



# Decision Point Analysis July 2012

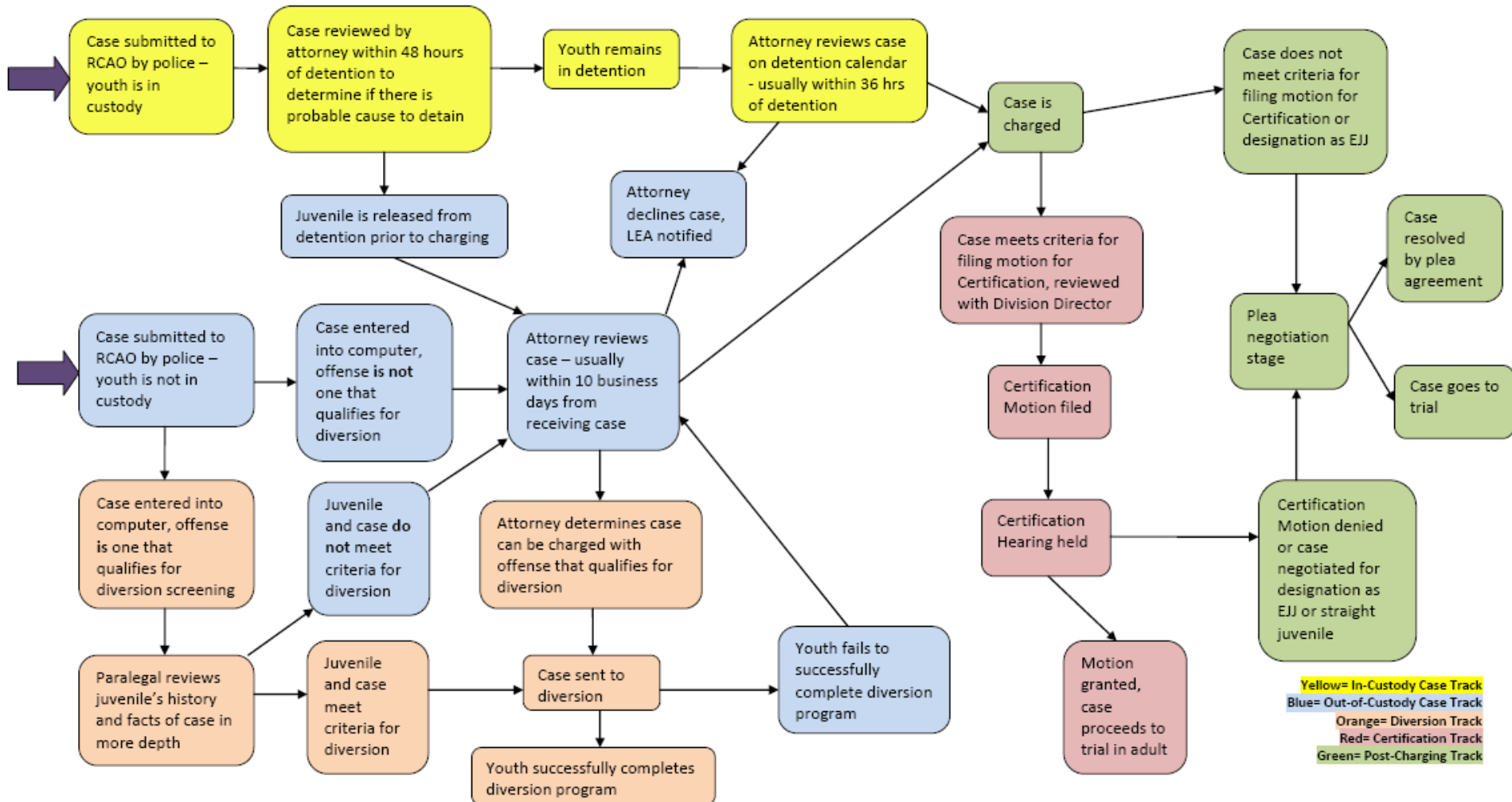
Ramsey County Attorney's Office, Juvenile Division

# Decision Points in Juvenile Prosecution

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1. Case presented by law enforcement authority (LEA) – juvenile either in or out of custody
2. Refer for diversion?
3. If referred, is diversion accepted or rejected?
4. If diversion accepted, is diversion successful?
5. If not referred (or diversion rejected or unsuccessful), is case charged or declined?
6. If charged, is certification sought? Extended juvenile jurisdiction (EJJ)?

# Decision Points in Juvenile Prosecution



# Charging, Declination, Diversion

# Scope of Data

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- ▶ Data reported from 2005 through 2011 (except for Certification/EJJ : 2006-2011) ;
- ▶ County Attorney Information System Data (CAIS) counts decisions rather than individual cases;
- ▶ “Cases presented” in a year equals the total number of “case decisions” in a calendar year.
- ▶ This means counting all decisions to divert, charge, or decline made in that year, not necessarily counting all decisions made in a particular case.

# Data Limitations

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- ▶ Data represent a good-faith attempt to answer certain questions using the limited data-retrieval system available
- ▶ Diversion data with respect to several racial / ethnic groups from 2008 have become corrupted; we have assumed that this data is broadly consistent with the data for the other years during this period
- ▶ Certification data:
  - 2006 to 2011 only
  - Data prior to 2010 may be less reliable due to confusion by those entering data

# Juvenile Case Typology

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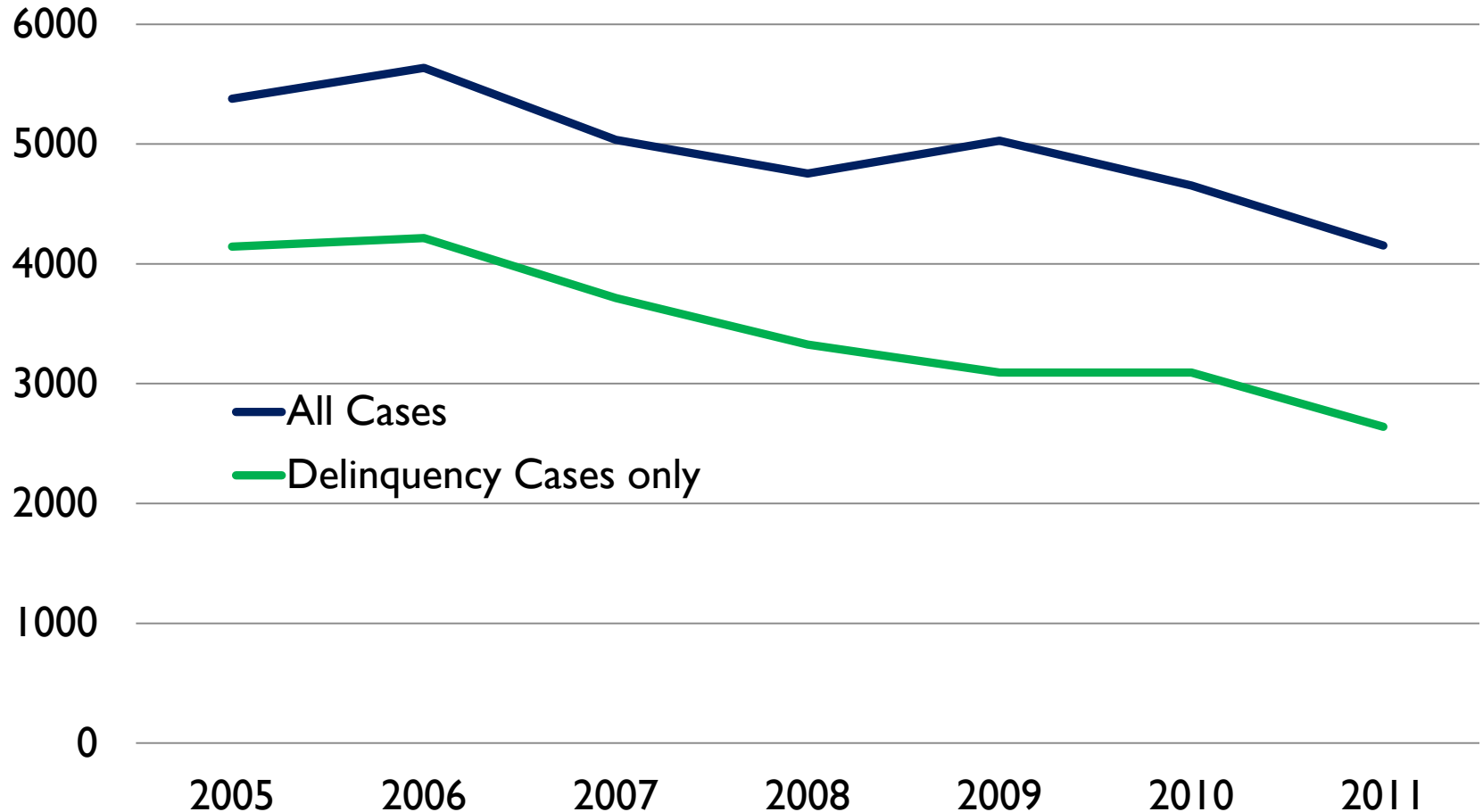
- ▶ Delinquency
- ▶ CHIPs (child in need of protection or services)
  - Runaways & Truants
- ▶ Petty offenses: curfew, tobacco, alcohol
- ▶ Traffic

## **NOTE:**

- Slides **8-10** present data relating to **ALL** of these case types, with comparison to **delinquency cases** only;
- All other slides present data relating to **delinquency cases only**.

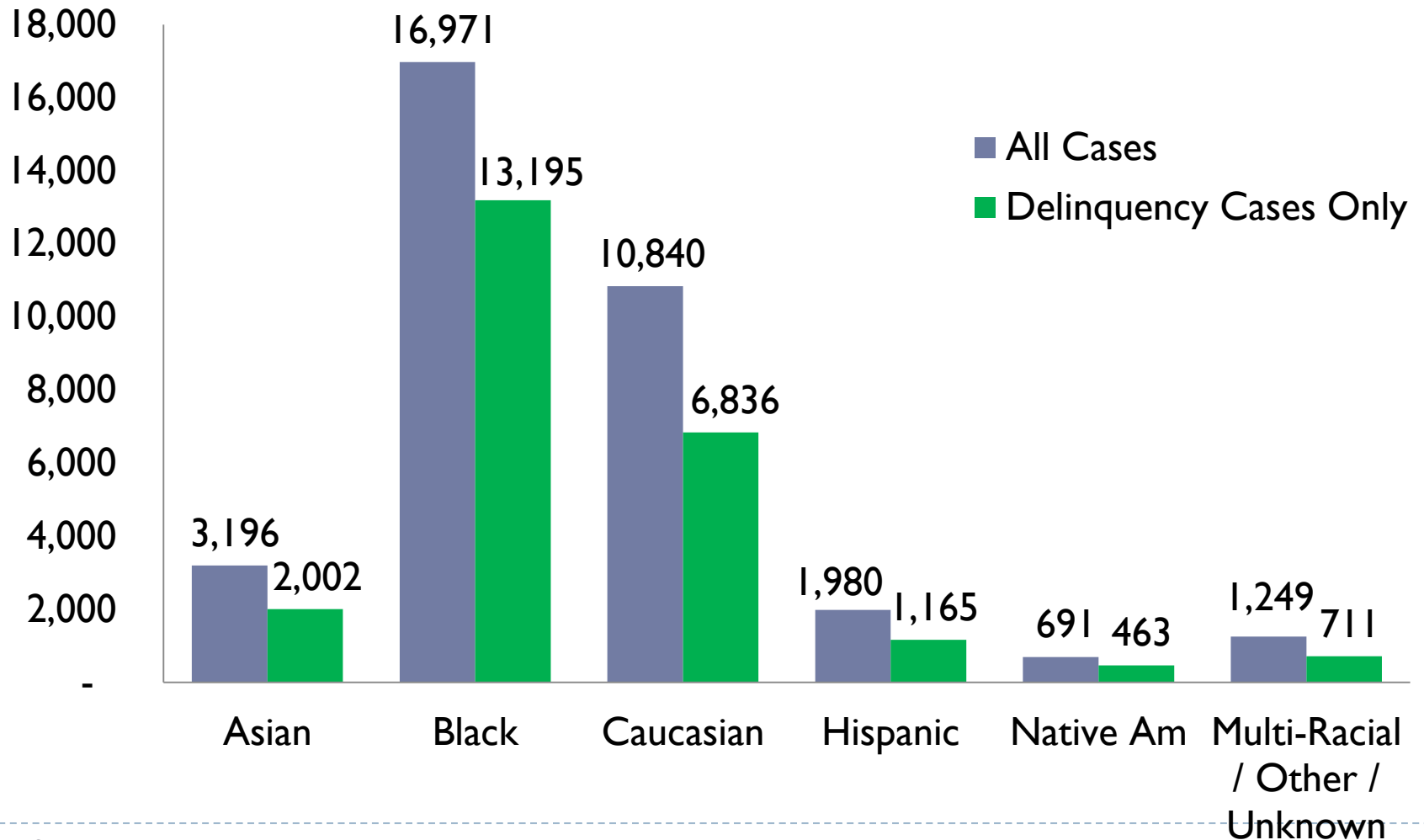
# All Cases Presented, 2005 to 2011, by Year

