

DCJS

DIVISION OF CRIMINAL JUSTICE SERVICES

Criminal Justice Statistical Analysis Center
Department of Military Affairs and Public Safety
State of West Virginia

2000 WV JUVENILE CORRECTIONS ANNUAL REPORT

FEBRUARY 2002

Division of Juvenile Services

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The Division of Juvenile Services (DJS) under the Department of Military Affairs & Public Safety is responsible for operating and maintaining juvenile detention centers and juvenile correctional facilities in West Virginia.

Juvenile Correctional Facilities

The **WV Industrial Home for Youth (WVIHY)** is located at Industrial in Harrison County. Alvin Ross is the current Superintendent of Salem; however, Paul Leeper was Superintendent until December 2000.

WVIHY is a maximum-security juvenile facility for regular commitments. Residents include both male and female adjudicated delinquent juveniles ages 10-21.

WVIHY has a 30-day diagnostic unit that provides psychological, medical, and educational evaluations. WVIHY's 30-day diagnostic unit evaluated approximately 285 juveniles in 2000, according to Case Manger Jackie Valentine. **The statistics in the remainder of this report do not include juveniles admitted to WVIHY's Diagnostic Unit.**

WVIHY currently has a 246-bed capacity. Until December 2000, however, WVIHY had a 124-bed capacity.

The **Davis Center (Davis)** is located in Tucker County near Blackwater Falls State Park. Ruben Pena is currently the Superintendent. He held this position in 2000, also.

Davis is a minimum-security juvenile facility for adjudicated delinquent males ages 10-21. Davis has a 60-bed capacity.

Juveniles committed to juvenile correctional facilities are first received in the admissions and orientation unit at WVIHY for appropriate placement. Some male juveniles are transferred to Davis based on criteria including good behavior and response to programming.

In 2000, less than one-tenth of one percent (0.09%) of juveniles ages 10-17 were committed to West Virginia juvenile correctional facilities.

Upon adjudication, the court can commit a juvenile to the custody of the director of the Division of Juvenile Services (DJS) for placement in a juvenile correctional facility. WV's two facilities are WV Industrial Home for Youth (WVIHY) and the Davis Center.

171 juveniles were committed to WVIHY in 2000. These juveniles ranged from 13 to 19 years-old and were mostly white males. 16.4% of the commitments were non-white, while the state's juvenile population is only 5.8% non-white.

Nearly half (47.4%) of the juveniles were committed as a result of a probation violation.

Slightly less than half (47.4%) of the juveniles committed in 2000 were

charged with having committed more than one offense.

For the second consecutive year, assault/battery and burglary were the two most common offenses charged, comprising more than one-third (37.4%) of the offenses charged to juveniles committed in 2000.

168 juveniles were released from juvenile correctional facilities in 2000. The average sentence served by these juveniles was almost ten months.

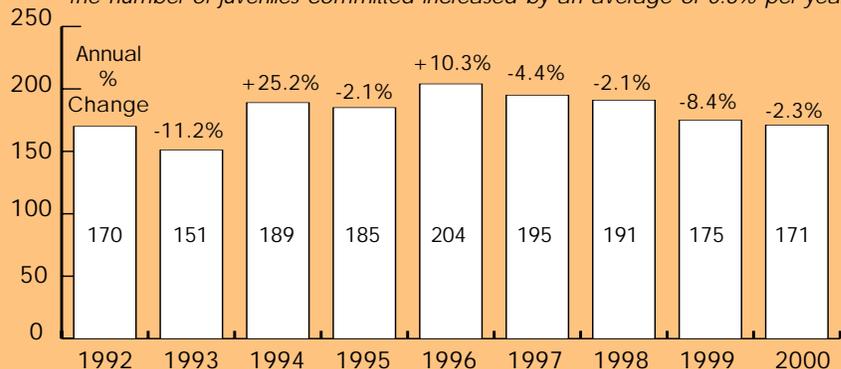
69.6% of the releases were juveniles committed prior to 2000. Only 30.4% of the juveniles released in 2000 were committed the same year.

This report presents statistics on juveniles committed and released from WV juvenile correctional facilities in 2000 based on monthly population reports generated by staff from WVIHY and Davis.

