

Pennsylvania Juvenile Justice Task Force Follow-Up Data Analyses

Data

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Takeaway:

- Following Contempt from MDJ (Non-Payment), the top offenses of incoming written allegations are Simple Assault (M), Possession of Drugs (M), Theft (M), Terroristic Threats (M), and Aggravated Assault (F)

Follow-Up Question:

- Among the top five offenses of incoming written allegations, what happens to cases by race and gender?

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For identical offenses, greatest disparity for Black and Hispanic males is placement; little disparity for pre-petition diversion

Court Response by Race and Gender of Top Offenses of Written Allegations: 2018 - Males Only															
	Simple Assault (M)			Possession of Drugs (M)			Theft (M)			Terroristic Threats (M)			Aggravated Assault (F)		
	% Written Allegations	% Pre-Petition Diversion	% Placement Dispositions	% Written Allegations	% Pre-Petition Diversion	% Placement Dispositions	% Written Allegations	% Pre-Petition Diversion	% Placement Dispositions	% Written Allegations	% Pre-Petition Diversion	% Placement Dispositions	% Written Allegations	% Pre-Petition Diversion	% Placement Dispositions
Asian Non-Hispanic	0%	0%	0%	0%	0%	0%	0%	0%	0%	1%	1%	0%	0%	0%	0%
Black Non-Hispanic	23%	21%	33%	16%	17%	33%	33%	31%	41%	21%	21%	38%	35%	31%	46%
Hispanic	9%	6%	11%	11%	7%	15%	9%	7%	13%	8%	9%	8%	9%	7%	15%
Other Non-Hispanic	2%	2%	3%	3%	2%	6%	2%	2%	2%	3%	2%	2%	3%	3%	4%
White Non-Hispanic	29%	26%	26%	45%	49%	34%	35%	35%	32%	52%	47%	41%	18%	18%	19%

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Relative to written allegations, Black Non-Hispanic females make up greater shares of diversion by offense

Court Response by Race and Gender of Top Offenses of Written Allegations: 2018 - Females Only															
	Simple Assault (M)			Possession of Drugs (M)			Theft (M)			Terroristic Threats (M)			Aggravated Assault (F)		
	% Written Allegations	% Pre-Petition Diversion	% Placement Dispositions	% Written Allegations	% Pre-Petition Diversion	% Placement Dispositions	% Written Allegations	% Pre-Petition Diversion	% Placement Dispositions	% Written Allegations	% Pre-Petition Diversion	% Placement Dispositions	% Written Allegations	% Pre-Petition Diversion	% Placement Dispositions
Asian Non-Hispanic	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Black Non-Hispanic	19%	27%	13%	4%	4%	1%	7%	10%	6%	5%	5%	6%	22%	33%	9%
Hispanic	5%	5%	3%	2%	2%	1%	3%	4%	1%	1%	1%	1%	4%	6%	3%
Other Non-Hispanic	1%	1%	1%	0%	0%	0%	1%	1%	1%	0%	0%	0%	2%	1%	2%
White Non-Hispanic	12%	12%	11%	19%	18%	10%	10%	10%	4%	9%	14%	5%	7%	1%	3%

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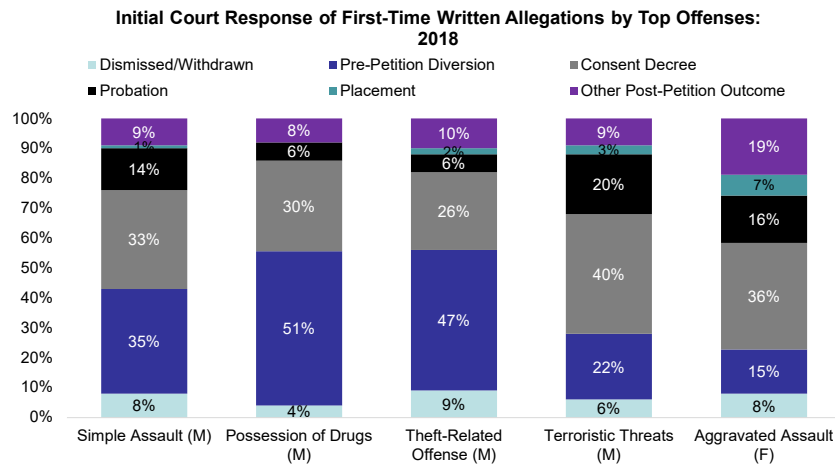
Takeaways:

- Pre-petition diversion up since 2009, but 57% of written allegations are petitioned without receiving it
- Top petitioned offenses are largely the same as top offenses leading to pre-petition diversion.

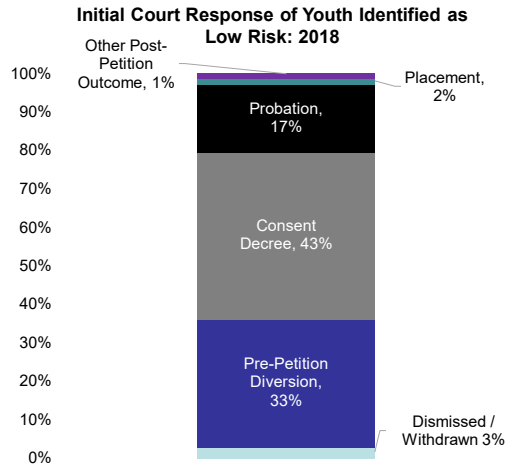
Follow-Up Question:

- For each top offense, what share of written allegations received diversion as an initial response?

Wide variation in initial response for first-time written allegations



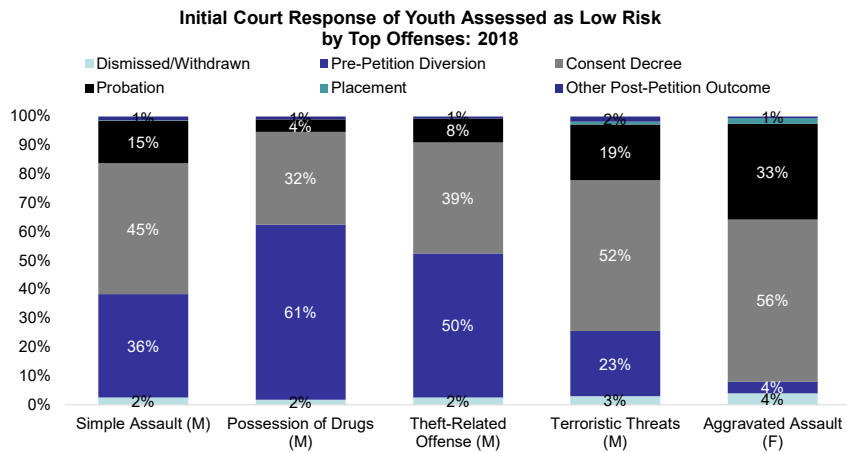
Only one-third of youth who score as low risk to reoffend received pre-petition diversion



