.0%)
Region II	7 (1.4%)	485 (98.6%)	492 (100.0%)
Region III	1 (0.2%)	449 (99.8%)	450 (100.0%)
Region IV	7 (1.8%)	379 (98.2%)	386 (100.0%)
Region V	2 (0.5%)	427 (99.5%)	429 (100.0%)
<u>Region VI</u>	<u>4 (1.4%)</u>	<u>352 (98.6%)</u>	<u>356 (100.0%)</u>
Total	23 (0.9%)	2634 (99.1%)	2657 (100.0%)

INCIDENTS OF CHILDREN DETAINED IN SECURE DETENTION

	<u>ChINS</u>	<u>Custody/ Child Welfare</u>	<u>Delinquent</u>	<u>Total</u>
<u>1977</u>				
Region I	1468 (40.7%)	172 (4.8%)	1971 (54.5%)	3611 (100.0%)
Region II	948 (36.2%)	58 (2.2%)	1611 (61.6%)	2617 (100.0%)
Region III	634 (56.1%)	5 (0.4%)	492 (43.5%)	1131 (100.0%)
Region IV	220 (34.8%)	10 (1.5%)	403 (63.7%)	633 (100.0%)
Region V	828 (45.8%)	5 (0.3%)	975 (53.9%)	1808 (100.0%)
<u>Region VI</u>	<u>430 (47.2%)</u>	<u>4 (0.4%)</u>	<u>478 (52.4%)</u>	<u>912 (100.0%)</u>
Total	4528 (42.3%)	254 (2.4%)	5930 (55.3%)	10712 (100.0%)
<u>1978</u>				
Region I	437 (14.9%)	62 (2.1%)	2427 (83.0%)	2926 (100.0%)
Region II	412 (18.6%)	18 (0.8%)	1787 (80.6%)	2217 (100.0%)
Region III	142 (16.2%)	1 (0.1%)	735 (83.7%)	878 (100.0%)
Region IV	93 (15.2%)	22 (3.6%)	497 (81.2%)	612 (100.0%)
Region V	230 (16.3%)	2 (0.1%)	1178 (83.6%)	1410 (100.0%)
<u>Region VI</u>	<u>113 (17.1%)</u>	<u>2 (0.3%)</u>	<u>545 (82.6%)</u>	<u>660 (100.0%)</u>
Total	1427 (16.4%)	107 (1.2%)	7169 (82.4%)	8703 (100.0%)

INCIDENTS OF CHILDREN DETAINED IN OUTREACH DETENTION

	<u>ChINS</u>	<u>Custody/ Child Welfare</u>	<u>Delinquent</u>	<u>Total</u>
			<u>1977</u>	
Region I	290 (46.3%)	4 (0.6%)	333 (53.1%)	627 (100.0%)
Region II				
Region III				
Region IV				
Region V				
<u>Region VI</u>				
Total	290 (46.3%)	4 (0.6%)	333 (53.1%)	627 (100.0%)
			<u>1978</u>	
Region I	89 (17.7%)	4 (0.8%)	410 (81.5%)	503 (100.0%)
Region II				
Region III	186 (57.8%)	2 (0.6%)	134 (41.6%)	322 (100.0%)
Region IV				
Region V				
<u>Region VI</u>				
Total	275 (33.3%)	6 (0.7%)	544 (66.0%)	825 (100.0%)

INCIDENTS OF CHILDREN DETAINED IN CRISIS DETENTION

	<u>ChINS</u>	<u>Custody/ Child Welfare</u>	<u>Delinquent</u>	<u>Total</u>
	<u>1977</u>			
Region I	406 (52.5%)	161 (20.8%)	206 (26.7%)	773 (100.0%)
Region II	25 (09.1%)	0 (00.0%)	251 (90.9%)	276 (100.0%)
Region III				
Region IV				
Region V				
<u>Region VI</u>				
Total	431 (41.1%)	161 (15.3%)	457 (43.6%)	1049 (100.0%)
	<u>1978</u>			
Region I	225 (30.6%)	213 (28.9%)	298 (40.5%)	736 (100.0%)
Region II	19 (03.9%)	0 (00.0%)	469 (96.1%)	488 (100.0%)
Region III				
Region IV				
Region V	100 (36.4%)	25 (09.1%)	150 (54.5%)	275 (100.0%)
<u>Region VI</u>				
Total	344 (22.9%)	238 (15.9%)	917 (61.2%)	1499 (100.0%)

CHILDREN COMMITTED

1977

Region I	482
Region II	393
Region III	174
Region IV	124
Region V	191
<u>Region VI</u>	<u>96</u>
Total	1460*

1978

Region I	428
Region II	327
Region III	186
Region IV	107
Region V	183
<u>Region VI</u>	<u>90</u>
Total	1321*

*74 of these commitments were for the purpose of a predispositional diagnosis. (These are children who are sent to the Reception and Diagnostic Center for a period of 30 days to be evaluated prior to the final disposition of formal charges.

