

2000 WV Juvenile Probation Annual Report

Autumn Lucas, Research Analyst
Laura Hutzel, CJSAC Director

In 2000, West Virginia juvenile probation officers reported handling more than 9,000 cases involving over 7,000 juveniles. More than 8,000 new cases were opened, nearly 13,000 offenses were charged, and over 8,000 cases were disposed in 2000.

Most of the cases handled by probation in 2000 were opened by a complaint signed in 2000. More delinquency offenses than status offenses were charged in these cases. Assault was the most frequently charged delinquency offense and truancy was the most frequently charged status offense.

In both delinquency and status offense cases, a majority (54.9% in delinquency cases and 62.9% in status

cases) of the juveniles were reported as having committed no prior status or delinquency offenses. A majority of the cases, both delinquency (85.5%) and status (93.3%), did not involve predispositional detention of the juvenile involved.

Most juvenile offenders were white males with an average age at offense of 15 years old. Females were involved in status cases at a higher rate than in delinquency cases. A majority of juvenile offenders were enrolled in mainstream education and living with at least one parent at the time of offense.

More than half of the delinquency cases involved a formal disposition and almost three-fourths of status offense cases involved an informal disposition.

2000 Juvenile Probation Overview

9,463 Cases

- ◆ 90.5% were opened in 2000. 9.5% were opened in previous years but were disposed in 2000.

7,041 Juveniles

- ◆ 69.2% were charged with at least one delinquency offense, and 30.8% were charged with only status offenses.

12,845 Offenses

- ◆ 75.1% were delinquency offenses. 24.9% were status offenses. 19.7% of all cases handled in 2000 involved a juvenile charged with more than one offense.

8,108 Case Dispositions

- ◆ 51.2% were resolved informally, and 48.8% were resolved formally.

State of West Virginia
Department of Military Affairs & Public Safety
Division of Criminal Justice Services

J. Norbert Federspiel, *DCJS Director*
Michael Cutlip, *Deputy Director - Programs*
Angela Saunders, *Sr. Juvenile Justice Specialist*
Steve Thompson, *Data Entry Operator*

1204 Kanawha Boulevard, East
Charleston, West Virginia 25301
(304) 588-8814 phone
(304) 558-0391 fax
www.wvdcjs.com

The Division of Criminal Justice Services is the designated state criminal justice planning agency. The Division is responsible for fostering public safety in West Virginia by providing planning, system coordination, grant administration, training & technical assistance, monitoring, research, statistical services and law enforcement training.

The Criminal Justice Statistical Analysis Center's mission is to generate statistical and analytical products concerning crime and the criminal justice system for the public and justice system professionals and policymakers, establishing a basis for sound policy and practical decisions for the criminal justice system in West Virginia.

The Juvenile Justice Database and this report are funded by the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

The opinions, findings, conclusions, and recommendations expressed in this report are those of the author and may not necessarily reflect those of the U.S. Department of Justice or the State of West Virginia.

Juvenile Justice Database forms were completed by county juvenile probation offices and submitted to the Division of Criminal Justice Services for data entry by Steve Thompson. Five judicial circuits submitted their probation data on zip disks which were incorporated into the JJDB at DCJS.

This report and other reports are available on-line at www.wvdcjs.com.



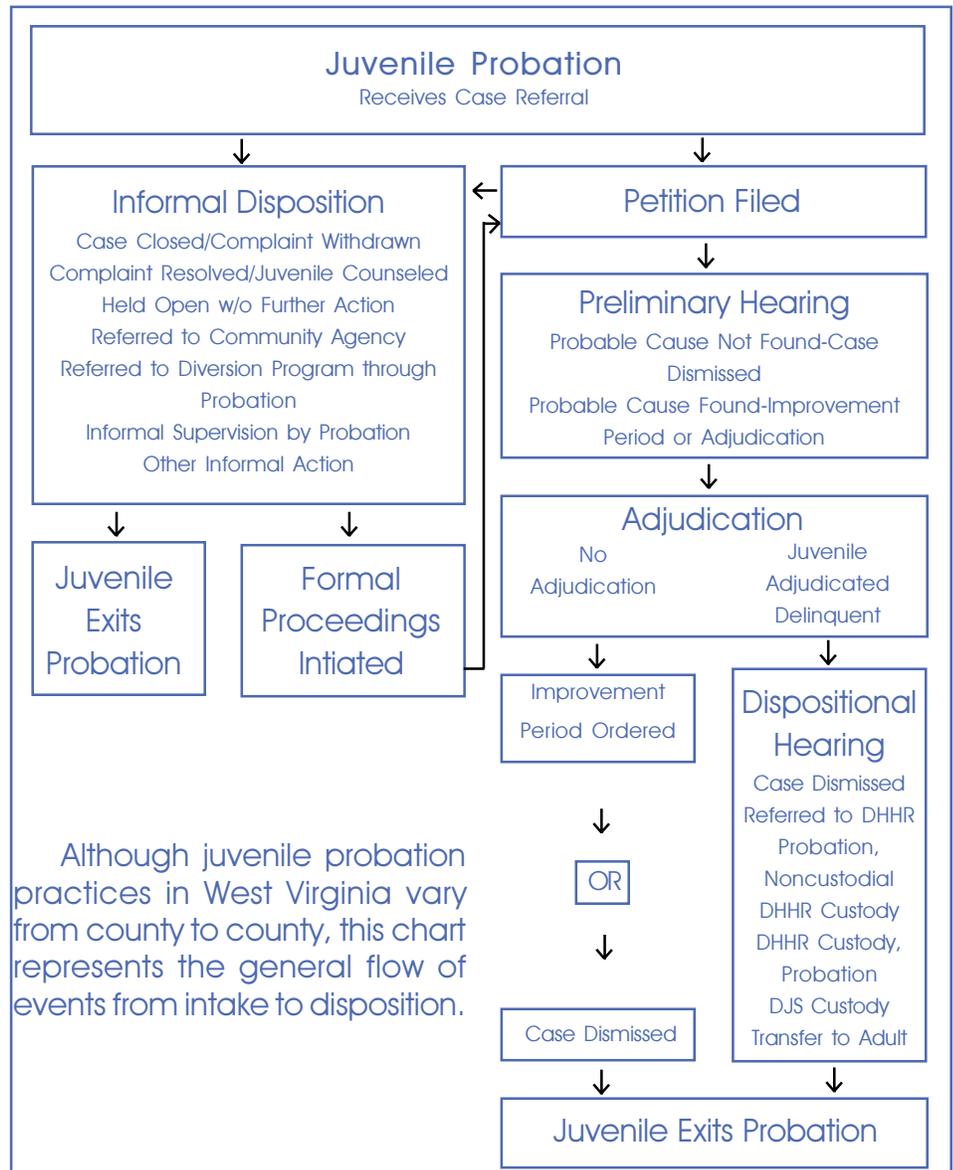
West Virginia Juvenile Probation

The West Virginia Magistrate and Municipal Courts have concurrent jurisdiction with Circuit Courts over juvenile proceedings. The court having jurisdiction depends on the circumstances of the juvenile case.

Juvenile cases are referred to the court system by law enforcement, the Department of Health and Human Resources, schools, and other sources. These cases are often handled by juvenile probation both before and after adjudication.

The court may refer the case to juvenile probation for informal resolution before the petition is officially filed. If informal action fails to resolve the case, formal proceedings are initiated with a filing of a formal petition with the court. A preliminary hearing is scheduled to determine if the juvenile will be adjudicated and a formal disposition imposed.

The court may refer the juvenile back to juvenile probation for the case to be handled informally even after a formal petition has been filed.



Source

The data presented in this report was generated from the juvenile justice database (JJDB) which houses West Virginia juvenile probation information submitted by the county juvenile probation offices within the state.

The JJDB is a cooperative partnership between the CJSAC and the Administrative Office of the WV Supreme Court of Appeals Probation Services. The database was created to provide statistical information on juvenile offenders and offenses in an effort to

facilitate sound policy and case-level decisions, fair resource allocation, and appropriate program development.

Limitations

This report is limited to the information provided by West Virginia juvenile probation. Other state and local agencies and organizations, such as law enforcement, community programs, educational institutions, and the Division of Health and Human Resources, deal directly with juvenile offenders.

Only juveniles referred to probation and only those cases reported to the JJDB by juvenile probation in a timely and accurate manner are included in this report. Juvenile probation cases not reported to the CJSAC are not included in the report.