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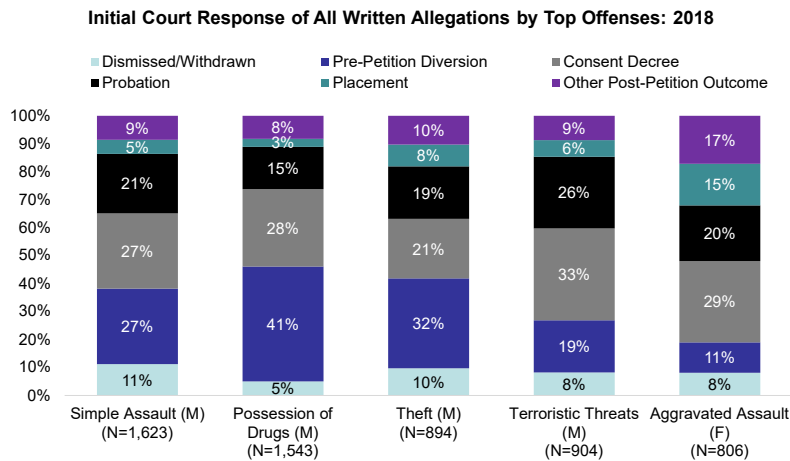
Wide divergence in initial court responses for identical offenses among youth assessed as low risk to reoffend



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Among the top offenses of incoming written allegations, most do not receive pre-petition diversion



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Takeaways:

- Relative to their statewide share of the youth population (aged 10-17) and written allegations, Black and Hispanic males account for larger proportion of adjudications

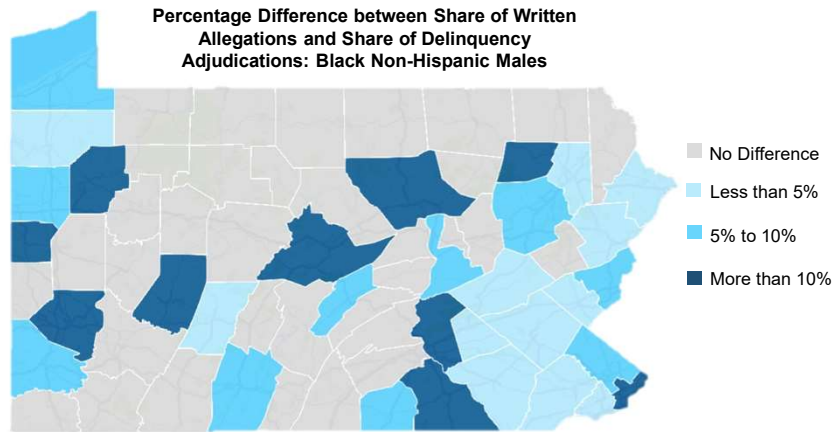
Follow-Up Question:

- Are these disparities occurring throughout the whole state or only certain counties?

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Throughout the state, Black Non-Hispanic males have larger share of adjudications relative to share of written allegations

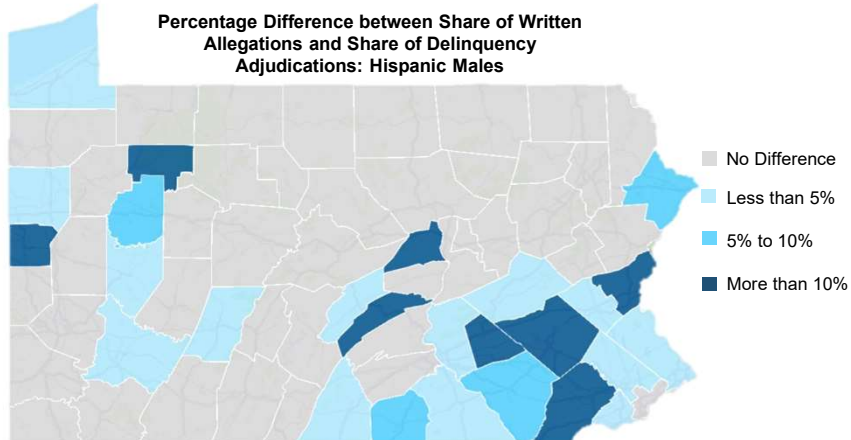


*Across the state, the relative percentage difference between Black males' share of written allegations and share of delinquency adjudications ranges from 0% to 44%.

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In many counties, Hispanic males account for larger shares of adjudications compared to share of allegations



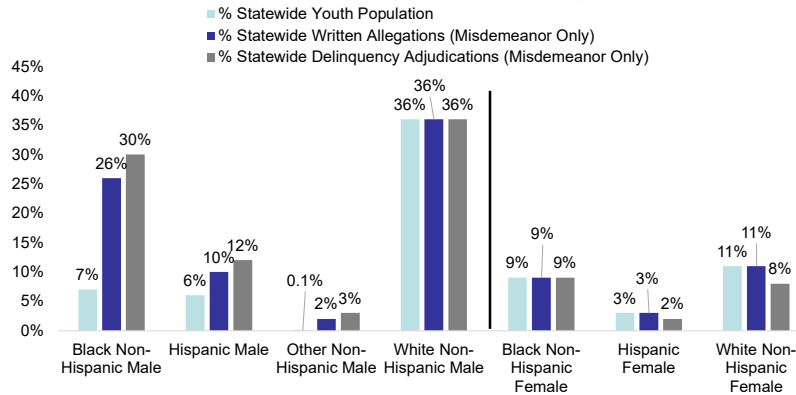
*Across the state, the relative percentage difference between Hispanic males' share of written allegations and share of delinquency adjudications ranges from 0% to 59%.

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Among misdemeanors, Black and Hispanic males make up larger share of adjudications than written allegations

Race and Gender of Misdemeanor Delinquency Adjudications Relative to Youth Population and Misdemeanor Written Allegations: 2018



*Asian Non-Hispanic youth and Other Non-Hispanic females are excluded from this analysis due to their small numbers. Pennsylvania youth population data were retrieved from the Centers for Disease Control and Prevention

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Takeaway:

- Youth age 13 and younger who go straight to probation and have no subsequent escalation in the case spend longest on probation, averaging 17 to 20 months in 2018

Follow-Up Question:

- Have these youth under the age of 13 who go straight to probation committed more serious offenses than other youth?
- Do they have more prior history of system involvement?