Juveniles Committed to WV Juvenile Corrections 1992-2000

Graph 1

The number of juveniles committed increased by an average of 0.6% per year



Note: This graph represents the total number of new individual juvenile commitments to WV juvenile correctional facilities. The numbers do not reflect juveniles who were subsequently returned to WVIHY from Davis within the same year.

Commitments

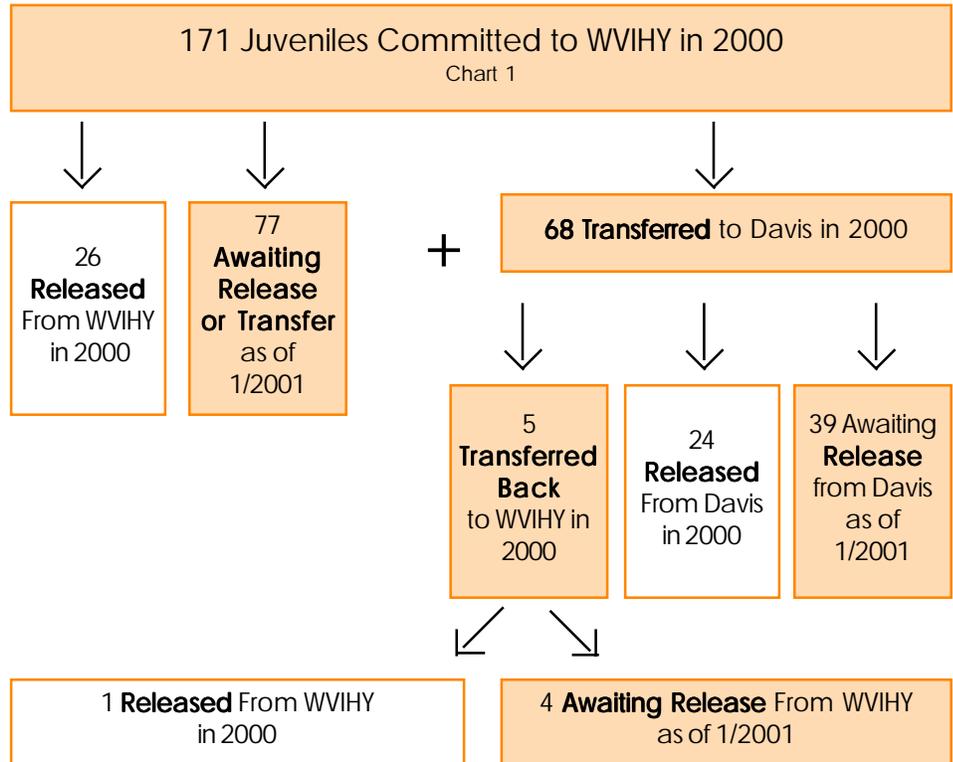
In 2000, 171 juveniles were committed to WVIHY (See Chart 1). There were, however, 173 total commitments to WVIHY in 2000. Two juveniles were committed in early 2000, released, then re-committed upon commission of new offense(s).

15.2% of the juveniles committed to WVIHY were released directly from WVIHY without transfer to Davis within the year. 45.0% were awaiting release from WVIHY or transfer to Davis as of January 2001. More than one-third (39.8%) of the juveniles committed to WVIHY in 2000 were transferred to Davis in 2000.

35.3% of the Davis transfers were released from Davis within the year, and 57.4% were awaiting release as of January 2001. 7.4% were transferred back to WVIHY because of non-compliance.

20.0% of the juveniles returned to WVIHY from Davis were released in 2000, and 80.0% were awaiting release from WVIHY as of January 2001.

Overall, 70.2% of the juveniles committed in 2000 were awaiting release from either WVIHY or Davis as of January 2001.



Releases

A total of 168 juveniles were released from WVIHY and Davis in 2000.

30.4% were juveniles who had been committed in 2000 (See Graph 2). However, more than half (58.3%) were juveniles who had been committed in 1999. 10.7% had been committed in 1998, and 0.6% (1 juvenile) had been committed in 1997. This juvenile was first committed to WVIHY in 1997 for

a serious, non-fatal person offense, transferred to Davis, transferred back to WVIHY due to non-compliance, and released from WVIHY in 2000.