This year's report distinguishes between delinquent and status offenders, and is thus comparable to the 1999 juvenile probation report that followed the same format.

Delinquency Cases

In 2000, WV juvenile probation opened and/or disposed 6,547 delinquency cases.

A delinquency case is defined as a case wherein a juvenile is charged with at least one offense for which an adult committing the same offense could be prosecuted.

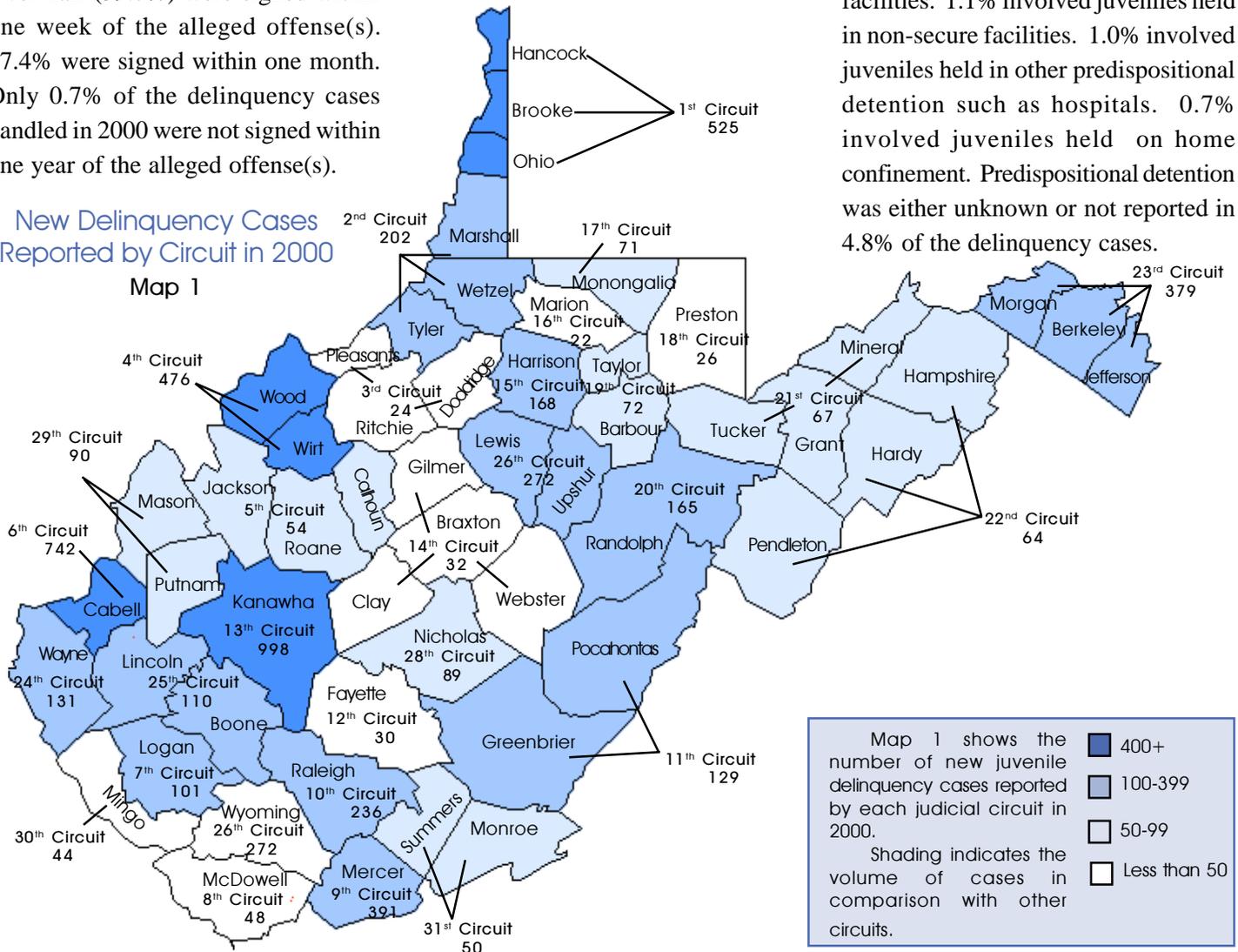
Date of Complaint

5,822 (88.9%) of the delinquency cases handled in 2000 were opened by a complaint signed in 2000. The remaining 725 cases were opened in 1999, but disposed in 2000.

Nearly one-third (32.9%) of the delinquency cases were signed the same day of the alleged offense(s). Over half (59.7%) were signed within one week of the alleged offense(s). 77.4% were signed within one month. Only 0.7% of the delinquency cases handled in 2000 were not signed within one year of the alleged offense(s).

New Delinquency Cases Reported by Circuit in 2000

Map 1



Complaint History

In 54.9% of delinquency cases, no prior status or delinquency offenses were reported for the juvenile. The number of cases reporting no complaint history does not take into account that DHHR may have handled a juvenile's prior status offenses and that the probation officer must know about a juvenile's prior complaints.

Delinquency cases with a complaint history included:

- 21.9% with prior delinquency charge that did not result in adjudication
- 12.1% with prior adjudication for delinquency

- 11.8% with prior status offense charge that did not result in adjudication
- 8.9% with a prior arrest
- 8.4% with prior probation
- 3.4% with a prior adjudication for a status offense

Predispositional Detention

85.5% of delinquency cases did not involve detention prior to a disposition hearing.

949 (14.5%) delinquency cases involved the juvenile being detained prior to their disposition hearing. 5.7% involved juveniles who were held in a detention center. 1.2% involved juveniles detained in staff-secure facilities. 1.1% involved juveniles held in non-secure facilities. 1.0% involved juveniles held in other predispositional detention such as hospitals. 0.7% involved juveniles held on home confinement. Predispositional detention was either unknown or not reported in 4.8% of the delinquency cases.

Map 1 shows the number of new juvenile delinquency cases reported by each judicial circuit in 2000. Shading indicates the volume of cases in comparison with other circuits.

- 400+
- 100-399
- 50-99
- Less than 50

Delinquency Offenders

4871 juveniles were involved in the 6547 delinquency cases opened and/or disposed in 2000. Cases charging at least one delinquent offense are considered delinquent cases and those juveniles involved in these cases are referred to as delinquency offenders in this report.

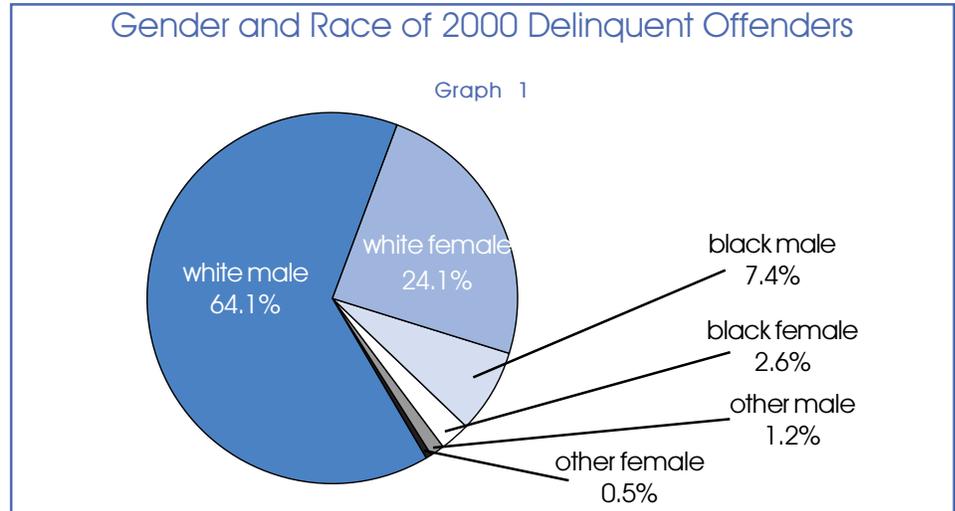
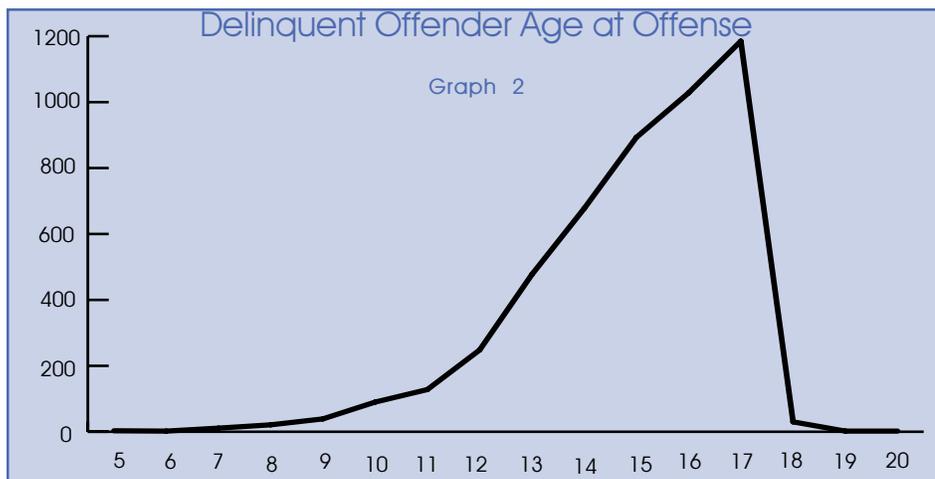
Gender and Race

72.4% of delinquent offenders were male. Only 27.6% were female. This represents a slight change from 1999 when 74.2% of delinquent offenders were male and 25.7% were female.