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The top offenses leading youth under 13 straight to probation are largely the same as those for all other youth

Rank	Top 10 Offenses (2018): Youth Under 13	% of Probation Dispositions for Youth Under 13	Top 10 Offenses (2018): Probation Disposition as Initial Response	% of Probation Dispositions as Initial Response
1	Simple Assault (M)	19%	Simple Assault (M)	18%
2	Terroristic Threats (M)	13%	Theft-Related* Offense (M)	9%
3	Disorderly Conduct (M)	10%	Terroristic Threats (M)	7%
4	Indecent Assault (M)	8%	Disorderly Conduct (M)	7%
5	Theft-Related* Offense (M)	8%	Possession of Drug Paraphernalia (M)	6%
6	Possession of Weapon on School Property (M)	5%	Possession of Drugs (M)	5%
7	Harassment/Stalking (M)	4%	Theft-Related* Offense (F)	4%
8	Aggravated Assault (F)	3%	Indecent Assault (M)	4%
9	Criminal Trespass (M)	3%	Possession of Weapon on School Property (M)	3%
10	Robbery (F)	3%	Robbery (F)	3%
	Total	76% (100%)	Total	65% (100%)

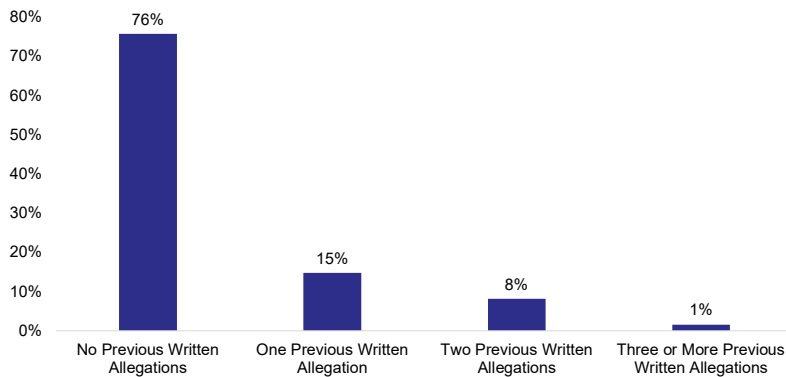
*A theft-related offense includes: theft, theft by unlawful taking, theft by deception, theft by receiving stolen property, and theft from a motor vehicle

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More than 75% of youth ages ten to twelve who went straight to probation had no previous written allegations

History of Previous Written Allegations for Youth Under 13 Who Went Straight to Probation: 2018

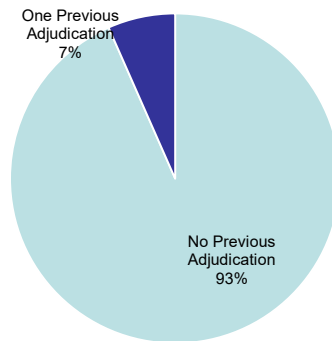


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More than 90% of youth aged ten to twelve who went straight to probation had no previous delinquency adjudications

History of Previous Adjudications of Delinquency
for Youth Under 13 Who Went Straight to
Probation: 2018



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Takeaway:

- Nearly 75% of youth with placement dispositions had no prior delinquency adjudications

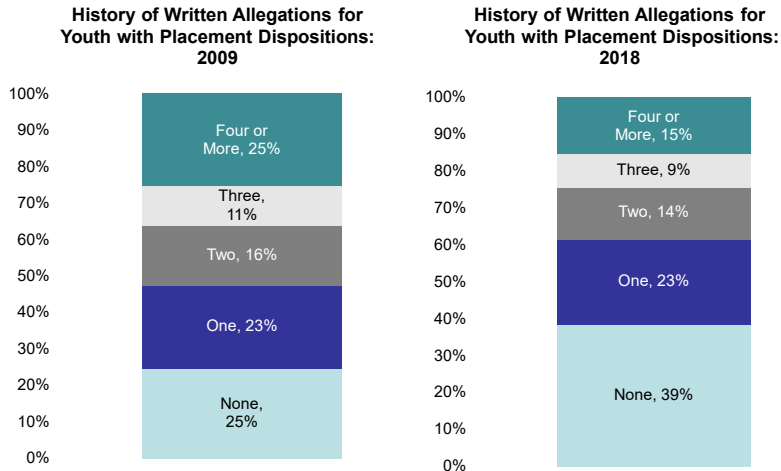
Follow-Up Question:

- What percentage of youth with placement dispositions had prior written allegations?
- How does this compare to ten years ago?

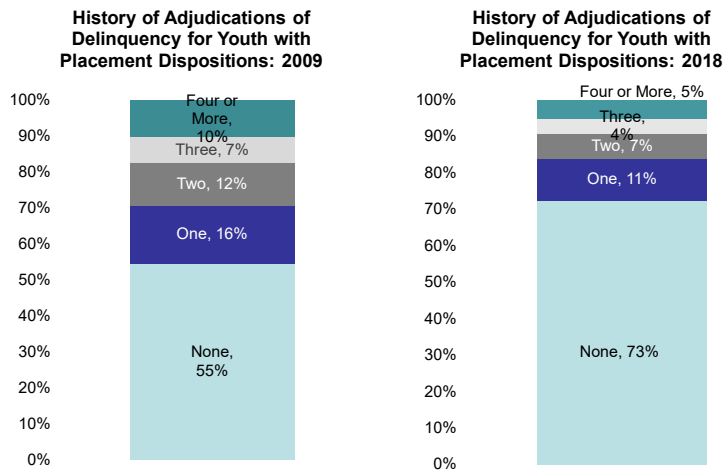
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Nearly 40% of youth with a placement disposition have no prior written allegations, up from 25% in 2009; 23% have one



73% of youth with placement dispositions have no prior delinquency adjudications, up from 55%; 11% have one



Takeaway:

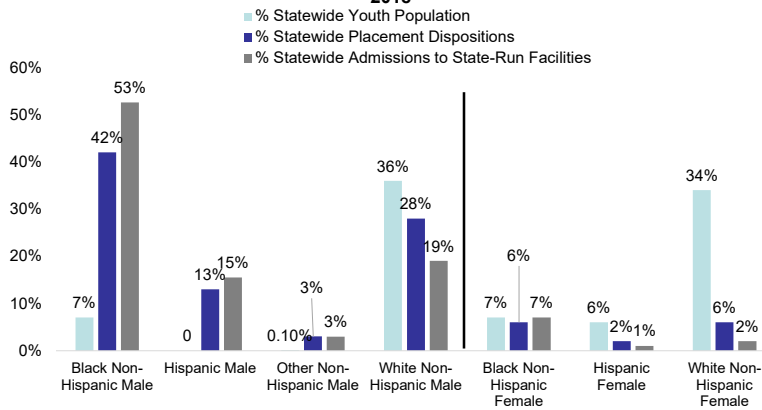
- Black Non-Hispanic males make up 7% of youth population, but 28% of allegations and 42% of placement dispositions

Follow-Up Question:

- Does this disproportionality hold by race and gender for state-run facilities?