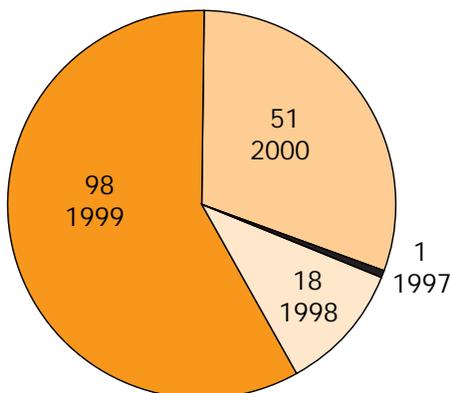
Of those juveniles released from WVIHY and Davis in 2000, 21.4% were released to a parent or relative. 13.7% were released to either a court or probation officer. 7.1% were released to law enforcement. 1.2% were released to jail and 1.2% were released to juvenile detention facilities. The person(s) or agency to whom the juvenile was released was missing from the monthly population reports for most (55.4%) juveniles released in 2000.

Length of Stay

Of the juveniles released from WVIHY and Davis in 2000, the average length of stay was 9.9 months (See Graph 3). This is over two months longer than the average time served by juveniles released from 1992 to 1999 (7.3 months).

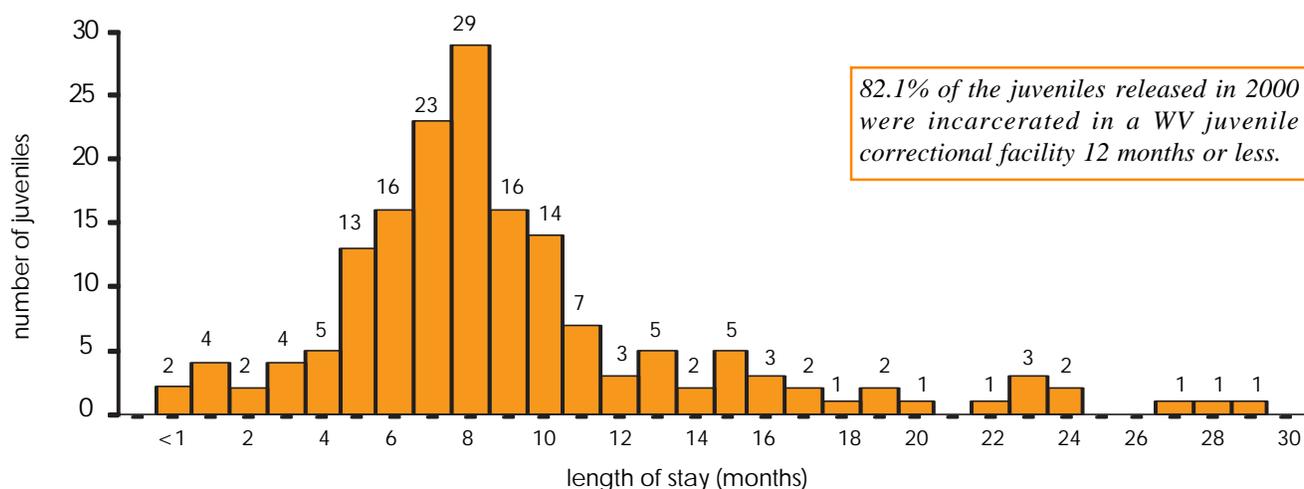
Juveniles Released in 2000 by Commitment Year

Graph 2



Length of Stay of Juveniles Released in 2000

Graph 3



Note: This graph represents the total length of stay in WV juvenile correctional facilities of those released in 2000.

According to the Census of Juveniles in Residential Placement cited in *Juvenile Offenders and Victims: 1999 National Report*, the average length of stay for juveniles committed to public facilities nationwide was 6.3 months.

In WV, the average length of stay for white males was 9.5 months, for black males 13.0 months. The average length of stay for males of races other than white or black was 11.4 months. White females released in 2000 were in juvenile corrections for an average of 7.8 months, while black females' average length of stay was 6.0 months. No females of a race other than white or black were released in 2000.