Most (81.8%) of the delinquent offenders were white. 9.3% were black, 0.1% were Asian or Pacific Islander, and 1.4% were reported as multiracial. The race of the delinquent offender was either unknown or unreported for 356 juveniles (7.3%).

Age At Offense

Delinquent offenders ranged in age from 5 to 20 years old when they committed their offense(s). The average age was 15.4 years. The age of 35 delinquent offenders (0.7%) was either unknown or not reported. Delinquent offender age at offense is calculated using the juvenile's reported date of birth and the date the offense(s) allegedly occurred.



Education

Most (54.9%) of the delinquent offenders were reported as mainstream students at the time of their offense(s). 8.7% were in special education. 6.4% were in alternative education.

127 delinquent offenders (2.6%) had either graduated high school or had obtained their GED at time of offense. 6.5% were reported as having dropped out of school. This drop-out rate is nearly twice as high as the statewide drop-out rate of 3.4% for all 7th through 12th grade students during the 1999-2000 school year, according to the *WV Report Cards*.

Home school, private school, college, job corps, trade school, and

expulsion from school were some other types of educational placement for delinquent offenders at time of offense. "Other" educational placement was reported for 2.0% of delinquent offenders.

The educational placement was either unknown or not reported for 923 (18.9%) delinquent offenders.

Living Situation

Most (81.4%) delinquent offenders were living with at least one parent at the time of offense. 31.3% were living with both parents, 42.8% were living with one parent, and 7.3% were living with one parent and a step-parent. 4.5% of delinquent offenders were living with a relative other than a parent at time of offense.

3.4% lived in DHHR-approved settings and less than one percent (0.4%) resided in a detention center at time of offense.

Other living situations reported for delinquent offenders at time of offense included with friends, college, job corps, and in their own home. "Other" living situations were reported for 1.8% of delinquent offenders. The living situation for 413 (8.5%) delinquent offenders was unknown.

Delinquency Offenders

Home County

Kanawha County was home to more delinquent offenders (725) than any other county in West Virginia. Cabell County was second with 557 delinquent offenders. Wood County had 333 delinquent offenders and Mercer had 314. Ohio County was fifth with 254 delinquent offenders.

97.8% of delinquent offenders were reported as residents of West Virginia. Only 106 delinquent offenders were reported as residents of other

states. 46.2% of the out-of-state delinquent offenders' home state was Ohio. 35 (33.0%) delinquent offenders were residents of the remaining four neighboring states: Kentucky, Maryland, Virginia, and Pennsylvania.

County Offender Rates

West Virginia's delinquent offender rate of juveniles ages 10 to 17 in 2000 was 1.83%. This represents a decrease from 1999 when the delinquent offender rate was 2.19%.

14 counties (25.5%) had juvenile delinquent offender rates higher than the state average. Cabell County had the largest number of juvenile delinquent offenders compared to its population of 10 to 17 year olds with a rate of 4.92%. Ohio and Upshur followed with rates of 4.16% and 4.02%, respectively. 6 counties (10.9%) had juvenile delinquent offender rates over 3.00%.

Although Kanawha County had the highest number of delinquent offenders, its offender rate was 2.64%, ranking the eighth highest among the other counties.

2000 Delinquent Offender Rates by Juveniles' Home County

Table 1

Juvenile Population	Delinquent Offenders	Rate	Juvenile Population	Delinquent Offenders	Rate	Juvenile Population	Delinquent Offenders	Rate			
WV	189,438	3475	1.83%			Doddridge	948	8	0.84%		
Cabell	8,737	430	4.92%	Jefferson	4,676	75	1.60%	Jackson	3,216	25	0.78%
Ohio	4,878	203	4.16%	Harrison	7,501	120	1.60%	Calhoun	901	7	0.78%
Upshur	2,537	102	4.02%	Wayne	4,738	74	1.56%	Putnam	5,935	44	0.74%
Mercer	5,988	215	3.59%	Nicholas	3,095	46	1.49%	Monongalia	6,716	49	0.73%
Brooke	2,456	85	3.46%	Berkeley	8,986	124	1.38%	Pleasants	831	6	0.72%
Randolph	3,029	102	3.37%	Hardy	1,332	18	1.35%	Gilmer	753	5	0.66%
Morgan	1,481	41	2.77%	Mineral	3,041	41	1.35%	Fayette	4,835	32	0.66%
Kanawha	19,444	514	2.64%	Logan	3,895	46	1.18%	Webster	1,097	7	0.64%
Wood	9,542	246	2.58%	Greenbrier	3,501	41	1.17%	Wyoming	2,813	16	0.57%
Pocahontas	926	22	2.38%	Wetzel	2,051	23	1.12%	Mason	2,725	15	0.55%
Lewis	1,735	41	2.36%	Hampshire	2,443	27	1.11%	Monroe	1,410	7	0.50%
Hancock	3,171	72	2.27%	Pendleton	846	9	1.06%	Braxton	1,654	7	0.42%
Lincoln	2,459	48	1.95%	Ritchie	1,149	12	1.04%	Boone	2,708	11	0.41%
Marshall	3,891	74	1.90%	Barbour	1,748	18	1.03%	Wirt	746	3	0.40%
Summers	1,308	24	1.83%	Roane	1,811	18	0.99%	Preston	3,495	14	0.40%
Raleigh	8,032	147	1.83%	Tyler	1,121	11	0.98%	Marion	5,542	20	0.36%
Taylor	1,820	31	1.70%	Clay	1,290	12	0.93%	Grant	1,145	4	0.35%
McDowell	3,236	52	1.61%	Mingo	3,317	29	0.87%	Tucker	757	2	0.26%

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

Note: Juvenile delinquent offender rates in the above table were calculated by dividing the number of delinquent offenders in each county by that county's juvenile population ages 10 to 17. Although there were 4,871 delinquent offenders handled by juvenile probation in 2000, only those juveniles ages 10 to 17 were included in the delinquent offender counts for each county. The juvenile population for each county includes only those ages 10 to 17. Delinquent offenders under age 10 are rare and those 18 years or older at time of offense were under juvenile jurisdiction for an offense(s) committed before reaching 18 years of age. County offender rates would be underrepresented if those age groups were included in the calculation. This methodology is the federal standard for calculating juvenile offender rates. The county delinquent offender numbers reflect the reported home county of the juvenile and not necessarily the county in which the offense(s) occurred. The 3,475 delinquent offenders represented in this table do not include 66 juvenile delinquent offenders ages 10 to 17 who were not from WV or whose home county was not reported.

Delinquency Offenses

9,646 offenses were charged in 5,822 delinquency cases opened in 2000. Some cases classified as delinquency cases include status offenses because delinquent offenders committed one or more status offenses with at least one delinquent offense (*see definition of a case*).

The most frequently charged offenses were assault (20.9%), theft (17.4%), property damage (13.0%), burglary (7.7%), and drug violations (7.1%).

74.7% of delinquency cases opened in 2000 involved delinquent offenders charged with only one offense. Two offenses were charged in 15.4% of the cases. Three offenses were charged in 5.5% of the cases. Only 4.4% of the delinquent cases opened in 2000 charged four or more offenses.