Black Non-Hispanic males account for disproportionate shares of admissions to state-run residential facilities

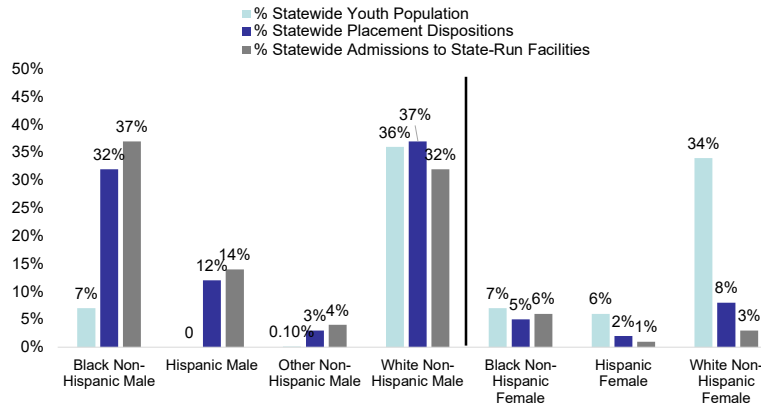
Race and Gender* of Statewide Admissions to State-Run Residential Facilities Relative to Statewide Placement Dispositions: 2018



*Pennsylvania youth population data were retrieved from the Centers for Disease Control and Prevention; Asian Non-Hispanic youth and Other Non-Hispanic females are excluded from this analysis due to their small numbers.

Excluding Philadelphia, Black Non-Hispanic males still account for disproportionate shares of admissions to state-run residential facilities

Race and Gender* of Statewide Admissions to State-Run Residential Facilities Relative to Statewide Placement Dispositions – Philadelphia Excluded: 2018



*Pennsylvania youth population data were retrieved from the Centers for Disease Control and Prevention; Asian Non-Hispanic youth and Other Non-Hispanic females are excluded from this analysis due to their small numbers.

Takeaway:

- 54% of youth with placement disposition score moderate risk to reoffend, and 14% are assessed as low risk

Follow-Up Question:

- Have the 14% of youth with placement dispositions who were assessed as low risk committed more serious offenses than youth who score as moderate, high, or very high risk?
- Is there variation by county in removing from home youth who have scores as low risk?

Youth assessed as low risk are placed for largely the same offenses as all youth receiving placement dispositions

Top 10 Offenses of Youth Identified as Low Risk with Placement Dispositions: 2018			Top 10 Offenses of All Youth with Placement Dispositions: 2018	
Rank	Top 10 Offenses (2018): Youth Assessed as Low Risk with Placement Dispositions	% of Youth Assessed as Low Risk	Top 10 Offenses (2018): All Youth with Placement Dispositions	% of All Youth with Placement Dispositions
1	Robbery (F)	12%	Simple Assault (M)	12%
2	Theft-Related* Offense (M)	8%	Theft-Related* Offense (M)	9%
3	Indecent Assault (M)	6%	Robbery (F)	9%
4	Simple Assault (M)	6%	Theft-Related* Offense (F)	7%
5	Possession of Drugs (M)	5%	Possession of Drugs (M)	5%
6	Terroristic Threats (M)	5%	Terroristic Threats (M)	4%
7	Theft-Related Offense (F)	5%	Possession with Intent to Deliver Drugs (F)	4%
8	Aggravated Assault (F)	4%	Aggravated Assault (F)	4%
9	Firearm-Related Offense (M)	4%	Disorderly Conduct (M)	3%
10	Unauthorized Use of Motor Vehicle (M)	4%	Possession of Drug Paraphernalia (M)	3%
	Total	58% (100%)	Total	60% (100%)

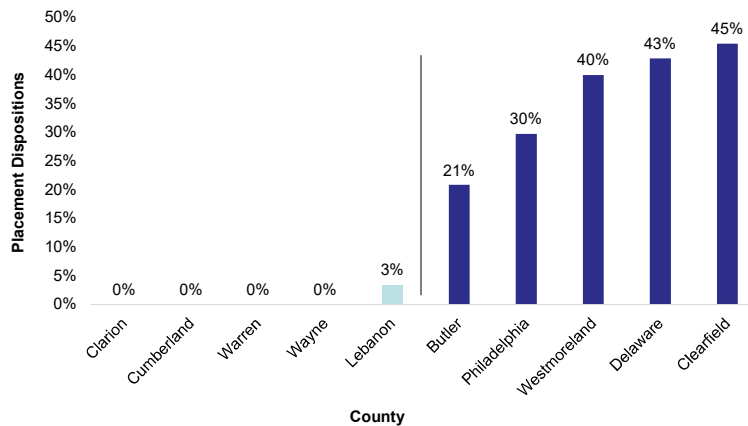
*A theft-related offense includes: theft, theft by unlawful taking, theft by deception, theft by receiving stolen property, and theft from a motor vehicle

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In some counties, nearly half of placement dispositions are for youth identified as low risk

Counties with the Smallest and Largest Percentage of Placement Dispositions for Youth Identified as Low Risk*



*Counties with less than 10 placement dispositions or less than 10 YLS assessments for placement dispositions were excluded from this analysis.

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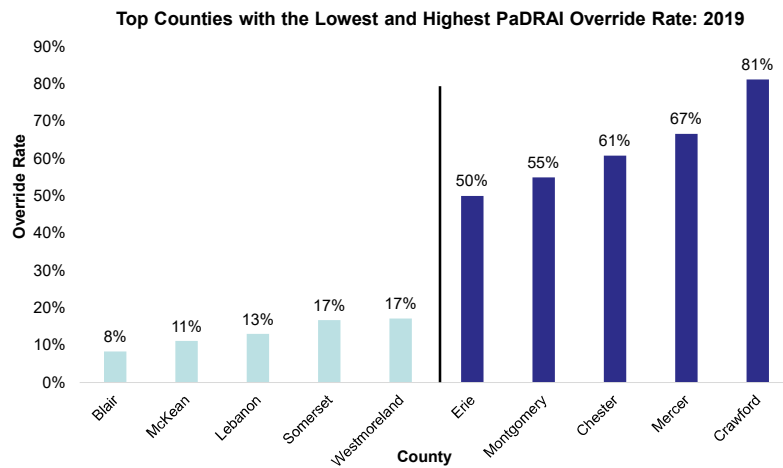
Takeaway:

- Among detained youth assessed by the PaDRAI, the tool indicated more than 40% could be released or referred to an alternative to detention

Follow-Up Question:

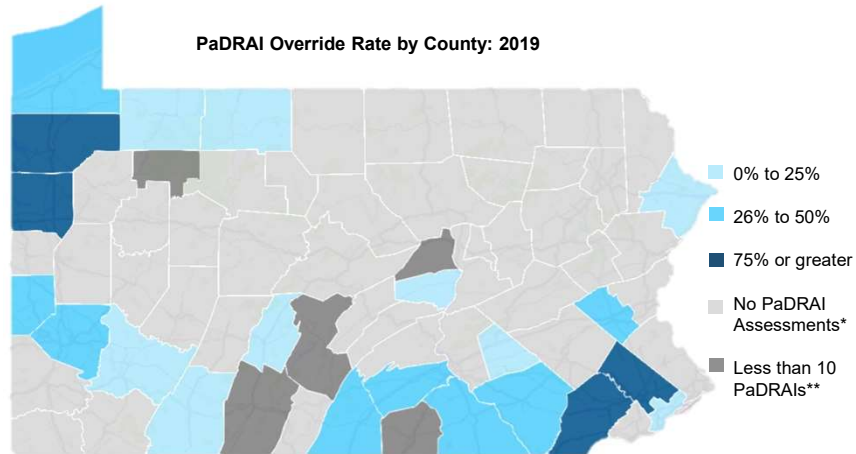
- What are the rates of overriding the PaDRAI in each county that uses it?

Wide variation in override rates by county; in some counties, the PaDRAI is overridden in the vast majority of cases



*Counties with less than 10 detention admission or less than 10 PaDRAI assessments were excluded from this analysis.

Wide variation by county in whether PaDRAI is overridden



*No detention admissions in 2019 or no PaDRAI assessments available for youth detained in 2019
**Less than 10 PaDRAI assessments available for youth detained in 2019

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Takeaway:

- Among youth assessed financial obligations, costs/fees are the most frequently imposed

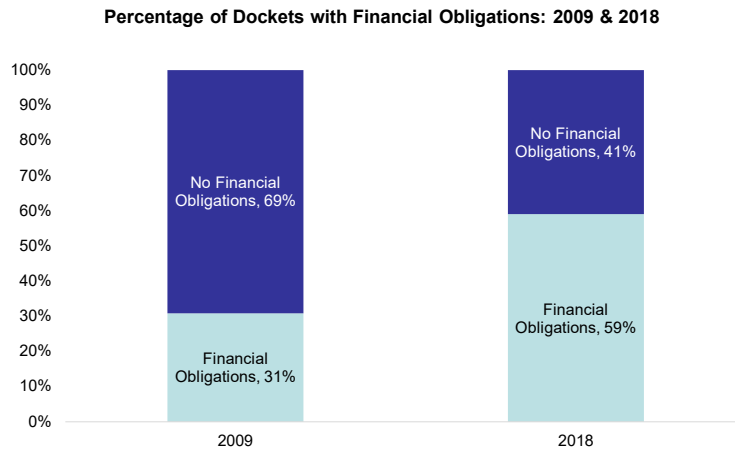
Follow-Up Question:

- What percentage of cases are assessed a financial obligation?

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Share of cases assessed financial obligations has almost doubled in the last 10 years to just under 60%



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Takeaway:

- Theft, possession with intent to deliver drugs are most common offenses among youth transferred to criminal court

Follow-Up Question:

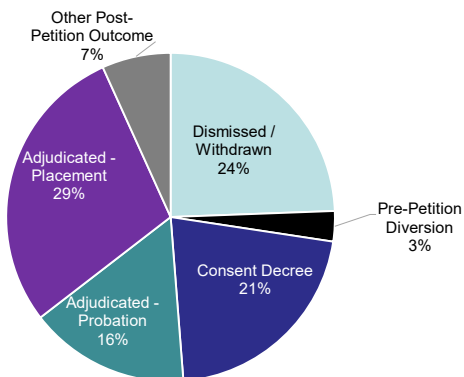
- What are the outcomes of youth who are prosecuted as adults compared to youth who are charged in juvenile court for the same offense?

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37% of robbery cases eligible for transfer to criminal court but kept in juvenile court receive probation or consent decree

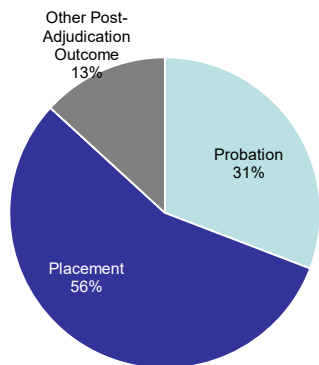
Outcomes of All Transfer-Eligible Robbery Cases in Juvenile Court: 2009- 2018



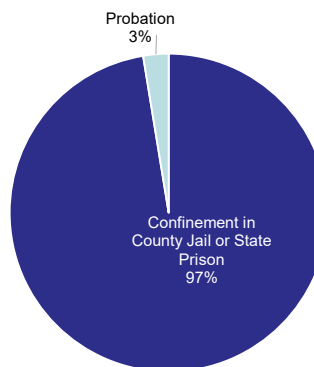
*The category of Other Post-Petition Outcome includes: Transferred to Another Juvenile Court; Continuance of Previous Disposition; Accepted Courtesy Supervision; Fines and Costs Only

Nearly all youth transferred to criminal court and convicted for robbery are sentenced to jail or prison; slightly more than half of youth adjudicated for robbery are placed

Outcome of Transfer-Eligible Robbery Cases Adjudicated in Juvenile Court: 2009 - 2018



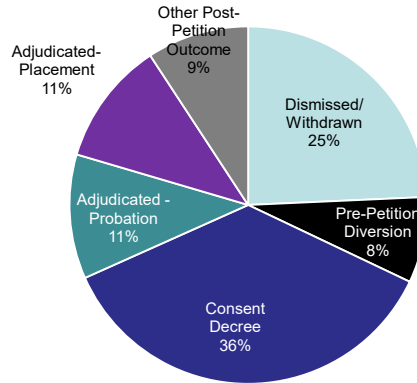
Outcome in Criminal Court of Convicted Robbery Cases: 2018



*The category of Other Post-Adjudication Outcome includes: Transferred to Another Juvenile Court; Continuance of Previous Disposition; Accepted Courtesy Supervision; Fines and Costs Only

47% of aggravated assault cases eligible for criminal court but kept in juvenile court receive probation, consent decree

Outcome of All Transfer-Eligible Aggravated Assault Cases in Juvenile Court: 2009 - 2018



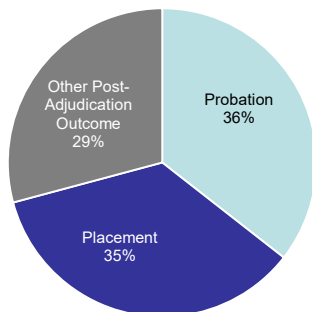
*The category of Other Post-Petition Outcome includes: Transferred to Another Juvenile Court; Continuance of Previous Disposition; Accepted Courtesy Supervision; Fines and Costs Only