It is important to note that females adjudicated delinquent and ordered to a WV juvenile correctional facility can only be housed at WVIHY. Male juveniles who have committed relatively minor offenses can be transferred to Davis from WVIHY.

Juveniles transferred to Davis were in WVIHY prior to their transfers for an average of 3.9 months. More than one-third (39.8%) were in WVIHY for

less than two months prior to transfer to Davis.

Juveniles who were released from Davis in 2000 stayed an average of 7.9 months in Davis. Nearly one-third (31.8%) stayed less than six months, and 90.6% stayed a year or less.

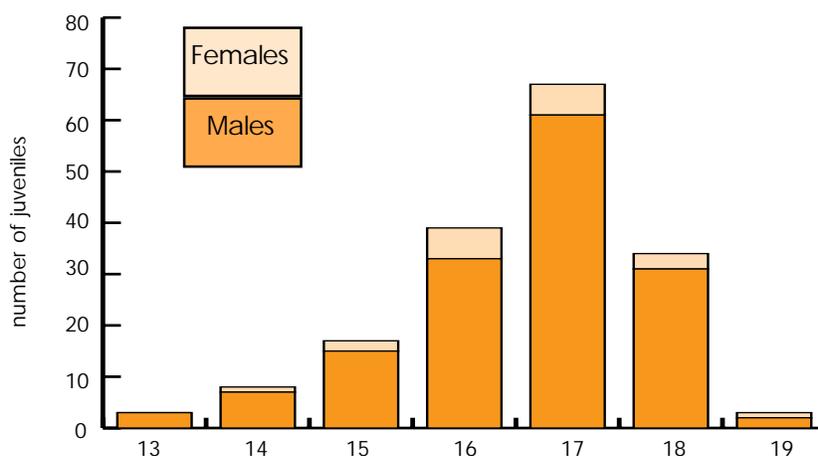
Of the juveniles released in 2000 who were never transferred to Davis, the average length of stay in WVIHY was 10.1 months. More than one-third (35.9%) stayed less than 7 months and almost three-fourths (73.1%) stayed less than a year.

Age

Juveniles committed to WVIHY in 2000 ranged in age from 13 to 19 years-old (See Graph 4). Only 6.4% were under age 15. 9.9% of the juveniles were 15 years-old. 22.8% were 16 and 39.2% were 17. The average age was 16.6 years-old, although 17 year-olds were the most frequently committed age group. 18 and 19 year-olds comprised 21.6% of the juveniles committed in 2000. These juveniles had either committed their offense(s) prior to

Age of Juveniles Committed by Gender in 2000

Graph 4



reaching 18 years-old or they violated probation for offense(s) they committed before age 18.

The average age of both females and males committed to WVIHY in 2000 was 16.6 years-old. In 1999 WVIHY commitments, females were an average of six months younger than males.

Nationally, 24% of all juveniles in public residential placement were 16 years-old. 22% were 17 years-old. Only 13% were 18 and older and only 4% were 12 or younger according to the *OJJDP Annual Report 2000*.

Incarcerated juveniles who have not served their entire sentence before they reach 18 years-old are returned to the committing court for status reconsideration. Those who are not retained under juvenile jurisdiction are released to the West Virginia Division of Corrections. Those retained under juvenile jurisdiction may remain in juvenile correctional facilities until they reach 21 years of age.

Gender

Of the 171 juveniles committed to WVIHY in 2000, 88.9% were male and only 11.1% were female. The number of females committed to WVIHY in 2000 increased 1.4% from 1999.

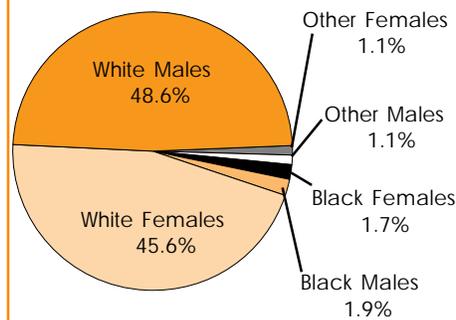
Of the 168 juveniles released from WVIHY and Davis in 2000, 90.5% were male and only 9.5% were female.