78.3% of offenses charged in delinquency cases opened in 2000 were referred to probation by law enforcement. 10.1% were reported by the victim(s), 4.3% by schools, 3.3% by a parent, 2.6% by probation, and 0.9% by DHHR. The source of referral was unknown or not reported for 0.5% of offenses in delinquency cases.

Classification

For the purposes of this report, similar offenses have been grouped together into categories similar to the classification system used by the Federal Bureau of Investigation's National Crime Information Center (NCIC).

All status offenses are grouped together. Delinquency offenses are grouped into more specific NCIC categories such as assault, theft, and traffic offenses as shown in Table 2. Furthermore, specific NCIC offense

categories such as assault, theft, and traffic offenses fall into one of seven more general NCIC categories. These categories include property, person, public order, drug, status, probation violations, and other offenses.

Property Offenses

Theft was the second most frequently charged offense, representing 17.4% of all offenses charged to delinquent offenders in 2000. Theft charges included 868 counts of 1st offense shoplifting, 611 counts of petit larceny, 174 counts of grand larceny, 14 counts of 2nd offense shoplifting, 9 counts of attempted grand larceny, 4 counts of embezzlement, and 1 count of 3rd degree shoplifting.

Property damage charges comprised 13.0% of all offenses charged to delinquent offenders in 2000, making it the third most frequently charged offense. Property damage charges included 1,148 counts of destruction of property, 66 counts of auto tampering, 24 counts of vandalism, 15 counts of breaking without entering, and 2 counts of hit and run-property damage.

Burglary charges represented 7.7% of all offenses charged. Among these charges were 301 counts of

breaking and entering, 125 counts of nighttime burglary, 118 counts of daytime burglary, 99 counts of breaking and entering-auto, 43 counts of entering without breaking, 28 counts of burglary-daytime not forced, 22 counts of conspiracy to or attempted breaking and entering, and 4 counts of attempted burglary.

Trespassing was charged 213 times in delinquency cases opened in 2000.

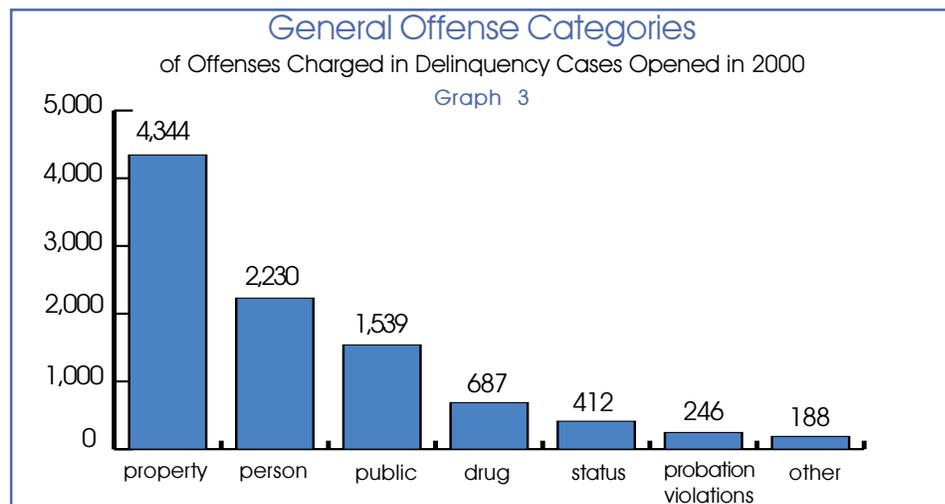
Stolen vehicle offenses included 144 counts of joyriding, 82 counts of grand larceny auto, and 30 counts of possession of a stolen vehicle.

Stolen property offenses included 110 counts of transferring and receiving stolen goods and property and 4 counts of interstate transporting stolen property.

Arson was charged 85 times. Arson offenses included 10 counts of 1st degree arson, 22 counts of 2nd degree arson, 35 counts of 3rd degree arson, 16 counts of 4th degree arson, and 2 counts of setting fire to land.

Person Offenses

Assault offenses were the most frequently charged offenses in delinquency cases opened in 2000, comprising 20.9% of all offenses charged. Included among assault



Delinquency Offenses

offenses were simple assault and battery, domestic assault, assault and battery on law enforcement personnel, assault and battery on school employees, malicious wounding, unlawful wounding, and malicious assault.

Sexual Assault was charged 82 times. These charges included 1st, 2nd, and 3rd degree sexual assault and 1st, 2nd, and 3rd degree sexual abuse.

Robbery was charged 55 times and included 43 counts of aggravated robbery and 12 counts of non-aggravated robbery.

35 **sexual offenses** were charged in cases opened in 2000. These included 27 counts of indecent exposure, 6 counts of incest, and 2 counts of other sexual offenses.

Homicide was charged 12 times and included 6 counts of 1st degree murder, 5 counts of attempted murder, and 1 count of involuntary manslaughter.

Child abuse was charged 28 times and **kidnapping** was charged 2 times.

Public Order Offenses

Obstruction of justice charges totaled 429 and included 186 counts of obstructing an officer, 106 counts of fleeing from an officer, 70 counts of providing false information, 15 counts of resisting arrest, 13 counts of contempt of court, 12 counts of reporting a false emergency, 6 counts of possession of a fake ID, 6 counts of intimidation of a witness, 5 counts of escape, 3 counts of a non-compliance order, 3 counts of being a fugitive, 2 counts of violation of a protective order, 1 count of hindering, and 1 count of failure to appear in court.

Traffic offenses comprised 375 of the offenses charged to delinquent offenders in 2000. Among these offenses were 91 counts of 1st offense DUI, 3 counts of 2nd offense DUI, 6

counts of DUI causing personal injury, 4 counts of DUI causing death with reckless disregard, 5 counts of negligent vehicular manslaughter, 2 counts of hit and run with personal injury, 49 counts of reckless driving, 24 counts of leaving the scene of an accident, and 191 traffic violations.

Weapons offenses comprised 246 of the offenses charged in delinquency cases opened in 2000. These offenses included 71 counts of brandishing a weapon, 60 counts of carrying a concealed weapon, 39 counts of bomb threats, 22 counts of wanton endangerment, 16 counts of possession of a weapon by a minor, 13 counts of possession of a weapon on school property, 13 counts of possession and/or placing of explosives, 8 counts of unlawful shooting, 3 counts of shooting across roads, and 1 count of negligent shooting.

Public peace violations included 74 counts of school disturbance, 70 counts of disorderly conduct, and 65 counts of public intoxication.

Fraud offenses were charged 200 times. These offenses included 80 counts of forgery, 62 counts of uttering, 20 counts of credit card fraud, 15 counts of obtaining by fraud, 13 counts of fraudulent schemes, 8 counts of worthless checks, 1 count of manufacturing counterfeit money, and 1 count of attempted extortion.

Privacy violations included 42 counts of telephone harassment and 13 counts of stalking.

Animal control offenses included 13 counts of cruelty to animals and 1 count of killing/malicious wounding of an animal.

There were 11 **natural resource violations** charged to delinquent offenders in 2000.

Offenses Charged		
in Delinquency cases opened in 2000		
Table 2		
Category	#	%
Assault	2,016	20.9%
Theft	1,681	17.4%
Property Damage	1,255	13.0%
Burglary	740	7.7%
Drug Law	687	7.1%
Obstructing Justice	429	4.4%
Status Offense*	412	4.3%
Traffic Offense	375	3.9%
Stolen Vehicle	256	2.7%
Probation Violation	246	2.6%
Weapons Violation	246	2.6%
Trespassing	213	2.2%
Public Peace	209	2.2%
Fraud	200	2.1%
Miscellaneous	188	1.9%
Stolen Property	114	1.2%
Arson	85	0.9%
Sexual Assault	82	0.9%
Privacy Violation	55	0.6%
Robbery	55	0.6%
Sexual Offense	35	0.4%
Child Abuse	28	0.3%
Animal Offense	14	0.1%
Homicide	12	0.1%
Nat. Resource Violation	11	0.1%
Kidnapping	2	0.0%
Total	9,646	100%

*All 412 status offense charges were secondary to delinquency charges in delinquency cases opened in 2000.

Delinquency Offenses

Drug Offenses

Drug violations were the fourth most frequent offenses (7.1%) charged in delinquency cases opened in 2000. These offenses included 525 counts of **possession of controlled substances**, 88 counts of **manufacture and/or delivery of controlled substances**, 41 counts of **obtaining controlled substances by fraud**, 26 counts of **possession of drug paraphernalia**, and 7 counts of **positive drug screening**.