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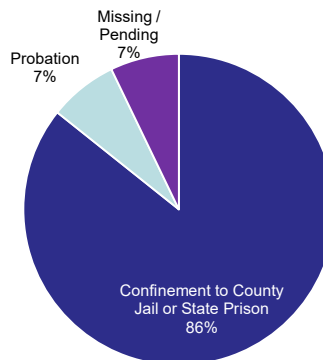
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Nearly all youth transferred to criminal court and convicted for aggravated assault are sentenced to jail or prison

Outcome of Transfer-Eligible Adjudicated Aggravated Assault Cases: 2009 - 2018



Outcome in Criminal Court of Convicted Aggravated Assault Cases: 2018



*The category of Other Post-Adjudication Outcome includes: Transferred to Another Juvenile Court; Continuance of Previous Disposition; Accepted Courtesy Supervision; Fines and Costs Only

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Takeaway:

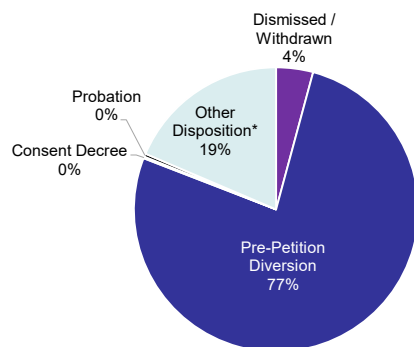
- A quarter of counties reported no written allegations to juvenile court for Contempt from MDJ (Non-Payment)

Follow-Up Question:

- What are the outcomes for youth whose cases are referred to juvenile court for Contempt from MDJ (Non-Payment), disaggregated by race, including referrals to diversion and final disposition of each case

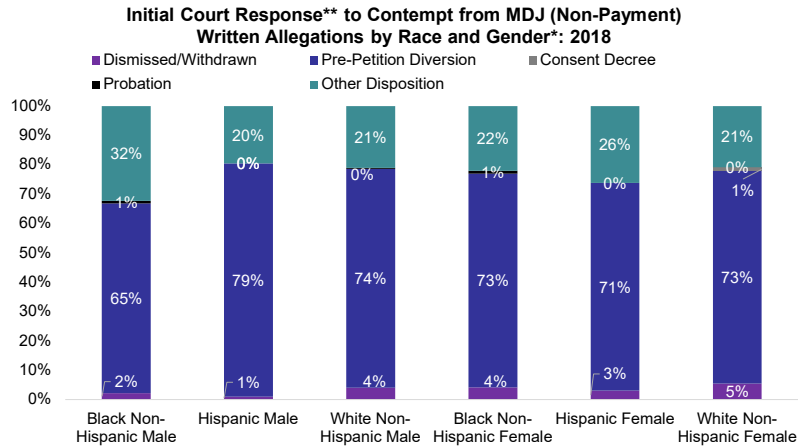
Over 75% of youth with Contempt from MDJ (Non-Payment) receive pre-petition diversion

Initial Court Response to Contempt from MDJ (Non-Payment) Written Allegations: 2018



*The following categories comprise the Other Disposition outcome: Continuance of previous disposition; Disposition Pending; Fines/Costs Ordered by the Court; Judgement Filed/Case Closed; Transfer to another Juvenile Court.

Little variation by race and gender of initial court response to Contempt from MDJ (Non-Payment) written allegations



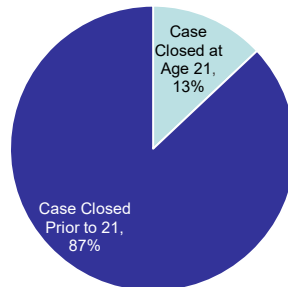
*Due to their small numbers, Asian Non-Hispanic and Other Non-Hispanic youth are excluded from this analysis
 **These figures represent youth who were under juvenile court supervision for Contempt from MDJ (Non-Payment) charges only.

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13% of youth with Contempt from MDJ (Non-Payment) remain under juvenile court supervision until aging out at 21

Age at Time of Case Closure for Youth with Contempt from MDJ (Non-Payment) Written Allegations*: 2018



Average Length of Time Under Supervision: 14 months
Median Length of Time Under Supervision: 4.5 Months

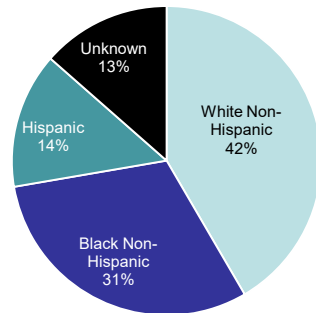
*These figures represent youth who were under juvenile court supervision for Contempt from MDJ (Non-Payment) charges only and whose case closed in 2018.

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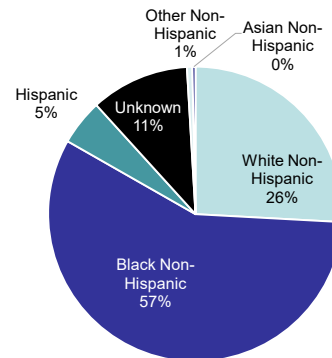
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Black youth were most likely to remain under juvenile court supervision until age 21 for Contempt from MDJ (Non-Payment)

Race and Ethnicity of All Youth with Contempt from MDJ (Non-Payment) Cases Closed: 2018



Race and Ethnicity of Youth with Contempt from MDJ (Non-Payment) Allegations Who Remained Under Juvenile Court Supervision Until 21 *: 2018



*These figures represent youth who were under juvenile court supervision for Contempt from MDJ (Non-Payment) charges only and whose case closed in 2018. 41

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Takeaway:

- Contempt from MDJ (Non-Payment) make up largest share of new written allegations

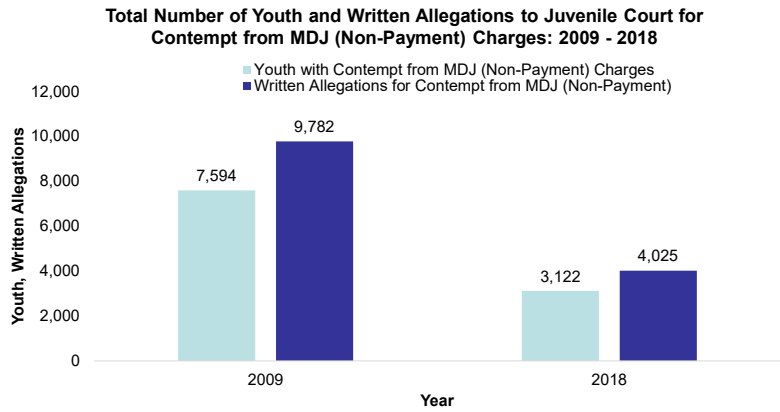
Follow-Up Question:

- How does the practice of referring youth to juvenile court by Magisterial District Judges for failure to pay fees and fines vary by county?