Male juveniles are overrepresented in West Virginia's incarcerated juvenile population in contrast with the state's juvenile population ages 10-17, which is 51.6% male and 48.4% female.

Nationally, males accounted for the majority (87%) of juveniles in public residential facilities according to the *OJJDP Annual Report 2000*.

Gender & Race of WV Juvenile Population Ages 10-17

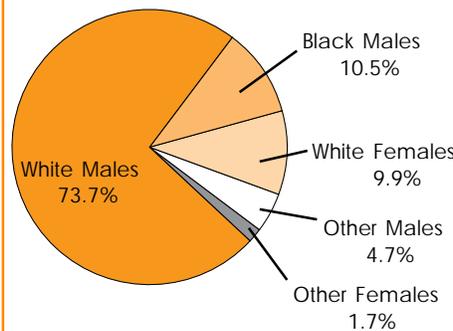
Graph 5



Source: 2000 U.S. Census Bureau Data

Gender & Race of Juveniles Committed in 2000

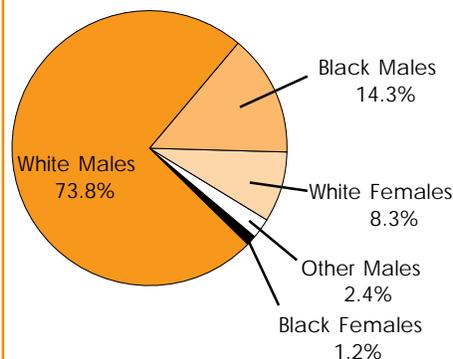
Graph 6



Note: No black females were committed in 2000.

Gender & Race of Juveniles Released in 2000

Graph 7



Note: No "other" females were released in 2000.

Race

Minorities are also overrepresented in West Virginia's juvenile correctional facility population. 16.4% of those committed to WVIHY in 2000 were non-white, while the state's juvenile population is only 5.8% non-white. The proportion of non-white juveniles committed in 2000 decreased by 1.9% from 1999.

83.6% of the juveniles committed in 2000 were white, 10.5% were black, and 5.8% were other races. This racial distribution contrasts with West Virginia's juvenile population ages 10-17 which is 94.2% white, 3.6% black and 2.2% other races, according to 2000 U.S. Census Bureau data.

The increase in the "other race" category from previous years is due to a change in data collection measures by the U.S. Census. In 2000, the Census Bureau form gave people the option of selecting the race category "two or more races." Numbers shifted out of the "white" and "black" categories and inflated the "other races" category.

Of the 168 juveniles released from WVIHY and Davis in 2000, 82.1% were white. 15.5% were black and 2.4% were other races.

White females are consistently underrepresented in the state's juvenile corrections commitments and releases. In 2000, white females comprised less than 10% of both the committed and released populations although they make up 45.6% of WV's juvenile population ages 10 through 17. No black females were committed to WVIHY in 2000.

According to the *OJJDP Annual Report 2000*, minorities accounted for 62% of all juveniles in public residential placement in 1999. Blacks were the largest minority group comprising 39% of the juvenile residential placement population.

Home County

In 2000, Cabell County had the largest number (29) of juveniles committed to WVIHY.

Kanawha had the next largest number with 14. Marion County was third with 13 juveniles committed. Jackson and Berkeley each had 11 juveniles committed.

47 counties had five or fewer juveniles committed in 2000. 14 counties had no juveniles committed in 2000; only 10 counties did not have juveniles committed in 1999.

Incarceration Rates

As in 1999, West Virginia's 2000 juvenile incarceration rate is less than one-tenth of a percent (0.09%), indicating that there were 90

juveniles committed for every 100,000 juveniles in the population.

National incarceration rates are influenced by state variations in the upper age of juvenile court jurisdiction and state provisions for transferring youth from juvenile court jurisdiction to criminal court jurisdiction. 17 is the upper age limit for juvenile court jurisdiction in most states, including West Virginia.

In 1997, the national juvenile incarceration rate was approximately 0.26%, or 256 juveniles committed for every 100,000 juveniles in the population, according to *Juvenile Offenders and Victims: 1999 National Report*.