The number of juvenile cases handled by the RCAO reached a peak in 2006 but has since declined.

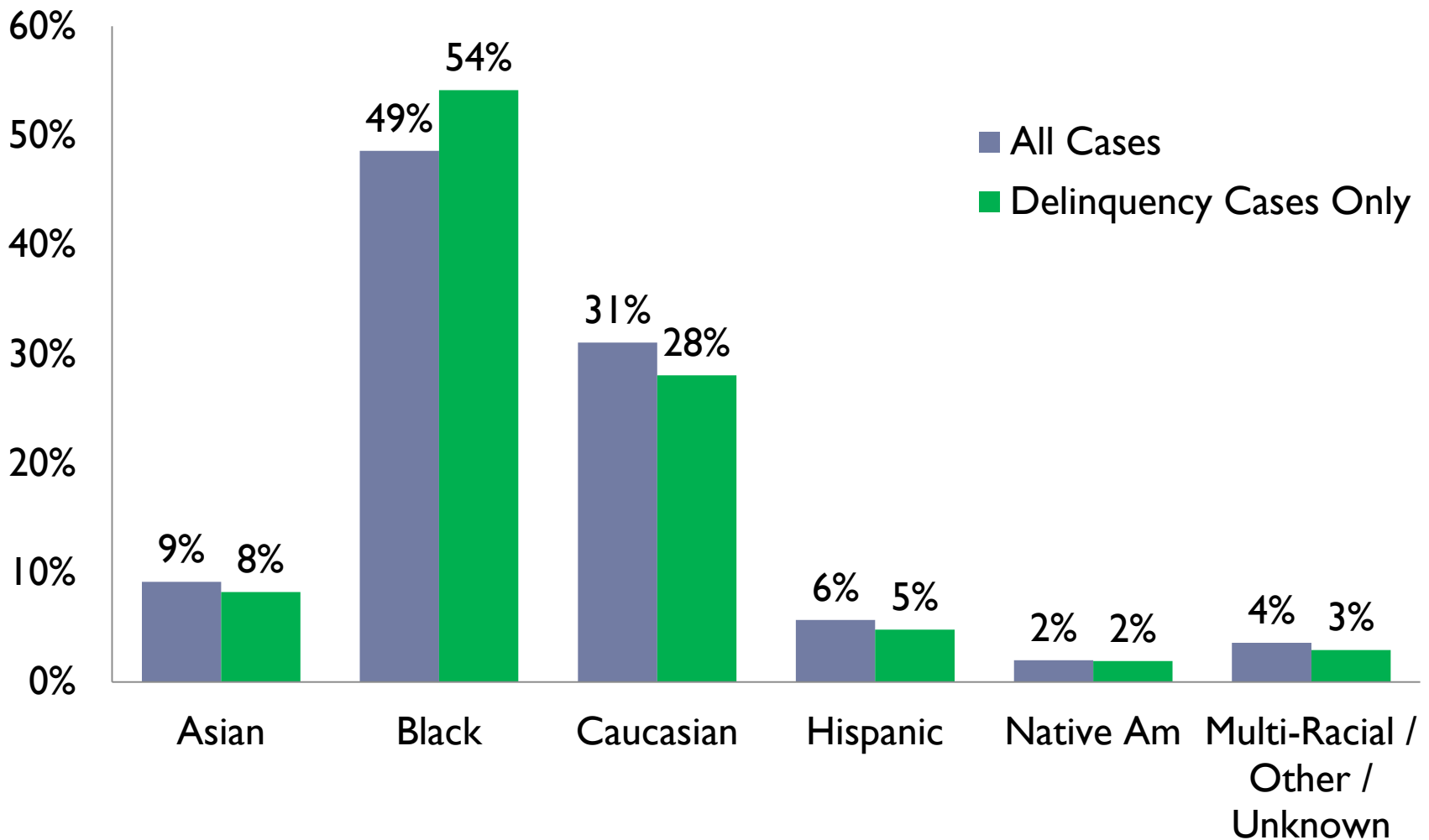




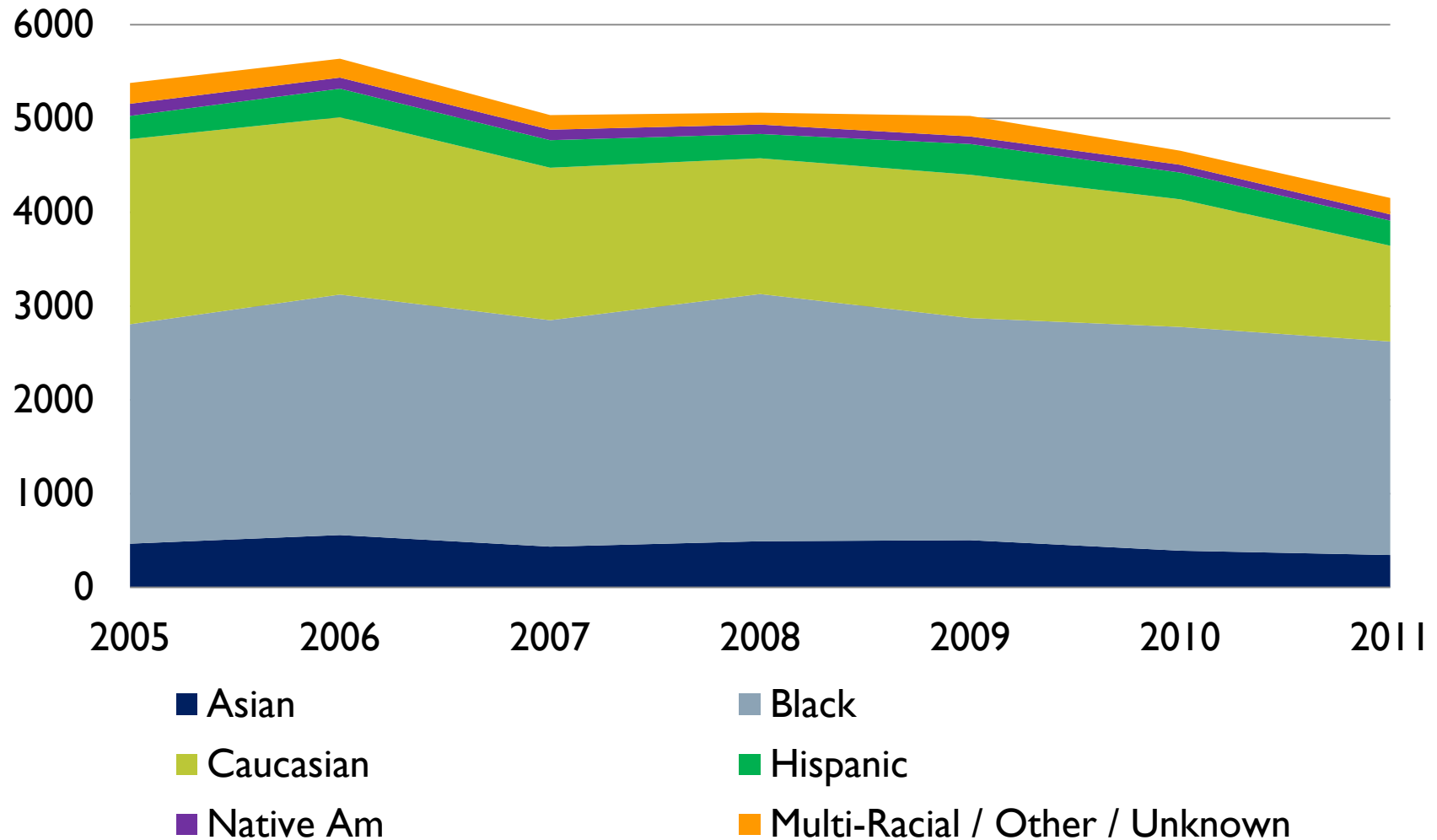
# All Cases Presented, 2005 to 2011, by Race / Ethnicity