Status Offenses

412 status offenses were charged to delinquent offenders in 2000. These status offenses were secondary to the one or more delinquency offenses charged in cases opened in 2000.

Possession/consumption of alcohol by a minor was charged 154 times. Other status offenses charged in 2000 delinquency cases included 120 counts of **incurability**, 50 counts of **possession of tobacco by a minor**, 39 counts of **curfew violation**, 32 counts of **truancy**, and 17 counts of **runaway**.

Probation Violations

246 **probation violations** were charged to delinquent offenders in 2000.

Miscellaneous Offenses

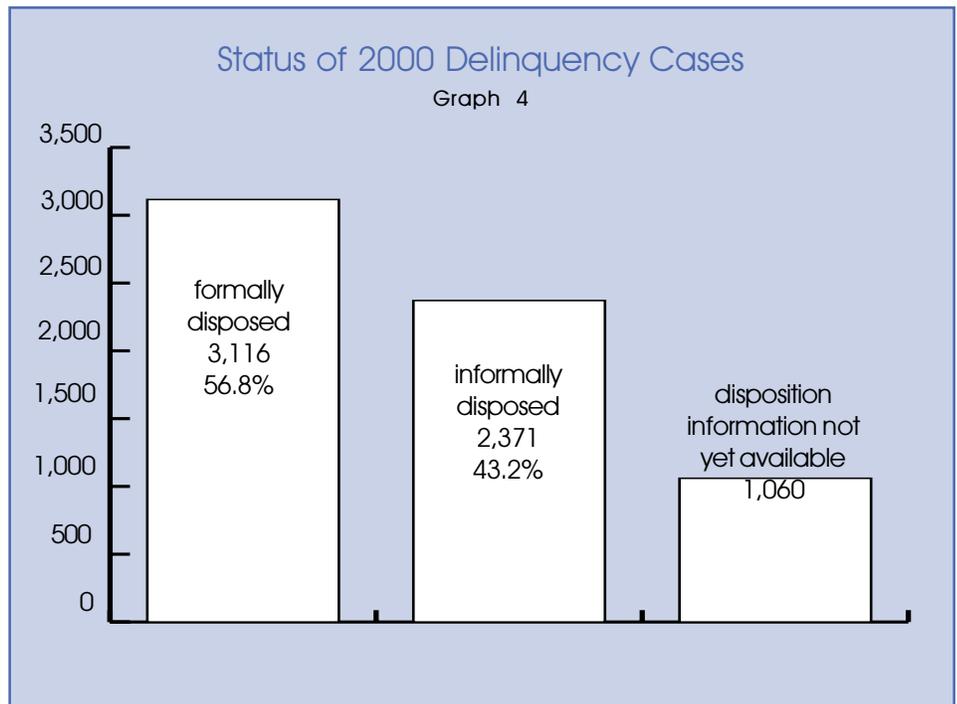
188 **miscellaneous offenses** were charged to delinquent offenders in 2000. These offenses included conspiracy to commit a felony, conspiracy to commit a misdemeanor, accessory to a crime, loitering on school property, littering, contributing to the delinquency of a minor, hate crimes, prostitution, and violations of white cane laws.

Delinquency Case Dispositions

In 2000, 5,487 delinquency cases were disposed. Less than half (43.2%) were disposed informally, while 56.8% were disposed formally. Disposition was pending for 1,060 delinquency cases as of January 1, 2001. An informal disposition is action taken in a case before a juvenile is adjudicated by the court. A formal disposition is imposed by the court after a juvenile has been adjudicated by the court, except for improvement period in which the juvenile is not adjudicated.

Of cases that reported a disposition and a disposition date, 1.2% of the delinquency cases were disposed the same day the complaint was signed. Almost one-fifth (18.5%) of the cases were disposed within one month of the date of the complaint.

More than half (53.4%) of the cases were disposed within 3 months of signing. 85.1% were disposed within 6 months. 93.8% were disposed within 9 months and 97.9% were disposed within one year of the date of the complaint. Only 2.1% of the delinquency cases disposed in 2000 were not disposed within one year of the date of the complaint.



Informal Dispositions

In 2000, 2,371 delinquency cases were disposed informally. The most frequently imposed informal dispositions were complaint resolved and/or juvenile counseled, referral to diversion programs through probation, and informal supervision by probation.

Formal Dispositions

In 2000, 3,116 delinquency cases were resolved formally. The most frequently imposed formal dispositions were case dismissal, improvement period, and noncustodial probation.

Delinquency Case Dispositions

Formal Supervision

Of the formally disposed delinquency cases that included formal supervision by probation, 2,402 reported the type of supervision.

- 44.8% improvement period supervision
- 33.1% straight probation
- 13.1% probation with DHHR custody
- 4.1% monitor compliance
- 3.2% monitor Salem/Davis
- 1.1% probation with home confinement
- 0.5% home confinement program
- 0.2% bond release

Initial Disposition of Delinquency Cases in 2000			
Table 3			
Disposition		#	%
formal	improvement period	929	16.9%
formal	dismissed	861	15.7%
informal	complaint resolved and/or juvenile counseled	729	13.3%
formal	probation, noncustodial	675	12.3%
informal	referred to diversion program through probation	557	10.2%
informal	informal supervision by probation	432	7.9%
formal	DHHR custody, probation	297	5.4%
informal	case closed or complaint withdrawn	257	4.7%
informal	held open w/o further action	186	3.4%
formal	Division of Juvenile Services custody	130	2.4%
informal	referred to community agency	129	2.4%
formal	DHHR custody	106	1.9%
informal	other informal disposition	81	1.5%
formal	other formal disposition	68	1.2%
formal	transferred to adult court	19	0.3%
formal	referred to DHHR	18	0.3%
formal	mental health proceeding initiated	13	0.2%
Total		5,487	100%

Formal Disposition of Delinquency Cases Adjudicated in 2000--Table 4

Disposition	no adjud.	dismissed at preliminary	nolle pros. w/o prejudice	nolle pros. w/prejudice	not guilty by trial	guilty by plea	guilty by trial	Total
dismissed	582	143	60	22	12	33	2	854
improvement period	868			1		55	2	926
referred to DHHR	10		3			3		16
probation, noncustodial			1		4	615	31	651
DHHR custody						78	5	83
DHHR custody, probation					1	244	43	288
DJS custody						113	16	129
mental health proceeding initiated						1	1	2
transferred to adult court	10					8	1	19
other					1	36		37
Total	1,470	143	64	23	18	1,186	101	3,005

Entry Type

Of the formally disposed delinquency cases involving formal supervision by probation, 2,131 reported the type of entry into supervision.

99.3% of the cases were assigned. Less than one percent (0.2%) of the cases were transferred in from another circuit in West Virginia. Less than one percent (0.5%) of the cases were transferred in from out-of-state.

Exit Type

Of the formally disposed cases that involved formal supervision by probation, 745 cases reported the type of exit from supervision. In some formally disposed cases that involved formal supervision by probation, the period of formal supervision had not ended as of January 1, 2001.

- 67.7% discharged after full-term
- 8.9% early discharge
- 6.7% revoked term violation
- 3.0% revoked new crime
- 1.1% transferred in state
- 0.8% transferred out of state
- 11.9% other type of exit

Pleas

185 of the 9,646 (1.9%) delinquent offenses charged in delinquency cases were pled to a charge different than the original offense charged on the initial complaint.

Delinquency Case Dispositions

Transfer to Adult Court

In 2000, 19 delinquency cases reported transferring the juvenile offender to adult court. These 19 cases involved only 17 delinquent offenders because 2 juveniles were involved in more than one of the adult transfer cases.

Almost all the adult transfers were male. 64.7% of the adult transfers were white.