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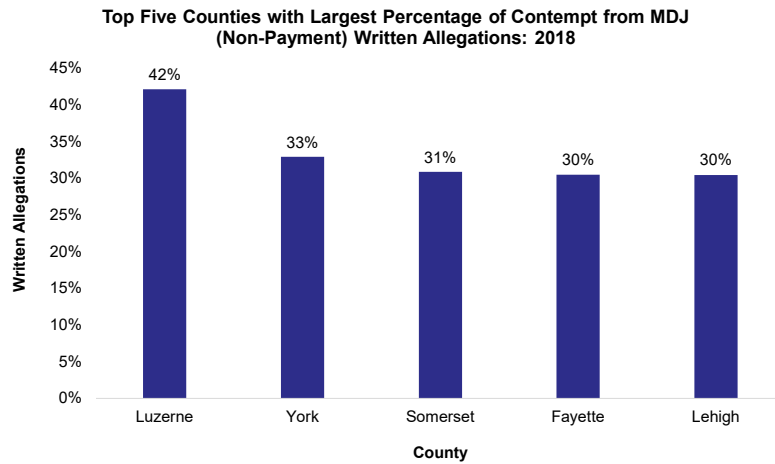
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The number of youth with Contempt from MDJ (Non-Payment) charges is down 59%, same as written allegations

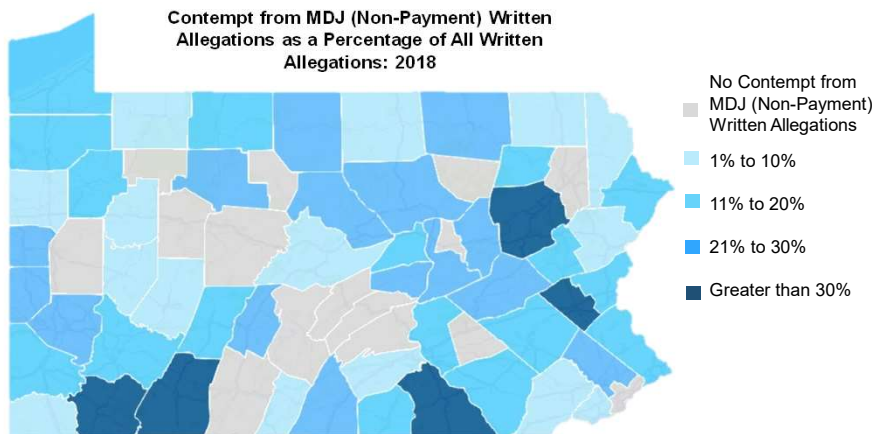


Between 2009 and 2018, 40,475 youth received 61,670 referrals to juvenile court Contempt from MDJ (Non-Payment).

In some counties, more than one third of incoming written allegations are for Contempt from MDJ (Non-Payment)



Fifteen counties had no Contempt from MDJ (Non-Payment) written allegations in 2018



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Takeaway:

- As of 2018, youth filings for adult prosecution that are not decertified have decreased 56% over the last decade

Follow-Up Question:

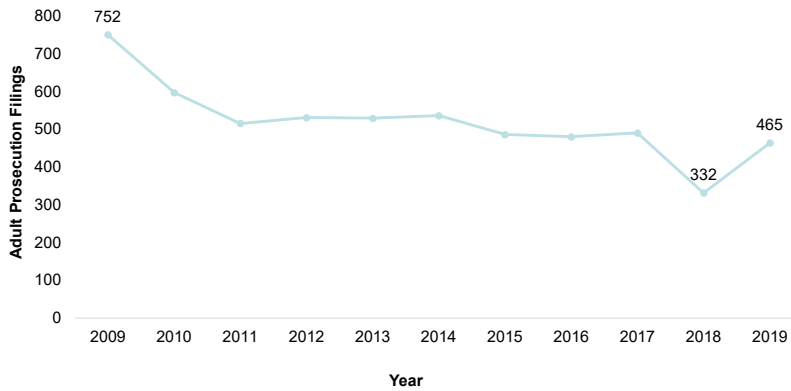
- Did trends in adult prosecution filings and breakdowns by race and offense change when examining updated 2019 data?

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Youth filings for adult prosecution that are not decertified decreased 56% between 2009 and 2018, before increasing 40% in 2019

Adult Prosecution Filings*: 2009 - 2019

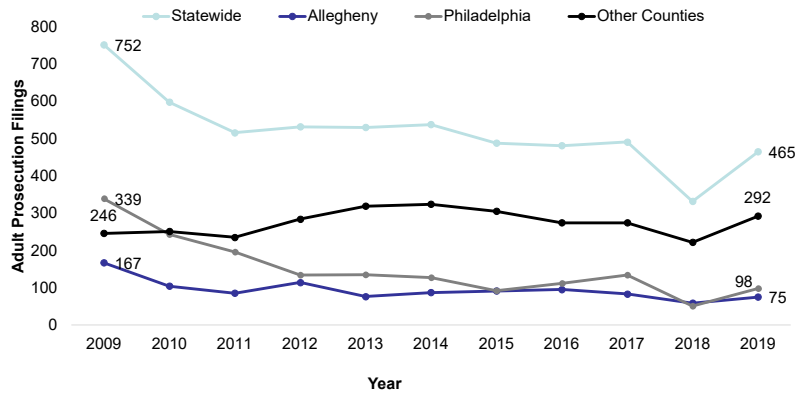


*Figures represent the total number of transfer dispositions that occurred in Pennsylvania Juvenile Courts and the number of statutory exclusion cases filed with Pennsylvania Minor Courts. Any cases that were decertified are omitted from these figures. 47

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Philadelphia County, Allegheny County are driving decreases in filings for adult prosecution; other counties up since 2009

Adult Prosecution Filings* by County: 2009 - 2019

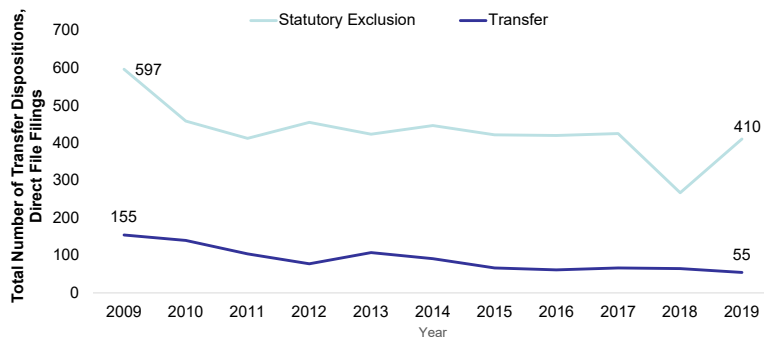


*Figures represent the total number of transfer dispositions that occurred in Pennsylvania Juvenile Courts and the number of statutory exclusion cases filed with Pennsylvania Minor Courts. Any cases that were decertified are omitted from these figures. 48

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Youth are more likely to come under criminal court jurisdiction due to statutory exclusion than transfer

Total Number of Transfers to Criminal Court Dispositions* and Statutory Exclusion Filings to Magisterial Courts and Philadelphia Municipal Court: 2009-2019**



*Figures represent the total number of transfer dispositions that occurred in Pennsylvania Juvenile Courts.