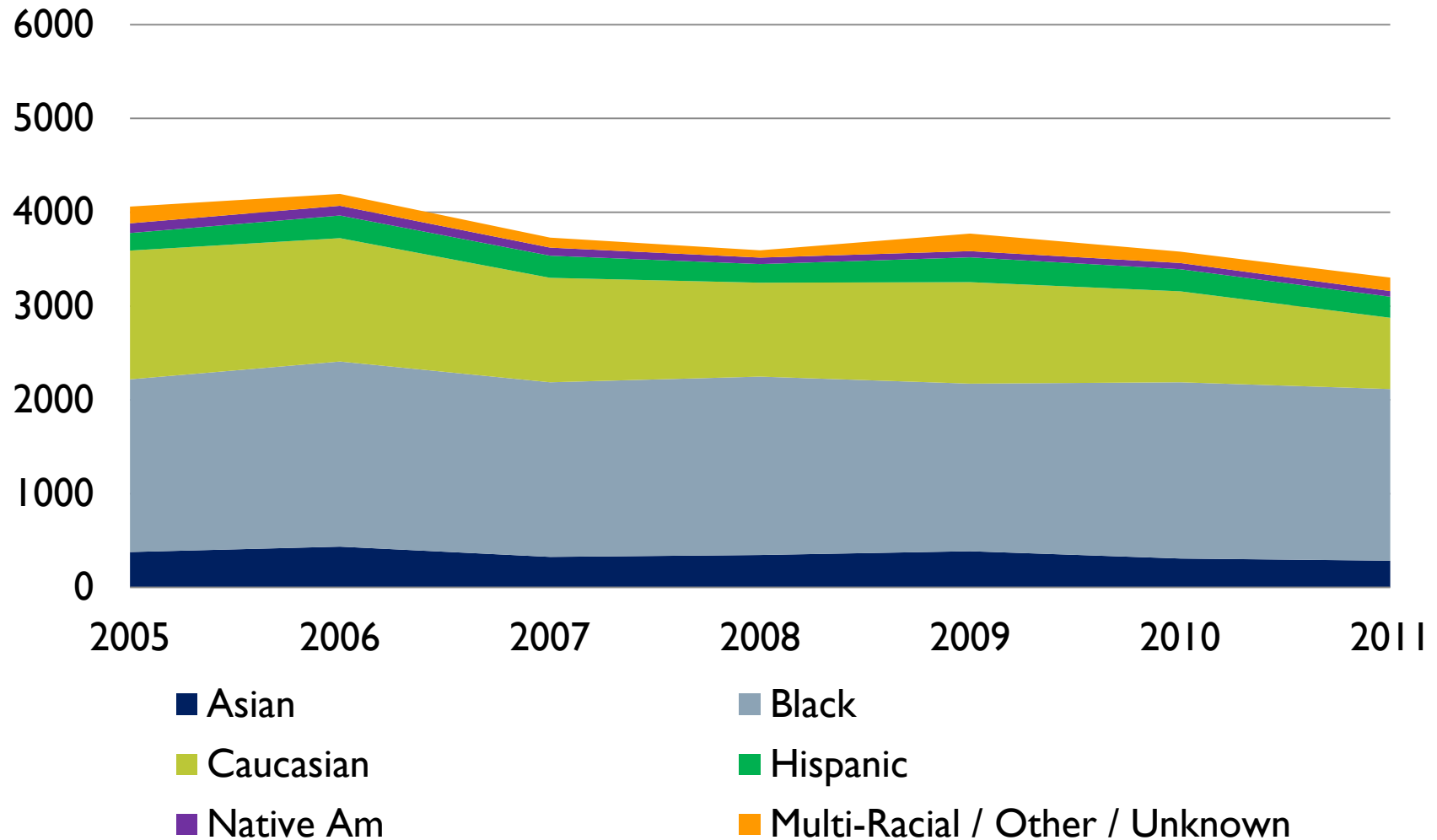
# Race / Ethnicity, 2005 to 2011, as % of All Cases Presented



# All Cases Presented, 2005 to 2011, by Year and by Race / Ethnicity

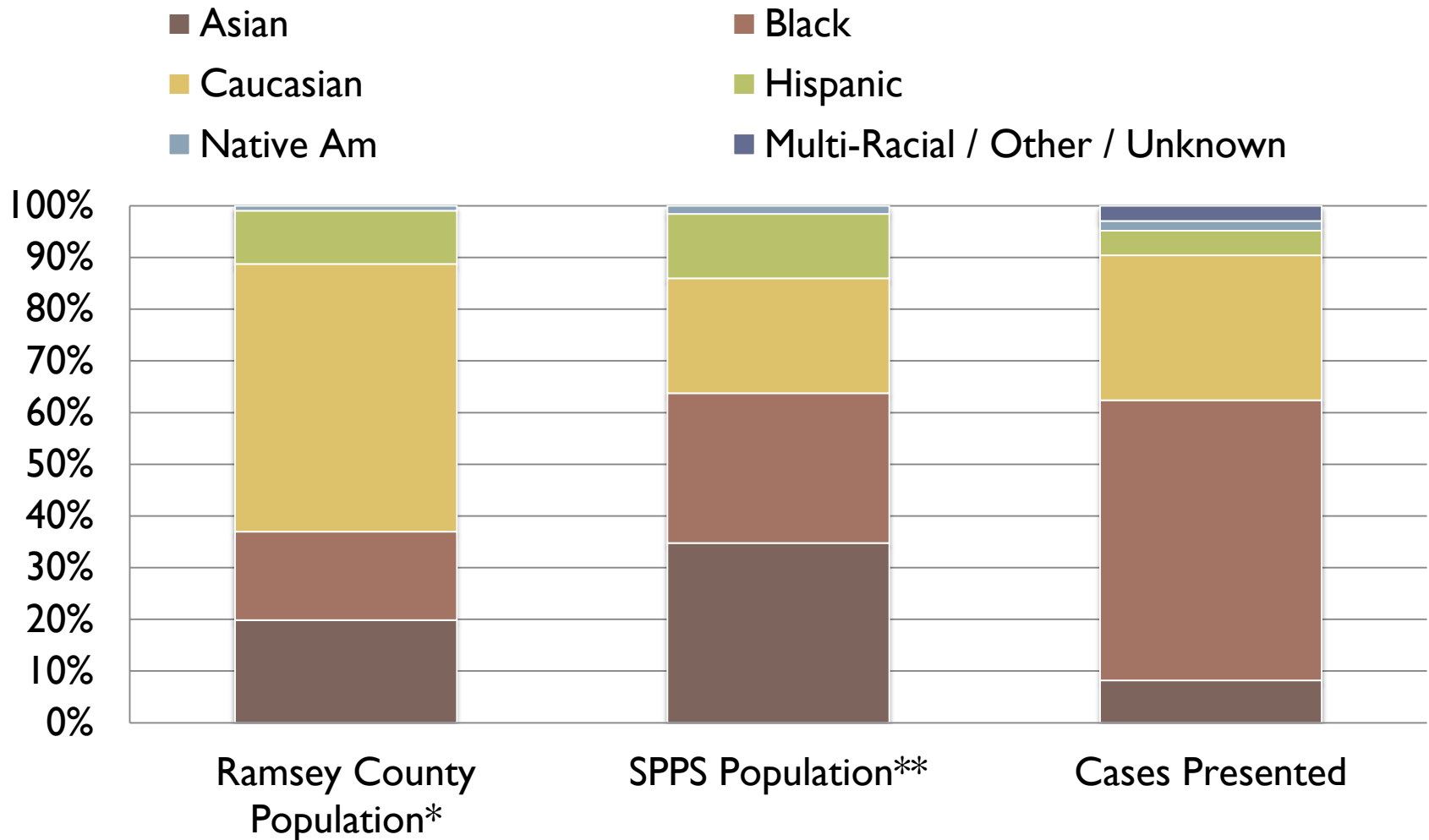


# Delinquency Cases Presented, 2005 to 2011, by Year and by Race / Ethnicity



# **DATA RELATING TO DELINQUENCY CASES ONLY**

# Race / Ethnicity, 2005 to 2011, as % of Population and Cases Presented



\* Ages 10-17 (2010)

\*\* Grades 5-12 (2011)

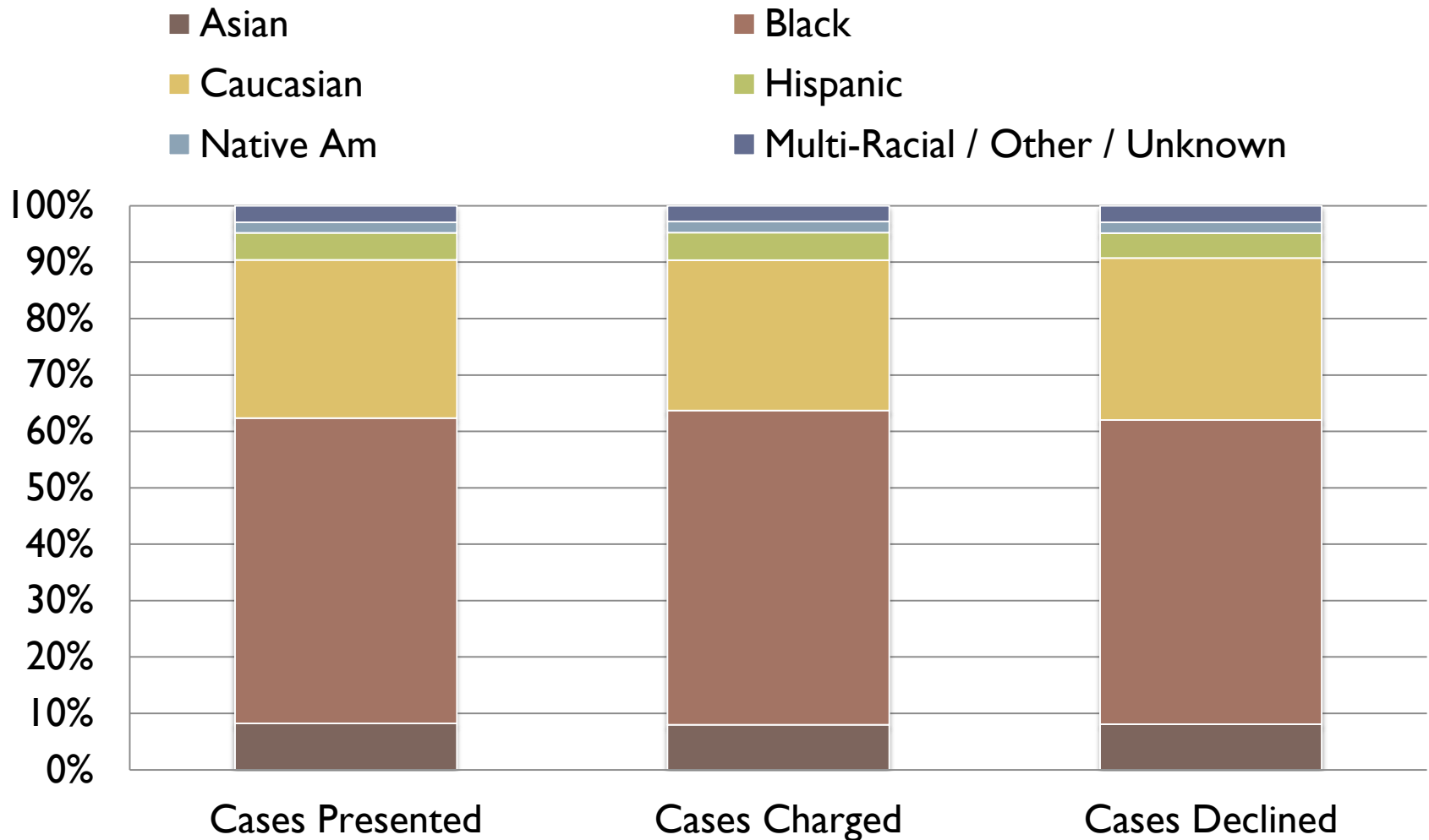
# Race / Ethnicity, 2005 to 2011, as % of Charged and Declined Cases

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- ▶ The racial and ethnic breakdown of cases presented for decision (i.e., case decisions) closely matches the breakdown of cases charged and declined:

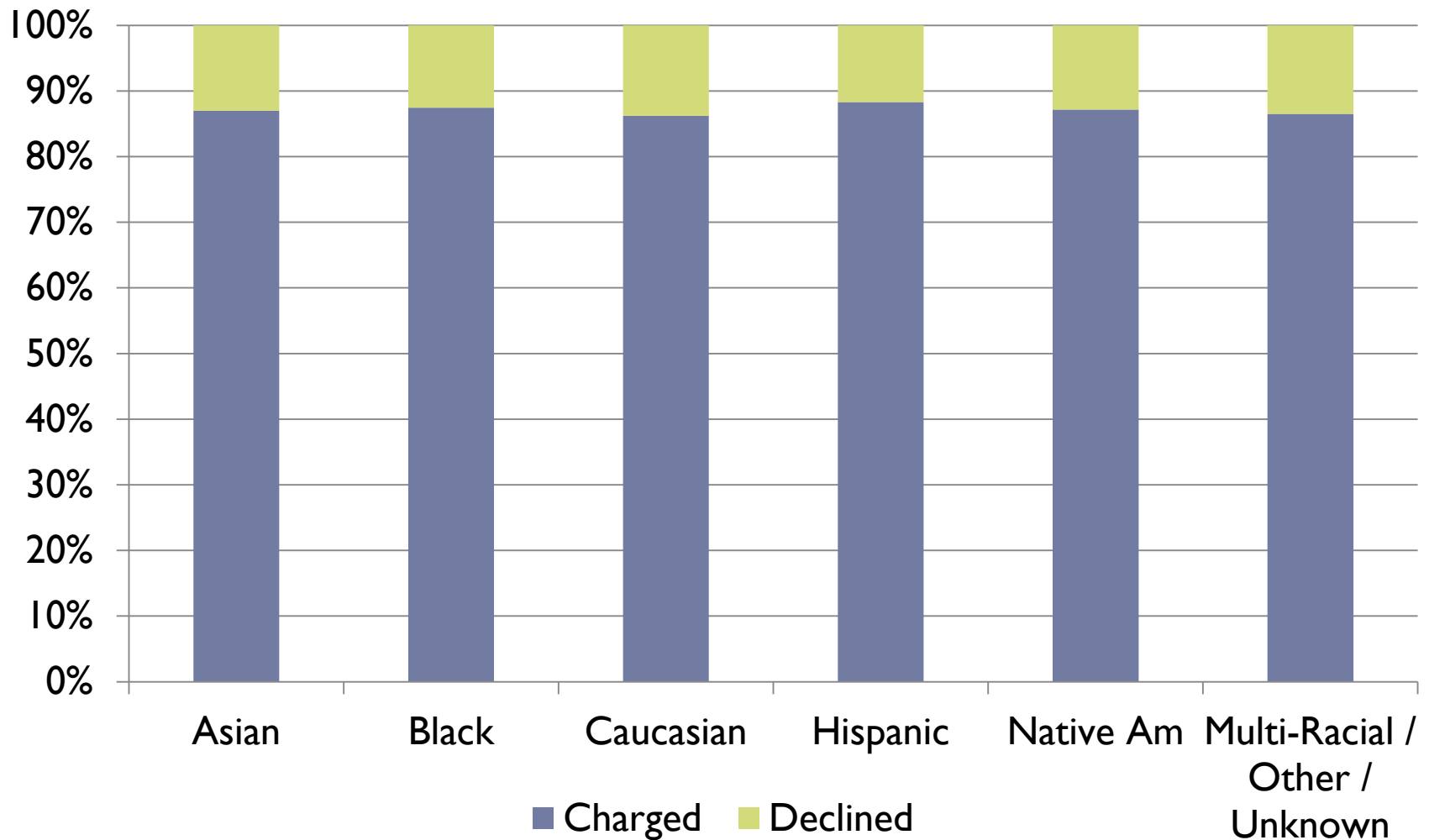
	Cases Presented	Cases Charged	Cases Declined
Asian	8%	8%	8%
Black	54%	56%	54%
Caucasian	28%	27%	29%
Hispanic	5%	5%	4%
Native Am	2%	2%	2%
Multi-Racial / Other / Unknown	3%	3%	3%
Total	100%	100%	100%

# Race / Ethnicity, 2005 to 2011, as % of Charged and Declined Cases





# Charged and Declined Cases, 2005 to 2011, as % of Racial / Ethnic Group

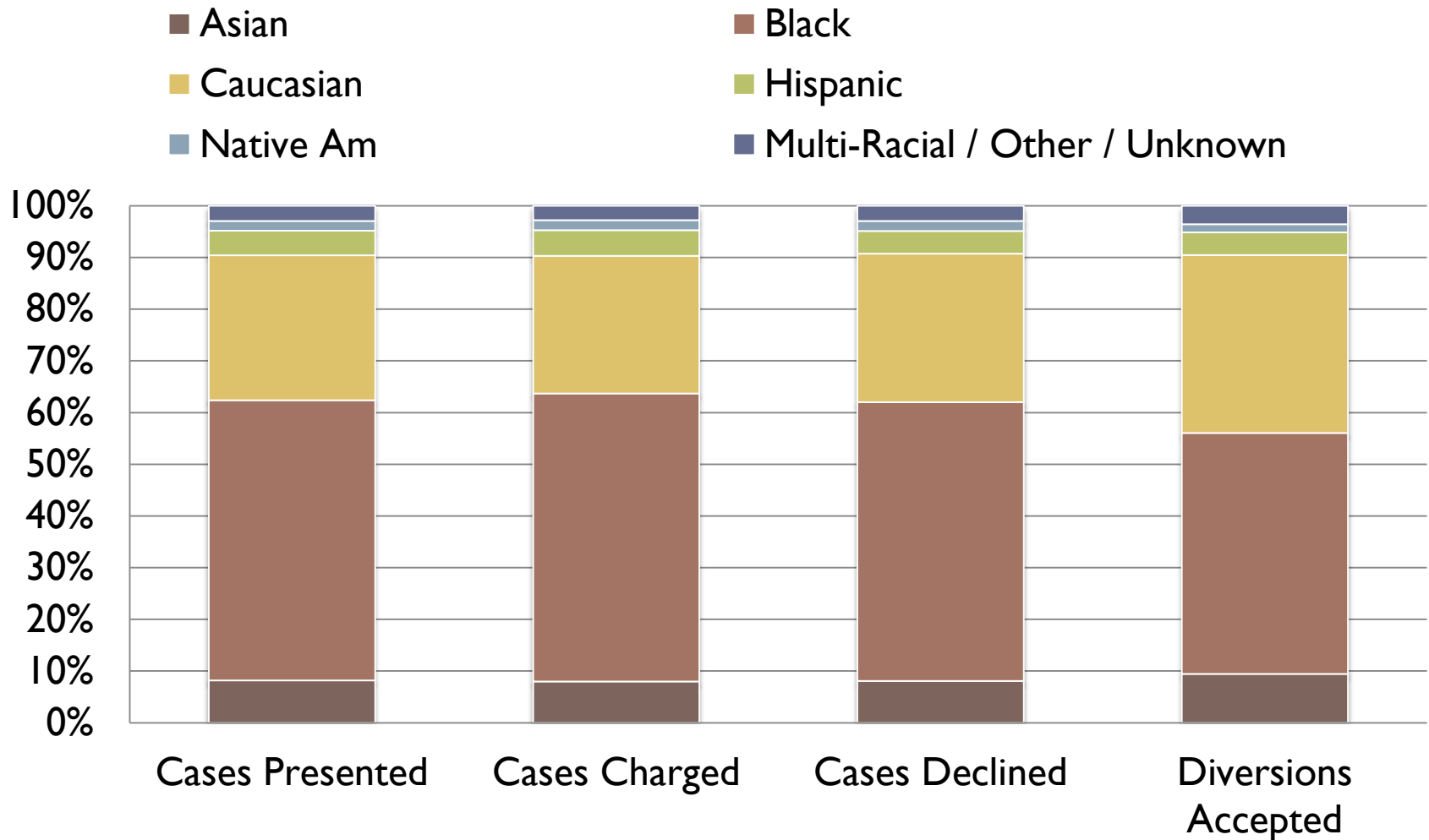


# Race / Ethnicity, 2005 to 2011, as % of Cases at Each Stage

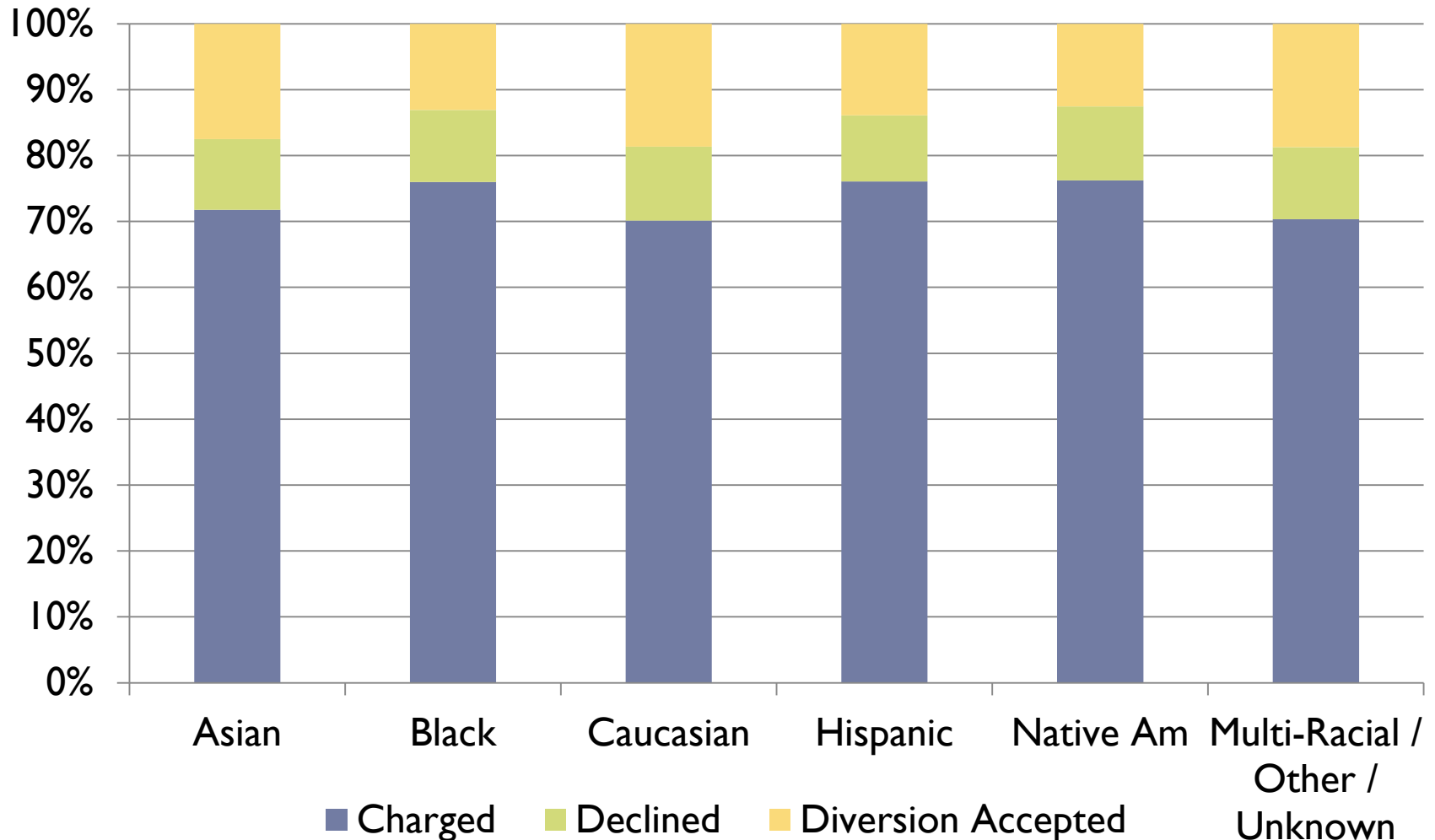
- ▶ The racial and ethnic breakdown diverges a bit more with respect to cases accepted for diversion:

	Cases Presented	Cases Charged	Cases Declined	Diversions Accepted
Asian	8%	8%	8%	9%
Black	54%	56%	54%	47%
Caucasian	28%	27%	29%	34%
Hispanic	5%	5%	4%	4%
Native Am	2%	2%	2%	2%
Multi-Racial / Other / Unknown	3%	3%	3%	4%
Total	100%	100%	100%	100%

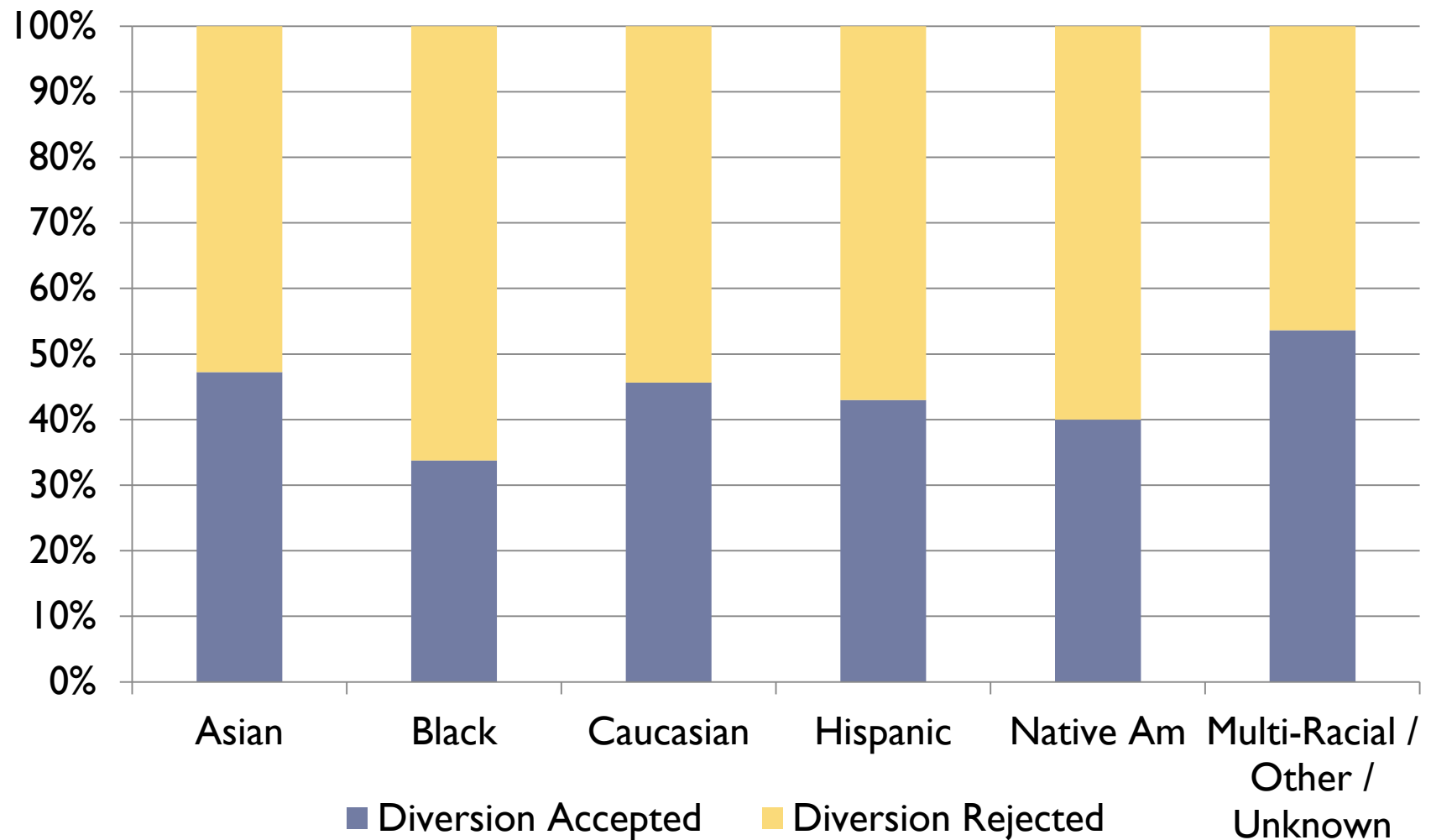
# Race / Ethnicity, 2005 to 2011, as % of Cases at Each Stage



# Cases at Each Stage, 2005 to 2011, as % of Racial / Ethnic Group

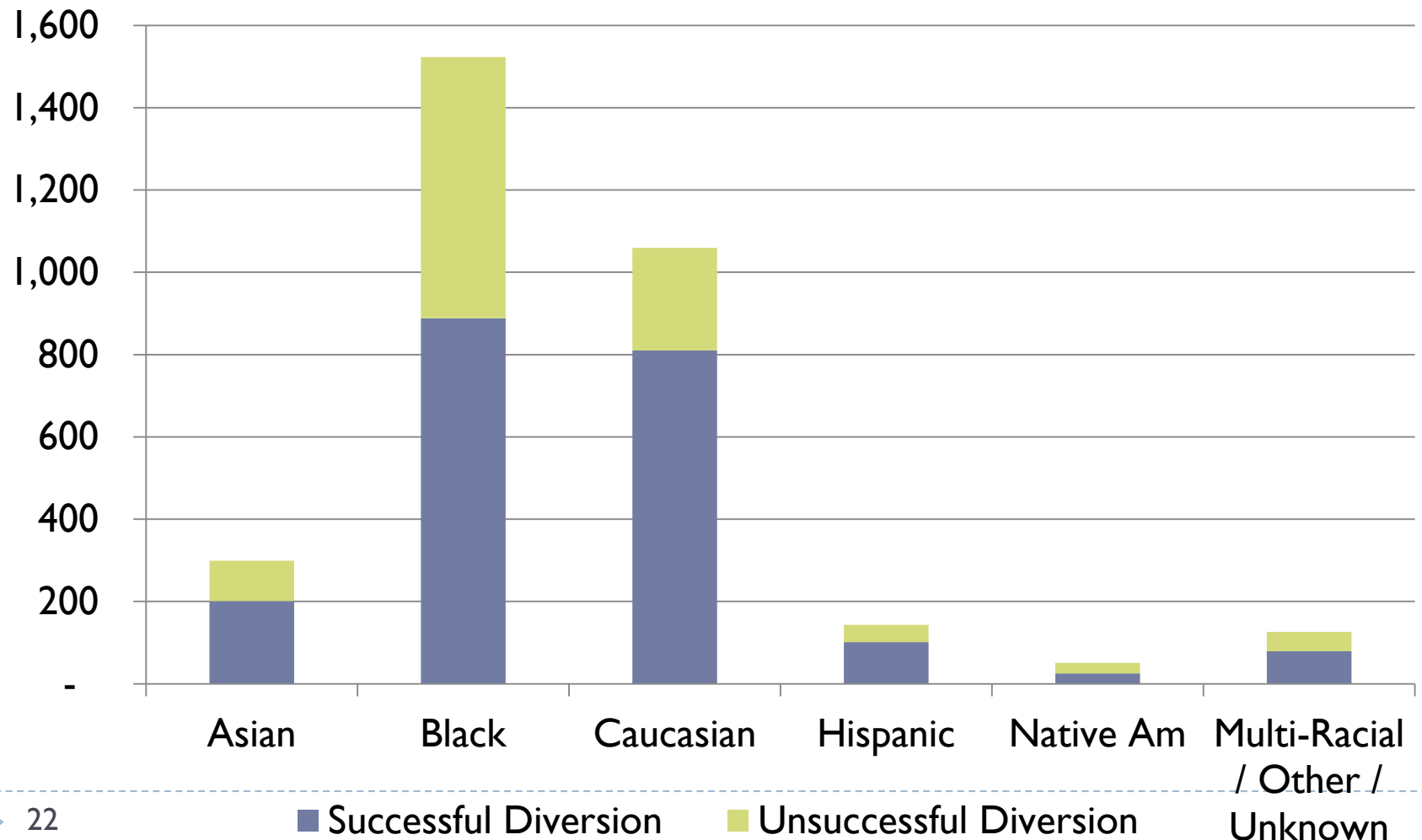


# Diversion Decisions, 2005 to 2011, as % of Racial / Ethnic Group

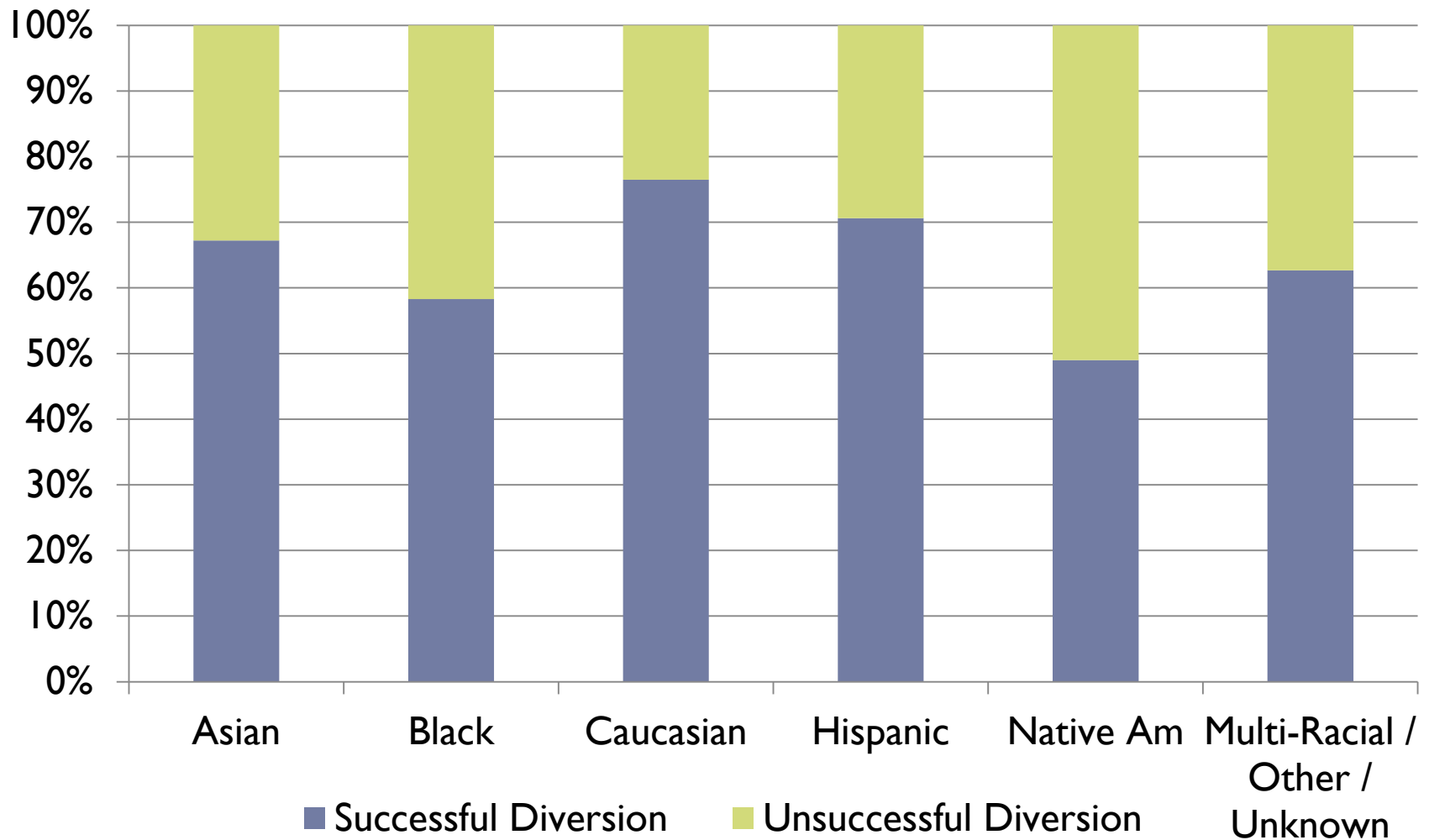


# Diversion Results, 2005 to 2011, by Racial / Ethnic Group

About 3,200 youth completed diversion, either successfully or unsuccessfully, during the period.