That year, West Virginia's juvenile incarceration rate was 0.10%. Of the

other states where the upper age limit for juvenile jurisdiction was 17, only Hawaii (0.09%) and Vermont (0.04%) had lower state juvenile incarceration rates.

More than two-thirds (37) of West Virginia's counties had juvenile incarceration rates lower than the state rate. As in 1999, Jackson County and Cabell County topped the list with the highest incarceration rates; 0.34% for Jackson and 0.33% for Cabell in 2000. Grant County which ranked 3rd in 1999 was among the 14 counties that did not commit any juveniles in 2000.

While it is important to examine the number of juveniles incarcerated and the incarceration rate for each county,

2000 Juvenile Incarceration Rates By Juveniles' Home County

Table 1

Juvenile Population	Juveniles Committed	Rate	Juvenile Population	Juveniles Committed	Rate	Juvenile Population	Juveniles Committed	Rate			
WV	189,438	171			0.09%	Raleigh	8032	3	0.04%		
Jackson	3216	11	0.34%	Putnam	5935	5	0.08%	Nicholas	3095	1	0.03%
Cabell	8737	29	0.33%	Fayette	4835	4	0.08%	Mingo	3317	1	0.03%
Roane	1811	6	0.33%	Brooke	2456	2	0.08%	Preston	3495	1	0.03%
Pendleton	846	2	0.24%	Clay	1290	1	0.08%	Ohio	4878	1	0.02%
Marion	5542	13	0.23%	Summers	1308	1	0.08%	Monongalia	6716	0	0.00%
Logan	3895	7	0.18%	Boone	2708	2	0.07%	Jefferson	4676	0	0.00%
Upshur	2537	4	0.16%	Kanawha	19444	14	0.07%	Marshall	3891	0	0.00%
McDowell	3236	5	0.15%	Wyoming	2813	2	0.07%	Mason	2725	0	0.00%
Gilmer	753	1	0.13%	Monroe	1410	1	0.07%	Barbour	1748	0	0.00%
Mineral	3041	4	0.13%	Morgan	1481	1	0.07%	Lewis	1735	0	0.00%
Hampshire	2443	3	0.12%	Randolph	3029	2	0.07%	Hardy	1332	0	0.00%
Berkeley	8986	11	0.12%	Hancock	3171	2	0.06%	Ritchie	1149	0	0.00%
Lincoln	2459	3	0.12%	Braxton	1654	1	0.06%	Grant	1145	0	0.00%
Mercer	5988	7	0.12%	Taylor	1820	1	0.05%	Tyler	1121	0	0.00%
Greenbrier	3501	4	0.11%	Harrison	7501	4	0.05%	Webster	1097	0	0.00%
Calhoun	901	1	0.11%	Wood	9542	5	0.05%	Pleasants	831	0	0.00%
Pocahontas	926	1	0.11%	Wetzel	2051	1	0.05%	Tucker	757	0	0.00%
Doddridge	948	1	0.11%	Wayne	4738	2	0.04%	Wirt	746	0	0.00%

Juvenile Population Source: 2000 U.S. Census Bureau Data.

Note: Juvenile incarceration rates were calculated by dividing the number of incarcerated juveniles from a county by the county's juvenile population ages 10-17. Juveniles are categorized by their home county, which is not necessarily the county where they offended. Arrest and subsequent commitment of juveniles under age ten are rare. Incarcerated juveniles over age 17 are charged with committing an offense(s) before reaching 18 or have violated probation for an offense they committed before turning 18. Including these age groups in the population figures would underrepresent the county juvenile incarceration rates.

caution must be taken in drawing conclusions from the data. Only a small number of incarcerated juveniles was used to determine the rates. Data in Table #1 should be interpreted only as a snapshot of the situation in each county. It should be evaluated in conjunction with the individual policies and resources of the counties.

Offenses

318 offenses were charged to the 171 juveniles committed to WVIHY in 2000. These offenses included property, person, public order, drug, status, and miscellaneous offenses.

Property offenses were the most common type of offense charged to juveniles committed to WVIHY in 2000. **Burglary and theft** comprised over one-third of all offenses charged to juveniles committed in 2000.