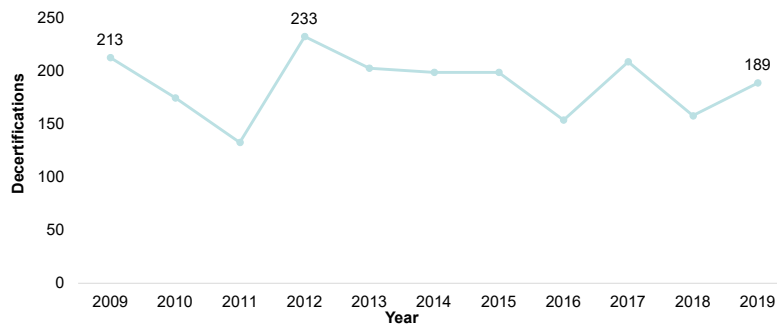
**Figures represent the number of statutory exclusion cases filed with Pennsylvania Minor Courts. Decertified cases are omitted from these figures.

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189 youth cases were decertified and sent from adult court to juvenile court for prosecution in 2019

Total Number of Decertifications to Juvenile Court by Year: 2009-2019

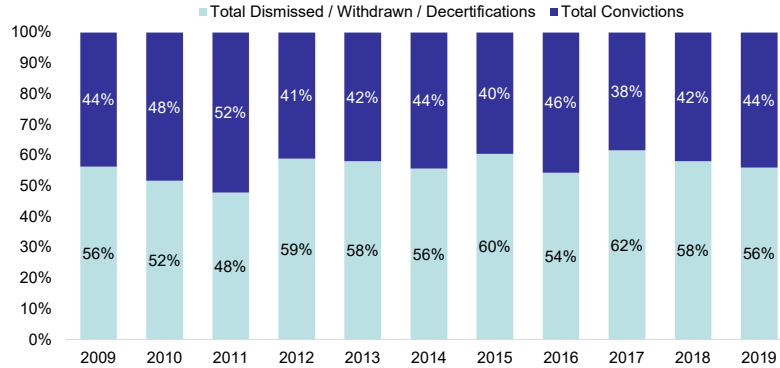


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Among cases where adult prosecution is pursued, nearly 60% get dismissed/withdrawn or end up in juvenile court

Outcome of Adult Prosecution Proceedings for Transfer and Statutory Exclusion Cases* : 2009- 2019



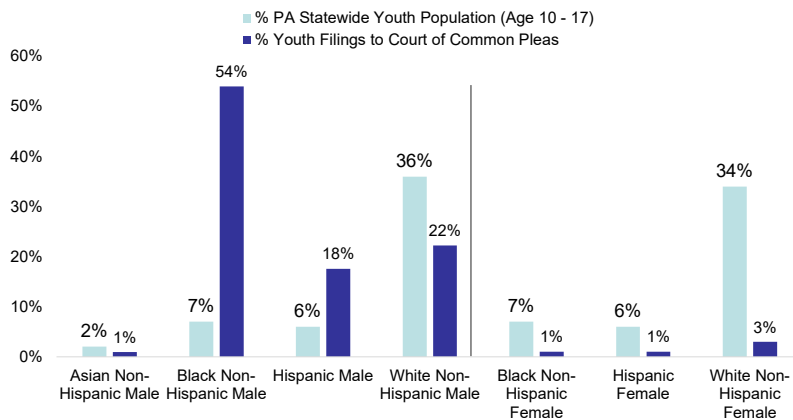
*Includes youth who had a transfer to criminal court hearing but ultimately remained in juvenile court and youth who had filings in the Minor Courts or the Court of Common Pleas that were ultimately dismissed or withdrawn.

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Despite accounting for 7% of the state's population, Black Non-Hispanic males account for 54% of adult prosecutions

Race and Gender* of Adult Prosecution Filings: 2019



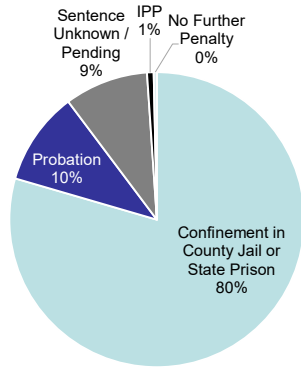
*Figures represent the number of statutory exclusion cases filed with Pennsylvania Court of Common Pleas and the number of transfer dispositions that occurred in Juvenile Court. Asian Non-Hispanic females and Other Non-Hispanic youth have been excluded from this analysis due to their small numbers. These disparities remain among cases that are convicted.

52

52

Approximately 80% of youth convicted in criminal court are sentenced to time in a county jail or state prison

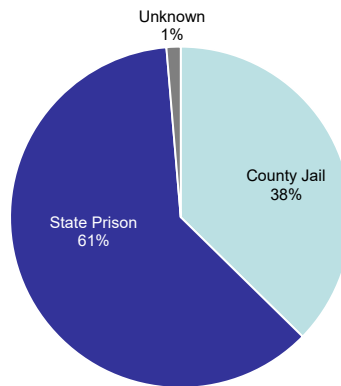
Sentences of Youth Convicted in Criminal Court: 2019



Average Minimum Confinement Sentence: 28 months

Approximately 60% of youth confinement sentences are at a state prison

Confinement Sentences of Youth Convicted in Criminal Court: 2019



Felony theft is most common offenses among youth transferred to criminal court

At least 75% of cases considered for transfer are transferred to criminal court.

Rank	Top 5 Offenses (2019): Transfer Filings	% of Transfer Filings	Top 5 Offenses (2019): Transfer Dispositions	% of Transfer Dispositions
1	Theft-Related*Offense	21%	Theft-Related* Offense	25%
2	Aggravated Assault	15%	Aggravated Assault	15%
3	Firearm-Related** Offense	15%	Firearm-Related** Offense	15%
4	Robbery	12%	Robbery	9%
5	Burglary	8%	Burglary	7%
	Total	71% (100%)	Total	71% (100%)

*A theft-related offense includes: theft, theft by unlawful taking, theft by deception, theft by receiving stolen property, and theft from a motor vehicle. **A firearm-related offense includes unlawful possession of a firearm, unlawful use of a firearm, carrying a firearm without a license, and possession of firearm by minor.