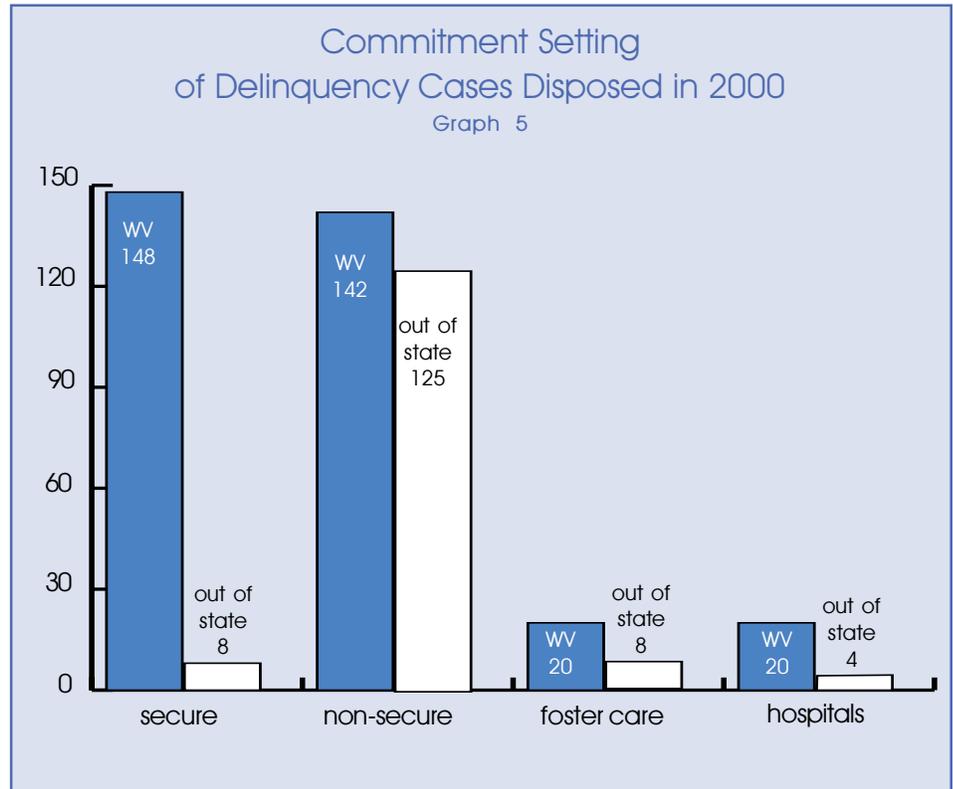
The age of the juveniles at time of offense ranged from 14 to 17 years old. Nearly three-fourths (12) of the juveniles were 17 years-old at time of offense.

The offense(s) charged to juveniles who were transferred to adult court included 1st degree murder, aggravated robbery, 2nd degree sexual assault, 1st degree sexual abuse, 2nd degree arson, and malicious wounding. Domestic assault and assault on a police officer were also charged to delinquent offenders transferred to adult court, but these offenses were secondary to the transferable offenses.

Commitment Setting

Of delinquency cases formally disposed in 2000, only 15.3% resulted in out-of-home placement.

Of those 475 cases, 56.2% involved commitment to non-secure, staff secure facilities. 32.8% involved commitment to secure facilities, and 5.9% to foster care, 5.1% to hospitals.



Supreme Court of Appeals Administrative Office

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Administrative Director

Michael Lacy
Director of Probation Services

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Director of Technical Services

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Status Offense Cases

In 2000, WV juvenile probation opened and/or disposed 2,916 status offense cases. For this report, status offense cases are defined as cases charging a juvenile with an act or acts that could not be charged to an adult.

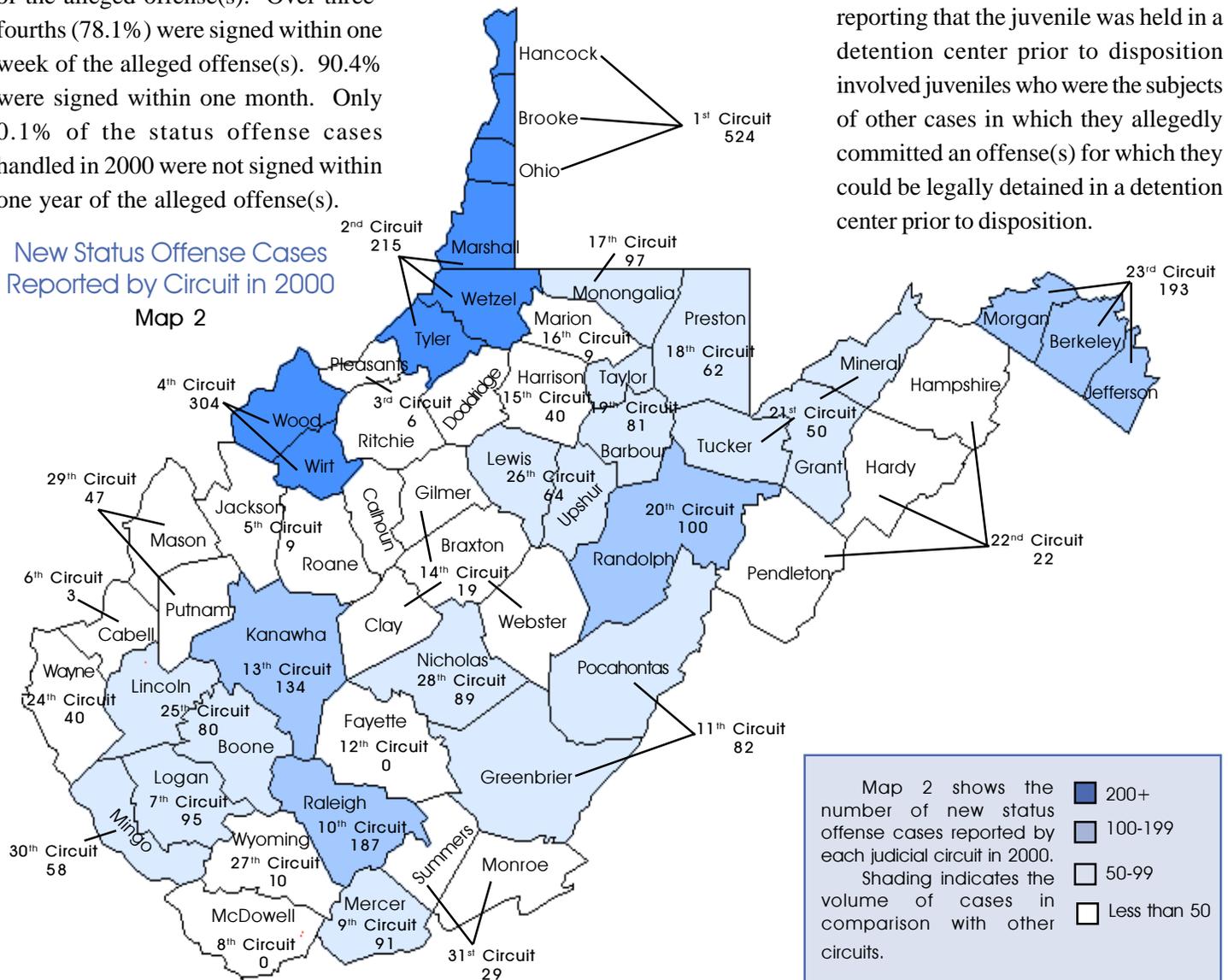
Date of Complaint

2,740 (94.0%) of the status offense cases handled in 2000 were opened by a complaint signed in 2000. The remaining 176 cases were opened in a previous year, but disposed in 2000.

More than half (55.9%) of the status offense cases were signed the same day of the alleged offense(s). Over three-fourths (78.1%) were signed within one week of the alleged offense(s). 90.4% were signed within one month. Only 0.1% of the status offense cases handled in 2000 were not signed within one year of the alleged offense(s).

New Status Offense Cases Reported by Circuit in 2000

Map 2



Complaint History

In 62.9% of the status offense cases, no prior status or delinquency offenses were reported for the juvenile.

Status offense cases with a complaint history included:

- 20.3% with prior status offense charge that did not result in adjudication
- 13.8% with prior delinquency charge that did not result in adjudication
- 3.7% with prior adjudication for delinquency
- 3.7% with prior probation
- 3.2% with prior adjudication for a status offense
- 1.9% with prior arrest

Predispositional Detention

93.3% of the status offense cases did not involve detention of the juvenile prior to a disposition hearing.

112 (6.7%) status offense cases involved the juvenile being held prior to their disposition hearing. 1.3% involved juveniles held in a non-secure facility, 0.8% in staff-secure facilities, 0.2% on home confinement, and 0.9% of the cases involved juveniles held in other predispositional detention such as hospitals. Predispositional detention was either unknown or not reported in 2.8% of the status offense cases.