Person offenses were the second most common type of offense charged. **Assault/battery** made up over three-fourths of all person offenses in 2000. In 1999, 7 juveniles were committed for homicide. In 2000, only 3 were committed for this offense. Sexual abuse/assault offenses also decreased from 16 in 1999 to 5 in 2000.

Public order offenses were the third most common type of offense charged to juveniles committed in 2000. The most frequent public order offense charged was **obstruction of justice**, which includes probation violation charges. Weapons offenses increased from 6 in 1999 to 13 in 2000. 47.4% of the juveniles committed in 2000 were committed as a result of probation violations.

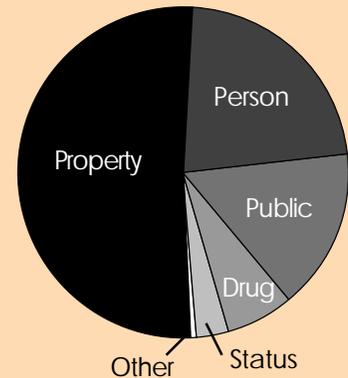
Drug law violations comprised 6.6% of the offenses charged to juveniles committed in 2000. Drug law

Offenses Charged to Juveniles Committed in 2000

Table 2

Offense Category	Counts	% of Total
Property Offenses	164	51.6
Burglary	63	19.8
Theft	51	16.0
Damage Property	26	8.2
Stolen Vehicle	11	3.5
Stolen Property	7	2.2
Arson	4	1.3
Trespassing	2	0.6
Person Offenses	71	22.3
Assault/Battery	56	17.6
Robbery	6	1.9
Sexual Abuse/Assault	5	1.6
Homicide	3	0.9
Child Abuse/Neglect	1	0.3
Public Order Offenses	50	15.7
Obstruction of Justice ¹	15	4.7
Weapons Offenses	13	4.1
Fraudulent Activities	9	2.8
Traffic Offenses	9	2.8
Disorderly Conduct ²	4	1.3
Drug Law Violations	21	6.6
Status Offenses ³	10	3.1
Miscellaneous Offenses ⁴	2	0.6
Total	318	100%

Graph 8



¹ **Obstruction of justice offenses** included counts of obstructing an officer, running from placement, fleeing, and escape.

² **Disorderly conduct offenses** included counts of public intoxication and disturbing the peace, which were charged in conjunction with other more serious offenses.

³ **Status offenses** included counts of truancy and underage possession/consumption of alcohol, which were committed with delinquent offenses.

⁴ **Miscellaneous offenses** included counts of conspiracy to commit a felony, which were secondary to more serious offenses.

charges included counts of manufacturing, possessing and delivering controlled substances. Drug law violations increased from 15 in 1999 to 21 in 2000.

Status offenses were charged only with other more serious and detainable charges. The status offenses charged to juveniles committed in 2000 included counts of truancy and underage possession/consumption of alcohol.

More than half (52.6%) of the juveniles committed to WVIHY in 2000 were listed with only one offense. 29.2% were listed with two

offenses, 9.4% were listed with three offenses, and 8.8% were listed with four or more offenses. No juvenile committed in 2000 was listed with more than eight offenses.

Of the offenses charged to female commitments in 2000, 48.1% were property offenses (burglary, grand larceny, petit larceny, destruction of property, and joyriding); 22.2% were person offenses (homicide, domestic violence, assault/battery); and 14.8% were public offenses (carrying deadly weapon, forgery, escape). Only 1 female committed in 2000 was charged with a drug violation. Status (underage

possession/consumption of alcohol) and miscellaneous (conspiracy to commit a felony) offenses comprise the remaining offenses charged to 2000 female commitments.

Offense statistics in this report are generated only from the offenses recorded on monthly population reports. Juveniles may have originally been charged with and disposed of other offenses that were not known at intake. Also, because many offenders commit multiple offenses, offense statistics include more than one charge for some juveniles.

Nationally, 34.9% of delinquent juveniles in public facilities in 1999 were committed for person offenses. 29.2% were committed for property offenses, 9.5 % were committed for public order offenses, and 12.9% were committed for technical offenses, which include probation violations. 9.1% were committed for drug offenses, according to data published in the *OJJDP Annual Report 2000*. These national percentages are based on the most serious offense charged to juvenile delinquents committed to public residential facilities in October 1999 when the census was conducted.