# Diversion Results, 2005 to 2011, as % of Racial / Ethnic Group



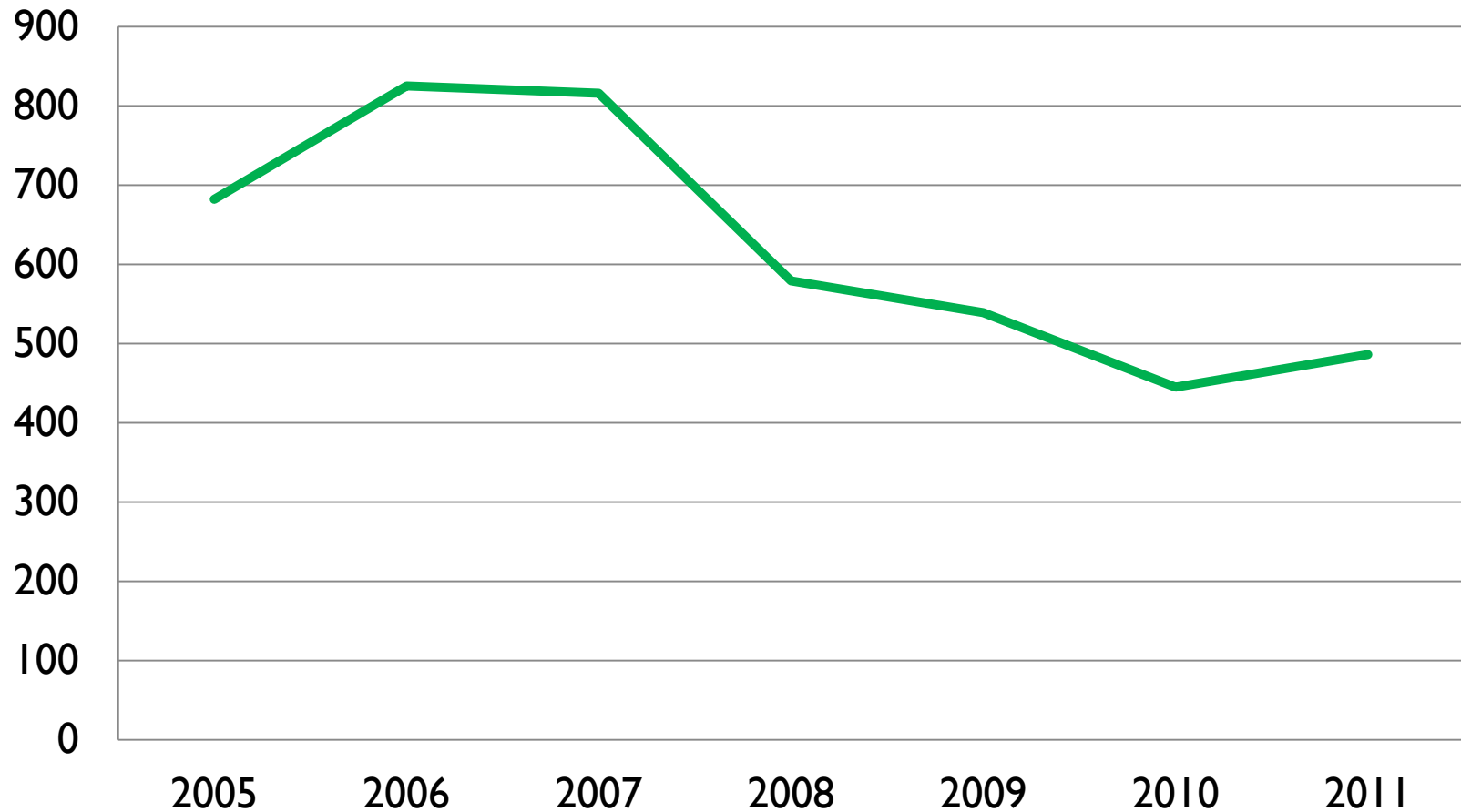


# School Crimes



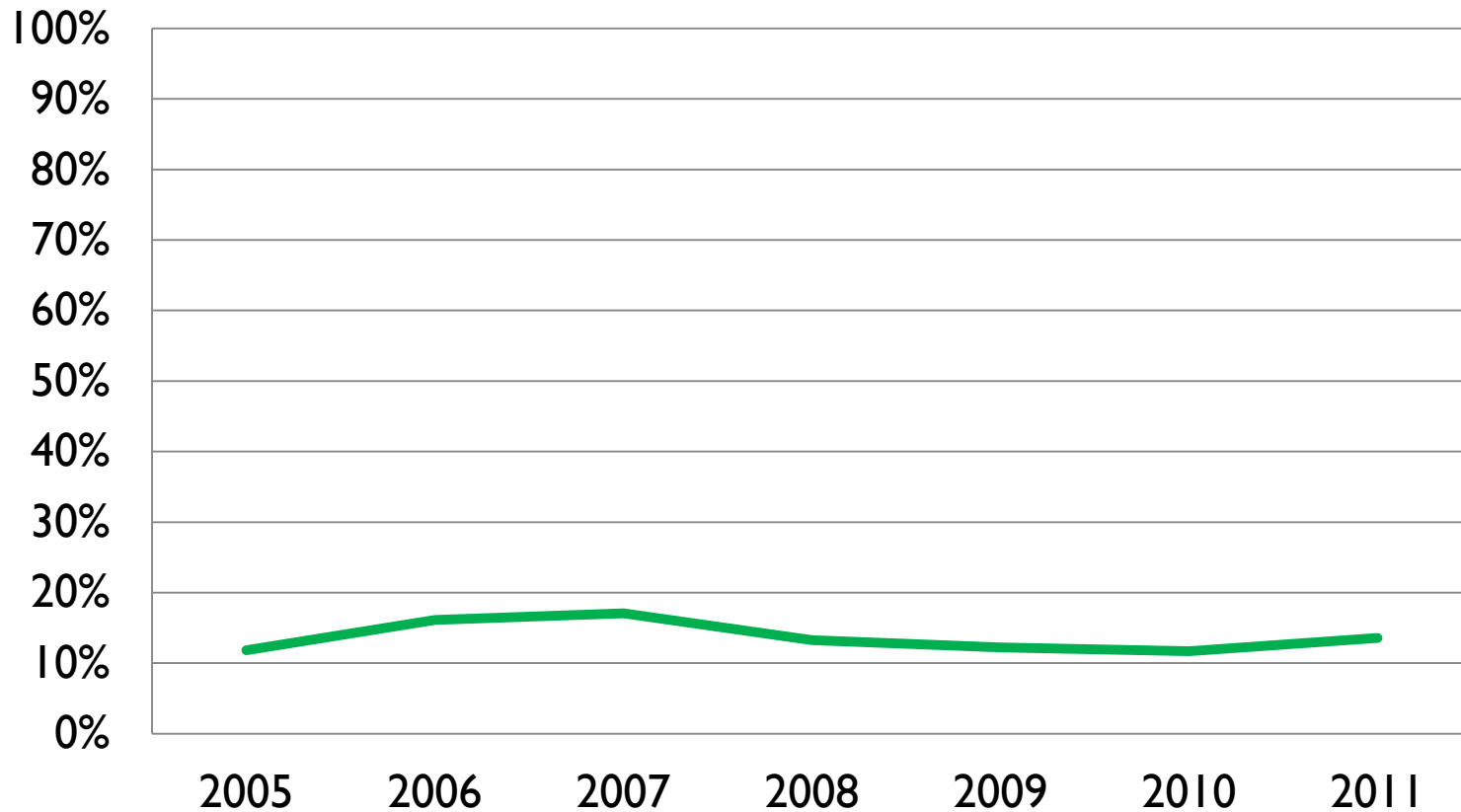
# School Crimes, 2005 to 2011

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# School Crimes, 2005 to 2011

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# School Crimes – Disorderly Conduct

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- ▶ We are focusing attention on disorderly conduct:
  - **Nearly half** of all school crimes charged
  - Involves higher degree of discretion than other crimes
- ▶ We are part of a group of juvenile justice system stakeholders looking at alternative ways to address this behavior outside of referral to court

## Certification and Extended Juvenile Jurisdiction (EJJ)

# Certification & EJJ Designation

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## ► Certification: transfer to adult court

- At least 14 years old
- Felony-level charge
- If transferred, case proceeds as if juvenile jurisdiction had never attached
- If convicted in adult court, any future felony cases must be transferred to adult court
- Objectives:
  - protect public safety
  - separate these offenders from those who are likely to benefit from treatment and rehabilitation in the juvenile justice system

# Certification & EJJ Designation

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- ▶ **Extended juvenile jurisdiction (EJJ):**
  - At least 14 years old
  - Felony-level charge
  - Offender given both juvenile disposition and adult sentence
  - If juvenile disposition is completed, adult sentence isn't served
  - EJJ lasts until offender's 21<sup>st</sup> birthday
  - Allows offender to partake in rehabilitative programs for juveniles with the threat of adult sanctions as an incentive
  - Objectives:
    - ▶ Protect public safety
    - ▶ Give these offenders one last chance at success in the juvenile system