The 18 status offense cases (0.6%) reporting that the juvenile was held in a detention center prior to disposition involved juveniles who were the subjects of other cases in which they allegedly committed an offense(s) for which they could be legally detained in a detention center prior to disposition.

Map 2 shows the number of new status offense cases reported by each judicial circuit in 2000. Shading indicates the volume of cases in comparison with other circuits.

200+	100-199
50-99	Less than 50

Status Offenders

2,170 juveniles were involved in the 2,916 status offense cases opened and/or disposed in 2000.

The juveniles involved in these cases were charged with only status offenses and are referred to as status offenders for the purposes of this report.

Gender and Race

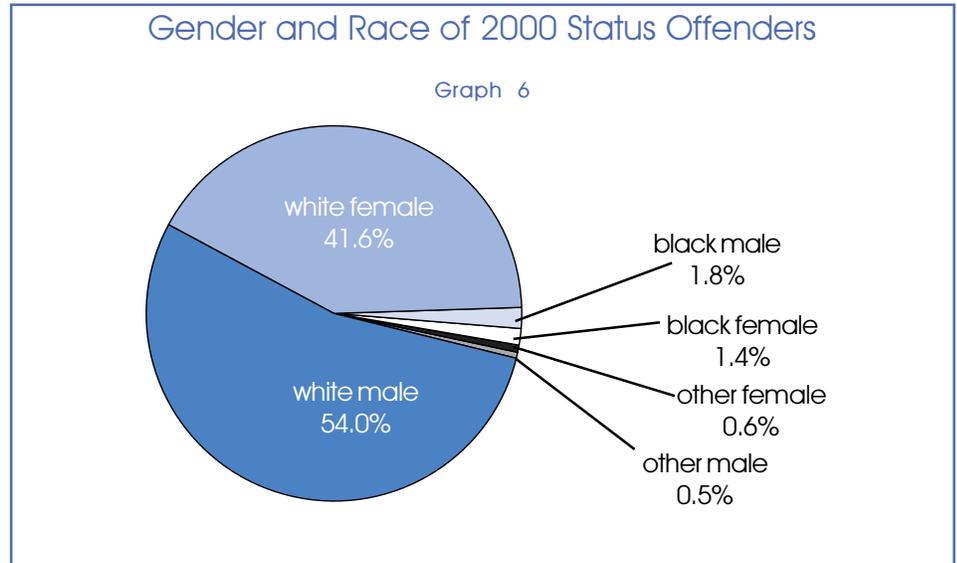
Most (56.1%) of the status offenders were male. 43.9% were female.

93.0% of the status offenders were white. 3.1% were black and 1.1% were multiracial. The race of 59 (2.7%) status offenders was either unknown or not reported.

Age

Status offenders ranged in age from 4 to 21 years old. The average and most frequently reported age of status offenders was 15 years old. The age of 23 juveniles was either unknown or not reported. The youngest offenders were charged with incorrigibility and truancy. Status offenders 18 years old or older were on probation for an offense committed before their 18th birthday.

Status offender age at offense is calculated using the juvenile's reported date of birth and the date the offense(s) allegedly occurred.



Education

Most (67.5%) of the status offenders for whom educational placement was known at the time of offense were reported as being mainstream students. 6.5% were in special education, and 4.1% were enrolled in alternative educational programs.

Less than one percent (0.5%) of status offenders had graduated from high school and 0.5% had received their GED. 3.5% were reported as having dropped out of school.

Home school, job corps, and Christian school were some other types of educational placement for status offenders at time of offense. "Other" educational placement was reported for 1.2% of status offenders.

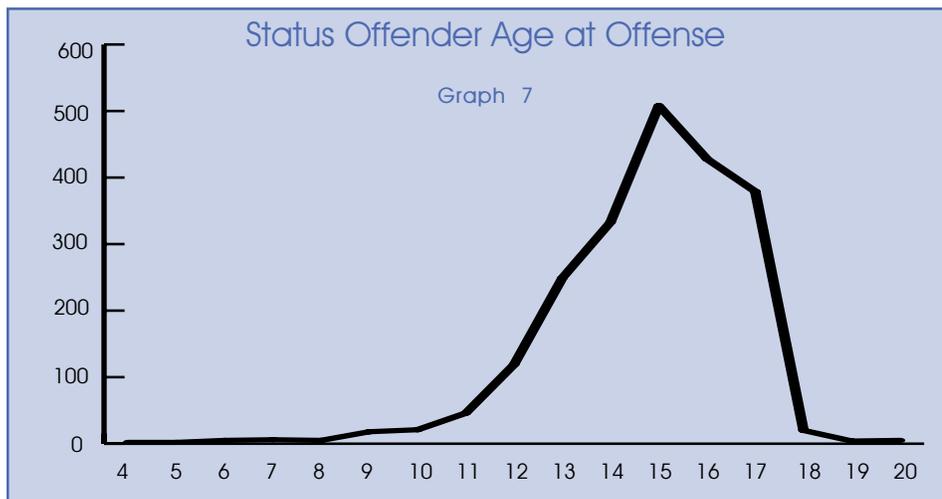
The educational placement at time of offense was either unknown or not reported for 354 (16.3%) status offenders.

Living Situation

Most (85.6%) status offenders were living with at least one parent at the time of offense. 31.6% were living with both parents, 45.7% were living with one parent, and 8.2% were living with one parent and a step-parent. 4.7% of status offenders were living with a relative other than a parent at time of offense.

3.5% lived in DHHR-approved settings. "Other" living situations were reported for 1.2% of status offenders, and included friend's home, job corps, own home, and legal guardians.

The living situation at time of offense was either unknown or not reported for 5.2% of status offenders.



Status Offenders

Home County

Wood County was home to more status offenders (221) than any other county in West Virginia.

Brooke County was second with 185 status offenders. Marshall County had 149 status offenders and Raleigh County had 126. Ohio County was fifth with 106 status offenders.

99.5% of status offenders were reported as residents of West Virginia. Only 11 (0.5%) status

offenders were reported as residents of other states, including Ohio, Virginia, Pennsylvania, and Wyoming.

County Offender Rates

West Virginia's status offender rate of juveniles ages 10 to 17 in 2000 was 0.90%. The rate is down from 1.02% in 1999.

19 counties (34.5%) had status

offender rates higher than the state average. 38 counties (69.1%) had status offender rates of less than one percent.

Brooke County had the largest number of status offenders compared to its population of 10 to 17 year olds with a rate of 4.72%. Marshall County followed with a rate of 2.93%. Only two more counties: Randolph (2.08%) and Lincoln (2.03%) had status offender rates over 2.00%.

2000 Status Offender Rates by Juveniles' Home County

Table 5

	Juvenile Population	Status Offenders	Rate		Juvenile Population	Status Offenders	Rate		Juvenile Population	Status Offenders	Rate
WV	189,438	1,697	0.90%								
Brooke	2,456	116	4.72%	Summers	1,308	13	0.99%	Gilmer	753	2	0.27%
Marshall	3,891	114	2.93%	Monongalia	6,716	57	0.90%	Grant	1,145	3	0.26%
Randolph	3,029	63	2.08%	Berkeley	8,986	74	0.85%	Hardy	1,332	3	0.23%
Lincoln	2,459	50	2.03%	Mercer	5,988	49	0.82%	Wirt	746	1	0.13%
Taylor	1,820	36	1.98%	Mineral	3,041	22	0.82%	Tucker	757	1	0.13%
Greenbrier	3,501	68	1.94%	Monroe	1,410	9	0.72%	Marion	5,542	7	0.13%
Wood	9,542	179	1.88%	Upshur	2,537	16	0.64%	Calhoun	901	1	0.11%
Ohio	4,878	88	1.80%	Wyoming	2,813	15	0.63%	Pocahontas	926	1	0.11%
Nicholas	3,095	52	1.68%	Harrison	7,501	39	0.52%	Doddridge	948	1	0.11%
Mingo	3,317	50	1.51%	Putnam	5,935	29	0.49%	Tyler	1,121	1	0.09%
Jefferson	4,676	68	1.45%	Wetzel	2,051	10	0.49%	Hampshire	2,443	2	0.08%
Hancock	3,171	46	1.45%	Clay	1,290	6	0.47%	Cabell	8,737	7	0.08%
Preston	3,495	50	1.43%	Webster	1,097	5	0.46%	McDowell	3,236	2	0.06%
Barbour	1,748	25	1.43%	Kanawha	19,444	88	0.45%	Braxton	1,654	1	0.06%
Logan	3,895	55	1.41%	Wayne	4,738	21	0.44%	Fayette	4,835	2	0.04%
Morgan	1,481	18	1.22%	Lewis	1,735	7	0.40%	Mason	2,725	1	0.04%
Raleigh	8,032	97	1.21%	Roane	1,811	7	0.39%	Jackson	3,216	1	0.03%
Pendleton	846	9	1.06%	Boone	2,708	9	0.33%	Pleasants	831	0	0.00%
								Ritchie	1,149	0	0.00%