Capacity

With the completion of an expansion facility December 2000, WVIHY's total capacity increased to 246 beds. In addition to the 48 correctional beds located in the old Standard Building, the new 198-bed facility includes:

- a 30-bed admissions/orientation unit
- a 50-bed general male (10-17) unit
- a 30-bed adult transfer (18-21) unit
- a 30-bed female unit
- a 20-bed behavior management unit
- a 30-bed diagnostic unit
- an 8-bed infirmary unit

The female unit houses all females at WVIHY including regular commitments and females admitted for diagnostic treatment. Residents of the female unit are managed according to their appropriate classification.

Since December 2000, South Central Regional Juvenile Detention Center (SCRJDC) has been using WVIHY's 52-beds in the Jones Building until their permanent facility is completed. Some of the juveniles detained by SCRJDC are subsequently committed to WVIHY following

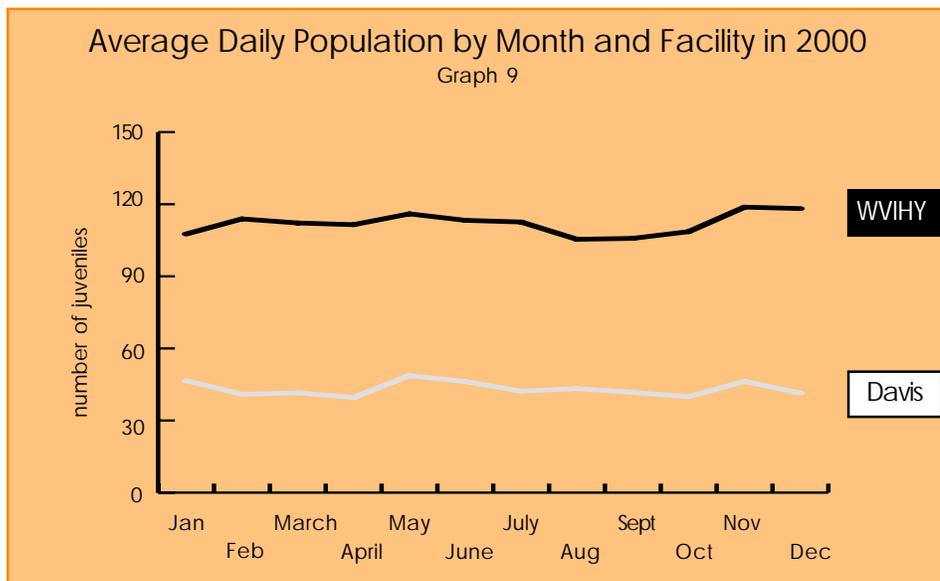
adjudication and disposition by the courts. Pre-adjudicatory juveniles and juveniles adjudicated delinquent are housed separately.

Davis has a total capacity of 60 beds for male juveniles. Since Davis is a minimum-secure facility, it does not house juveniles who have committed serious violent offenses such as murder, rape, and arson. Juveniles who have committed property offenses comprise the majority of Davis' population.

Daily Population

In 2000, the average daily population of WVIHY was 112.0 juveniles. This average represented 90.3% of WVIHY's overall licensed capacity of 124, except in December when capacity increased to 246. The number of juveniles in WVIHY on any one day ranged from 100 to 122 throughout the year. In 1999, the average daily population of WVIHY was 111.1 juveniles.

In 2000, the average daily population of Davis was 43.2 juveniles, which accounted for 72.0% of Davis' licensed capacity of 60. Throughout the year, the number of juveniles in Davis on any one day ranged from 35 to 52, never exceeding the 60-bed capacity. In 1999, the average daily population of Davis was 51.0 juveniles, almost 8 juveniles more than in 2000.



Data Source

Data in this report were generated from records in monthly and daily population reports compiled by juvenile correctional facility staff at WVIHY and Davis. The quality of the data depends on the completeness and accuracy of the information available at the time a juvenile is committed or transferred.

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