# Certification & EJJ Designation

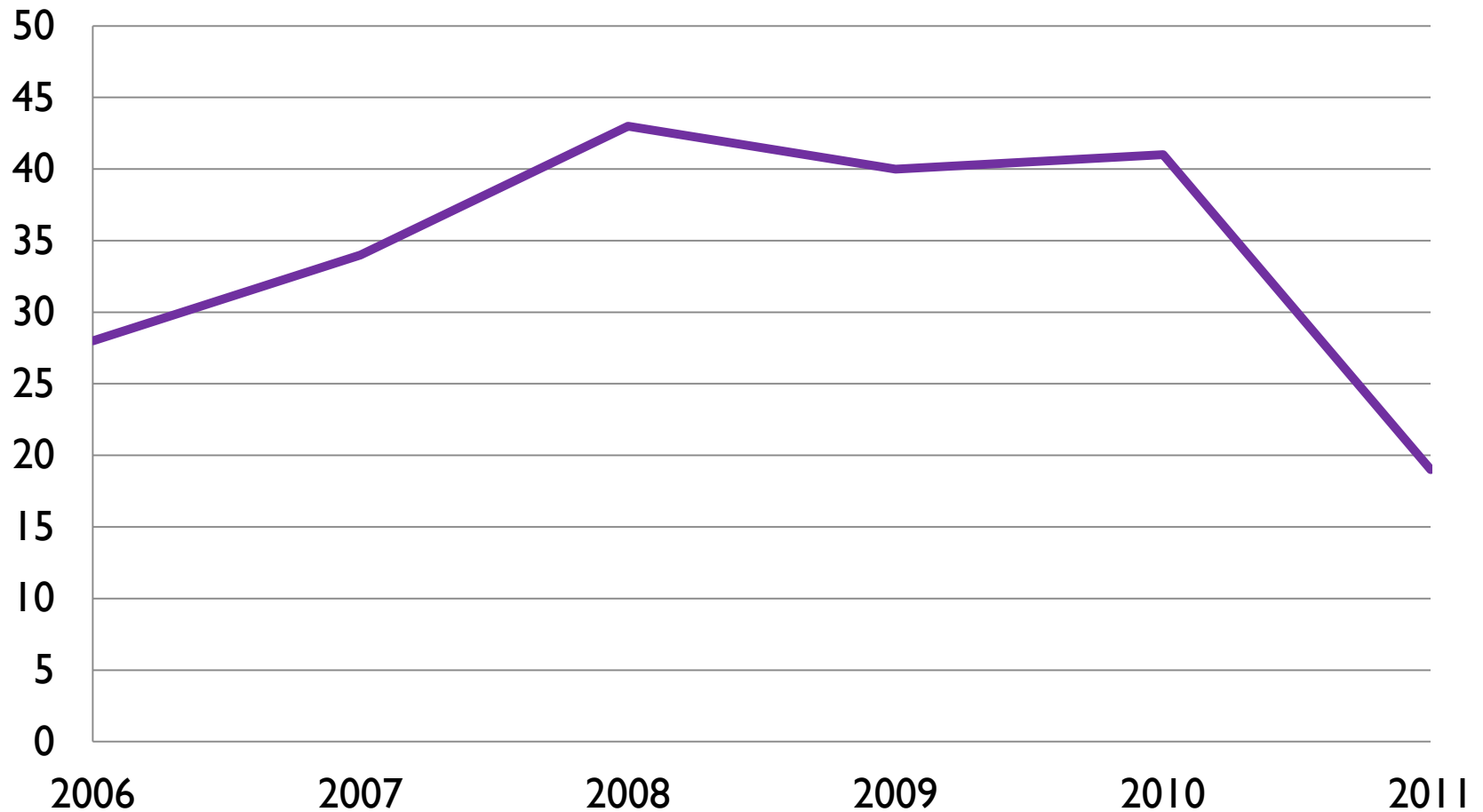
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- ▶ Primary consideration in seeking either Certification or EJJ is public safety:
  - Two most weighty factors are:
    - ▶ Seriousness of alleged offense
    - ▶ Offender's prior record of delinquency
  - Other factors court must consider:
    - ▶ Culpability of juvenile in the alleged offense
    - ▶ Offender's programming history
    - ▶ Adequacy of punishment or programming available in the juvenile justice system
    - ▶ Dispositional options available to the offender

# Certification Motions, 2006 to 2011

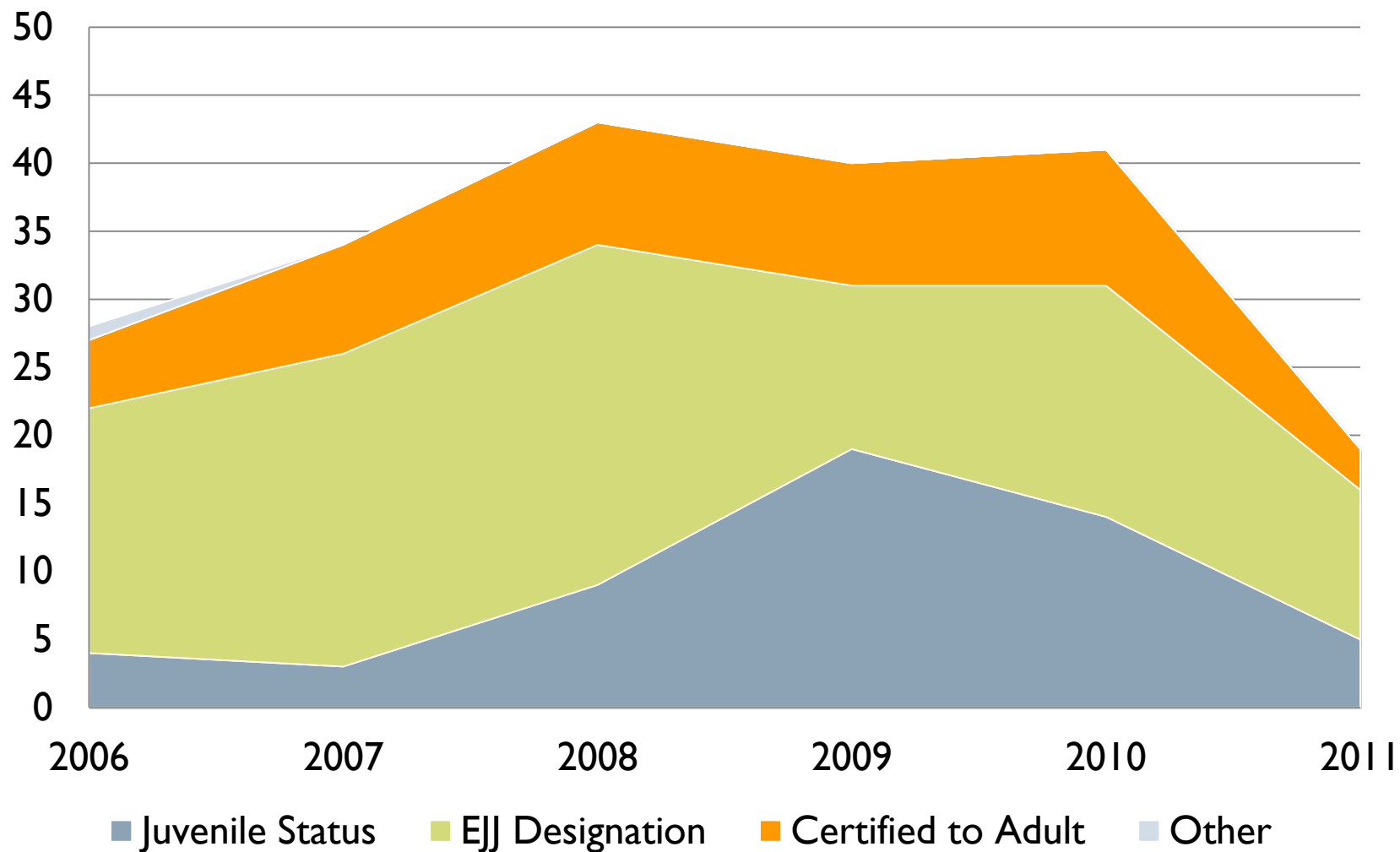
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A total of 206 Certification motions were filed during the five-year period.