*106 of these commitments were for the purpose of a predispositional diagnosis.

INCIDENTS OF CHILDREN IN COMMUNITY YOUTH HOMES

1977

Region I	204
Region II	29
Region III	36
Region IV	90
Region V	91
<u>Region VI</u>	<u>7</u>
Total	457

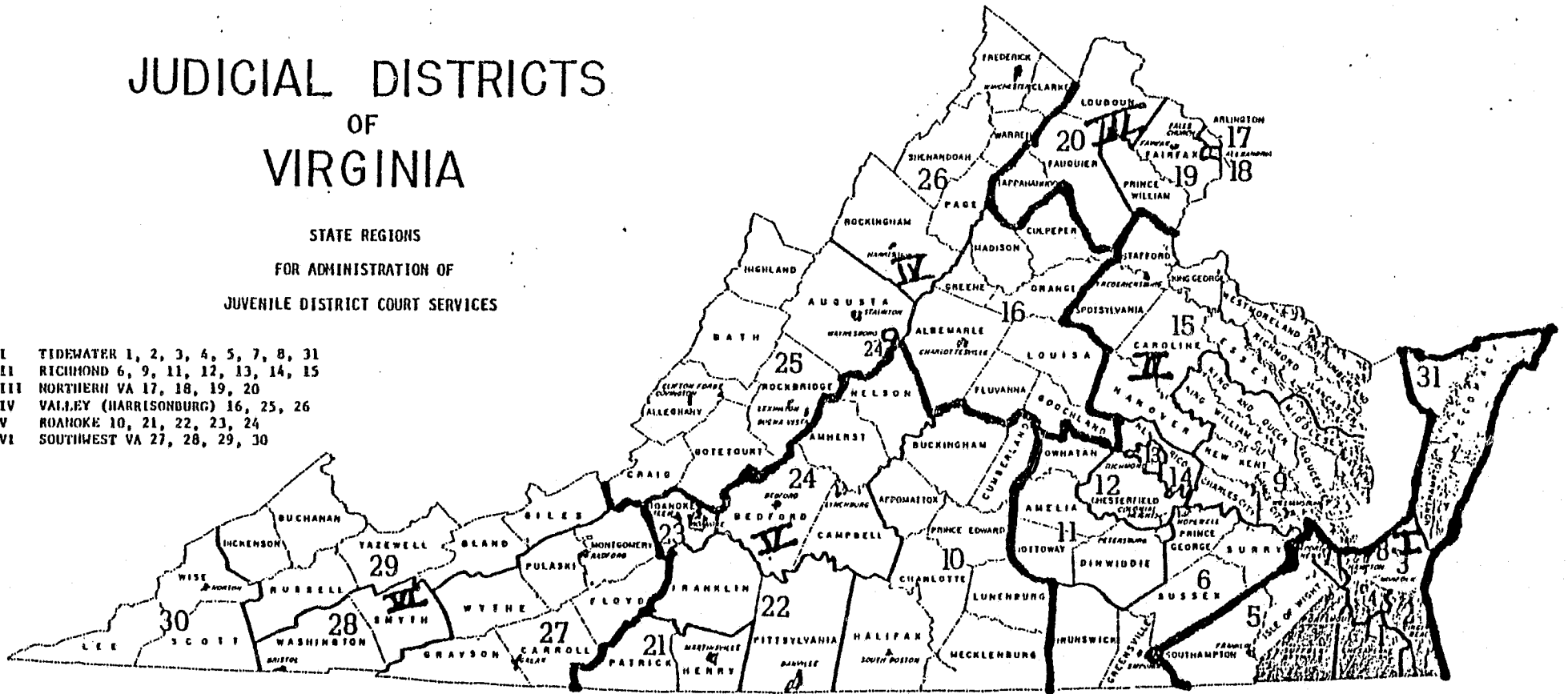
1978

Region I	234
Region II	102
Region III	45
Region IV	105
Region V	102
<u>Region VI</u>	<u>26</u>
Total	614

JUDICIAL DISTRICTS OF VIRGINIA

STATE REGIONS
FOR ADMINISTRATION OF
JUVENILE DISTRICT COURT SERVICES

- I TIDEWATER 1, 2, 3, 4, 5, 7, 8, 31
- II RICHMOND 6, 9, 11, 12, 13, 14, 15
- III NORTHERN VA 17, 18, 19, 20
- IV VALLEY (HARRISONBURG) 16, 25, 26
- V ROANOKE 10, 21, 22, 23, 24
- VI SOUTHWEST VA 27, 28, 29, 30



END