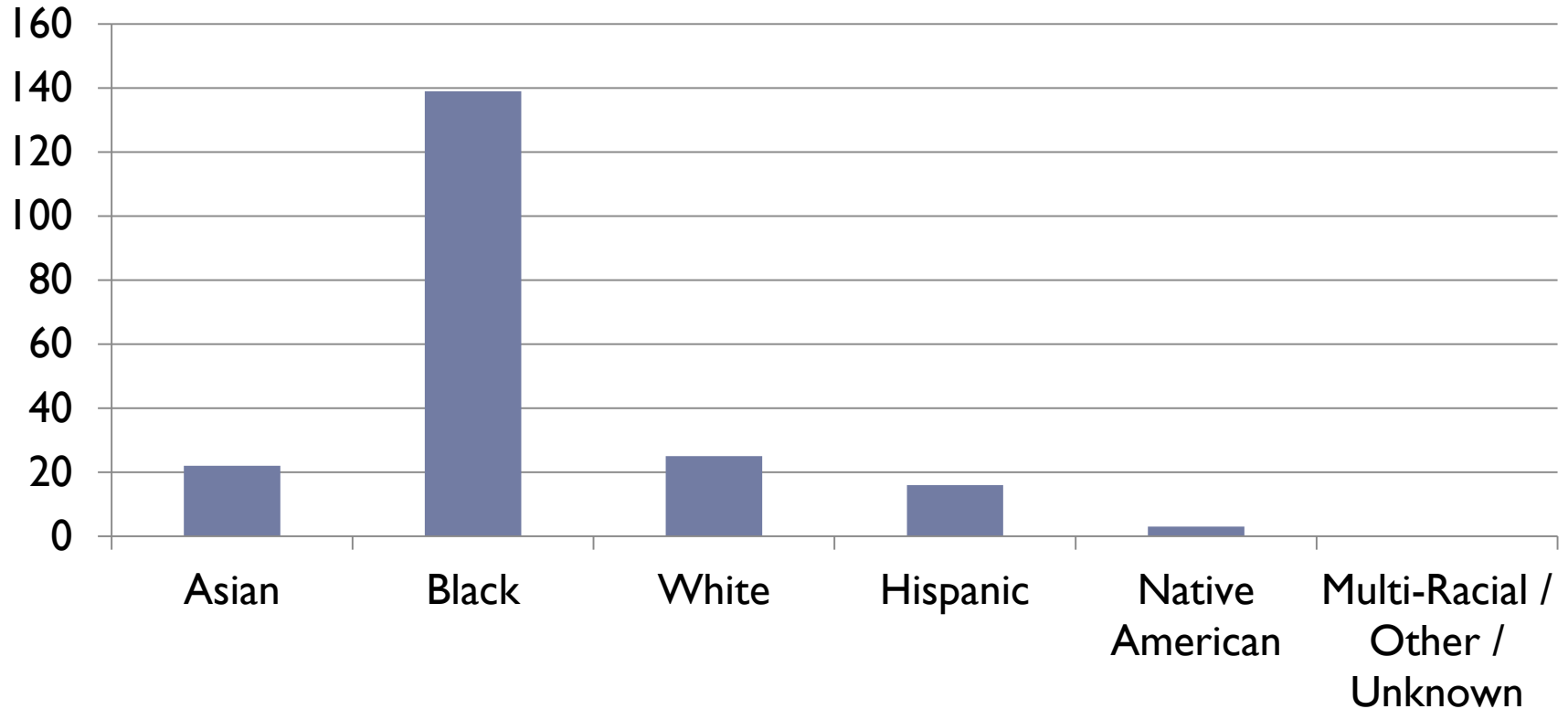


# Certification Results, 2006 to 2011

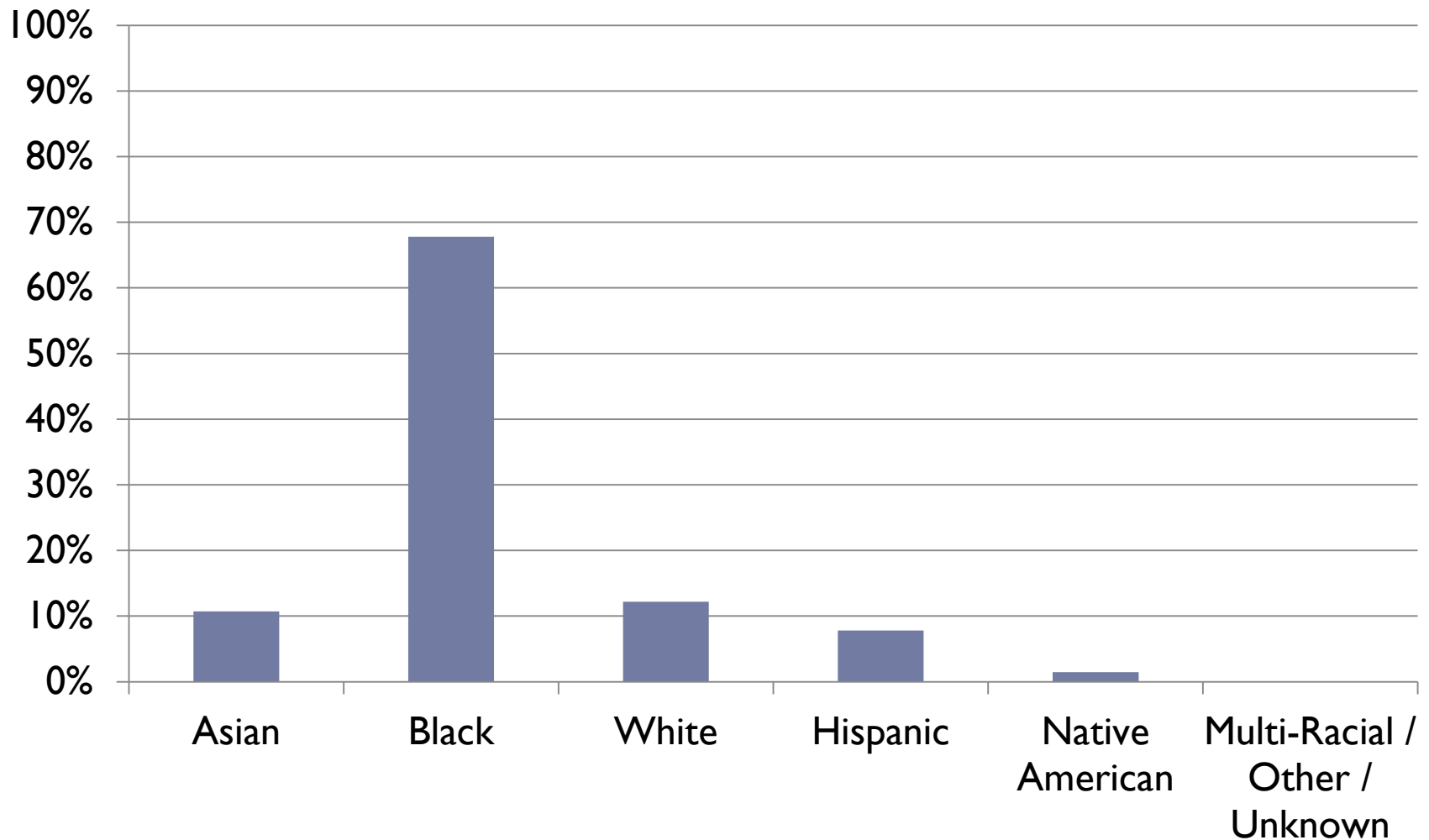


# Certification Motions, 2006 to 2011, by Race / Ethnicity

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# Race / Ethnicity, 2006 to 2011, as % of Certification Motions



# Certification Motions, 2006 to 2011, by Offense

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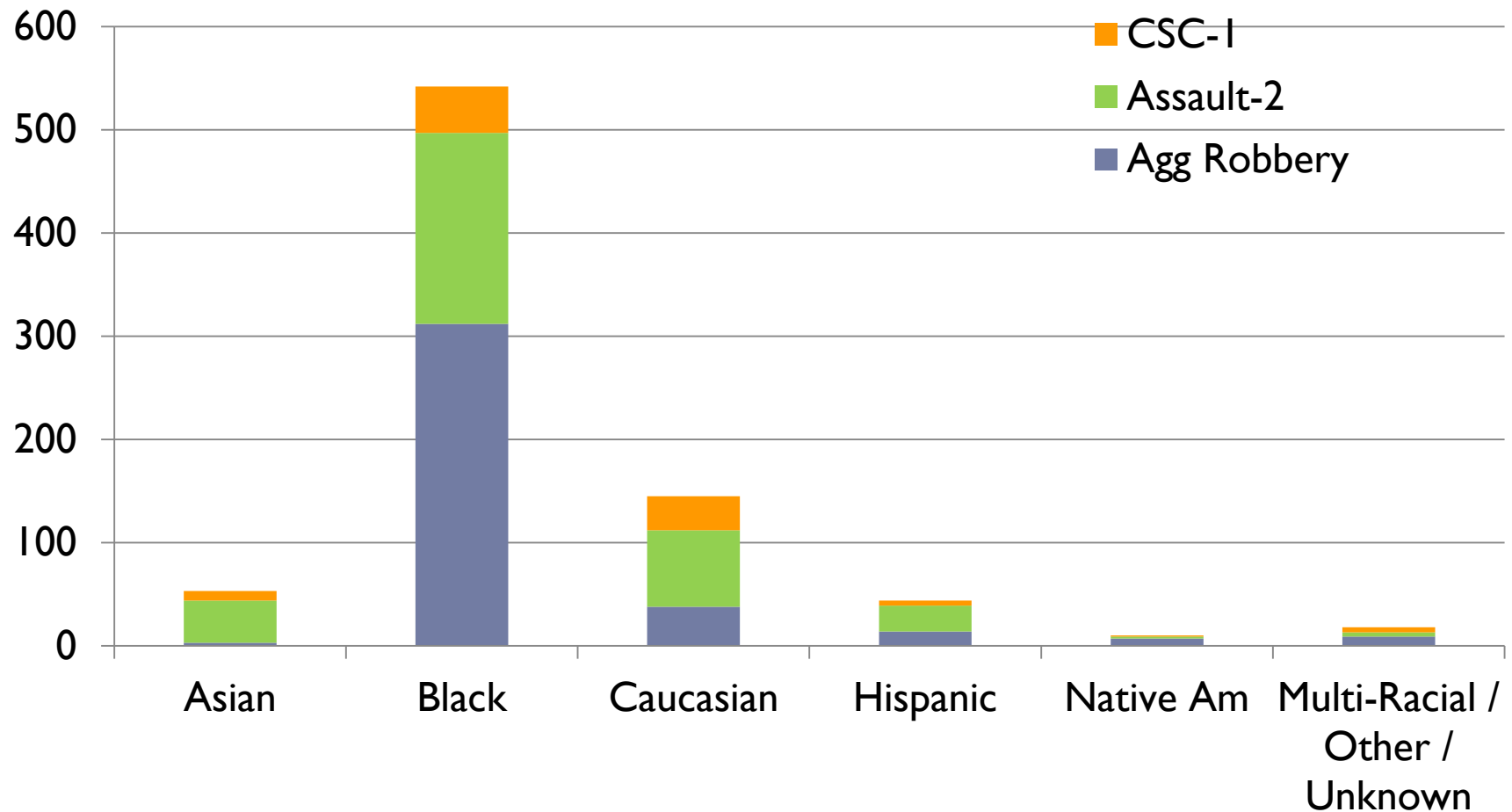
Offense	#	Offense	#
Aggravated Robbery	68	Assault-1	5
Assault-2	35	CSC-2	4
CSC-1	22	CSC-3	4
Felon in Possession	14	Murder-2	3
Simple Robbery	13	VOC SL-5 (Sale)	3
Drive by Shooting	8	Riot-3	2
Burglary-1	7	VOC SL-1	2
Assault-3	6	Others	9

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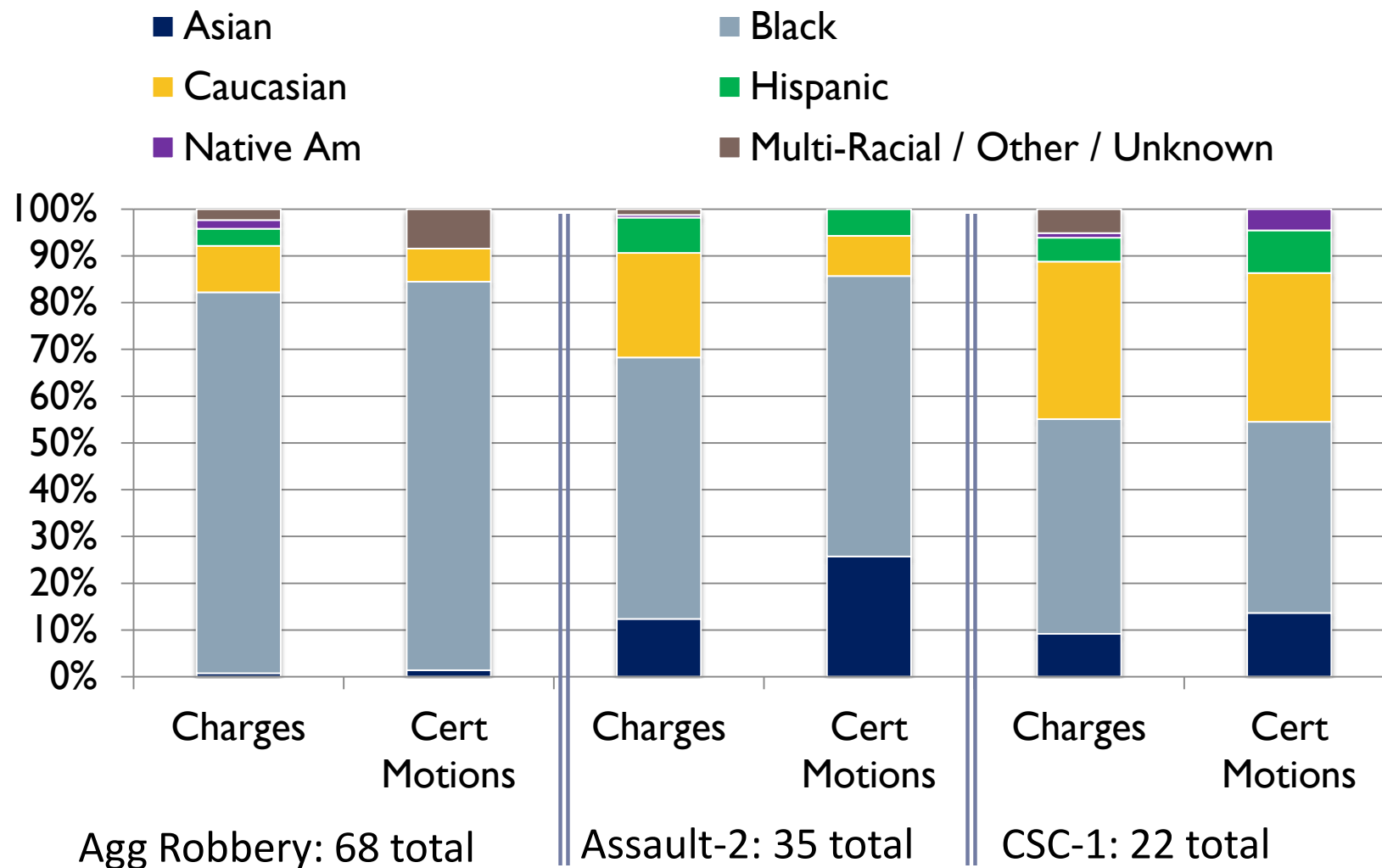
\* Violation of Controlled Substance Laws



# Total Cases Charged (Select Offenses Only) 2006 to 2011, by Race/Ethnicity



# Race/Ethnicity, 2006 to 2011, as % of Charges and Certification Motions (Select Offenses Only)



# Conclusion