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

Note: Juvenile status offender rates in the above table were calculated by dividing the number of status offenders in each county by that county's juvenile population ages 10 to 17. Although there were 2,170 status offenders handled by juvenile probation in 2000, only those juveniles ages 10 to 17 were included in the status offender counts for each county. The juvenile population for each county includes only those ages 10 to 17. Juvenile offenders under age 10 are rare and those 18 years or older at time of offense were under juvenile jurisdiction for an offense(s) committed before reaching 18 years of age. County offender rates would be underrepresented if those age groups were included in the calculation. This methodology is the federal standard for calculating juvenile offender rates. The county status offender numbers reflect the reported home county of the juvenile and not necessarily the county in which the offense(s) occurred. The 1,697 delinquent offenders represented in this table do not include 7 status offenders ages 10 to 17 who were not from WV or whose home county was unknown or not reported.

Status Offenses

3,199 status offenses were charged in the 2,740 status offense cases opened in 2000. Truancy was the most frequently charged status offense.

Status offenses include curfew violations, incorrigibility, possession of tobacco by a minor, runaway, status offense probation violations, truancy, and underage possession and/or consumption of alcohol. Possession of tobacco by a minor was reclassified as a misdemeanor during the 2000 WV legislative session, however, since this offense cannot be charged to an adult, it is categorized as a status offense for the purposes of this report.

93.8% of status cases involved a juvenile charged with only one offense. Two status offenses were charged in 5.1% of the cases. 1.1% of status cases involved a juvenile charged with three or more status offenses.

40.6% of offenses charged in status cases opened in 2000 were referred to probation by schools. A parent signed the complaint for 31.4%

Status offenses are acts that cannot be charged to adults, according to Section 223(12)(A) of the Juvenile Justice and Delinquency Prevention Act. At the state level, however, the definition is not so broad. The WV Code (49-1-4) states a status offender is a juvenile who has been adjudicated as one who:

- ◆ Habitually and continually refuses to respond to the lawful supervision by his or her parents, guardian or legal custodian such that the child's behavior substantially endangers the health, safety, or welfare of the juvenile or any other person;
- ◆ Has left the care of his or her parents, guardian or custodian without the consent of such person or without good cause;
- ◆ Is habitually absent from school without good cause; or
- ◆ Violates any WV municipal, county or state law regarding use of alcoholic beverages by minors.

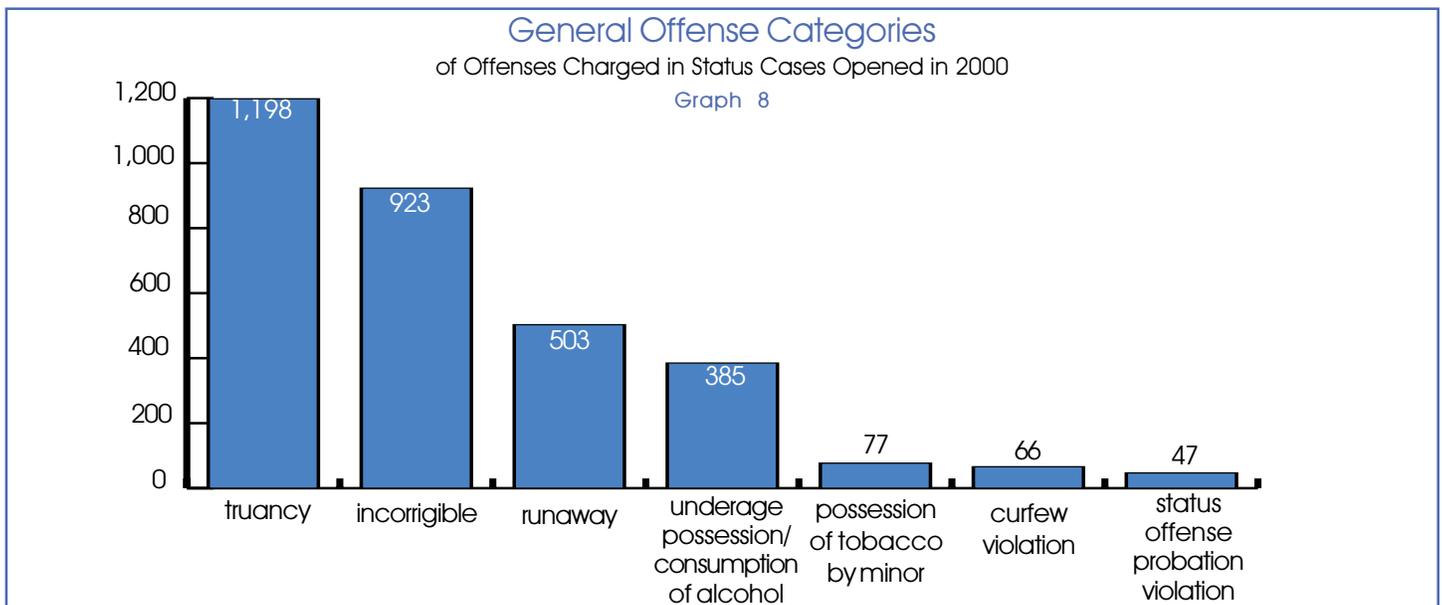
The WV Code's definition of status offense includes incorrigibility, running away, truancy and possession of alcohol by a minor. Possessing tobacco by a minor and violating curfew are not included in the WV Code, but they are included as status offenses in this report because they are offenses that cannot be charged to adults.

of the offenses. 19.1% were reported by law enforcement. DHHR reported 5.6% of the offenses. Probation signed the complaint for 2.1% of the status offenses. 0.9% were reported by the victim. For 0.3% of the offenses, the complainant was either unknown or not reported.

Truancy was the most frequently charged status offense comprising 37.4% of all status offenses charged to status offenders in 2000. Incorrigibility was the second most frequently charged status offense at 28.9%. Runaway was the third most frequent offense at 15.7%.

Underage possession and/or consumption of alcohol charges comprised 12.0% of all offenses charged to status offenders in 2000. **Possession of tobacco by a minor** charges comprised 2.4% of all status offenses.

Curfew violations represented 2.1% and **status offense probation violations** comprised 1.5% of all status offenses charged in status cases in 2000.



Status Offense Case Dispositions

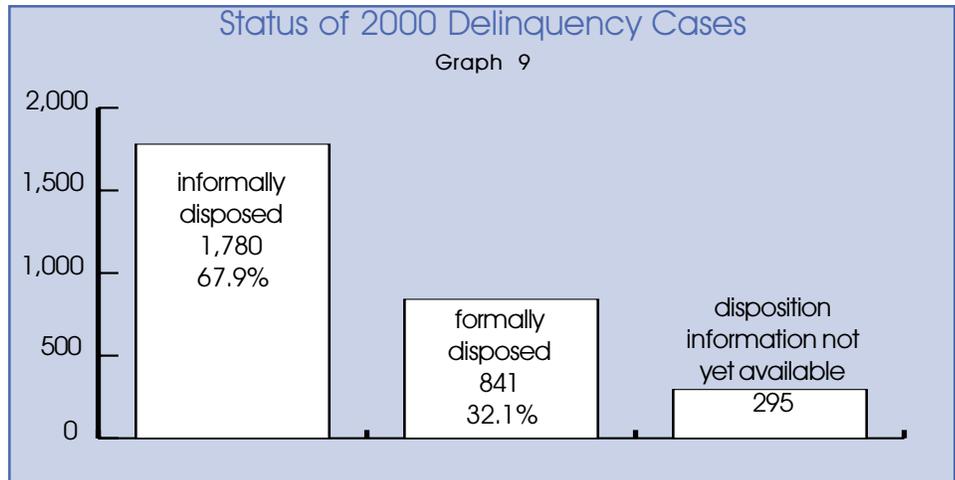
In 2000, 2,621 status offense cases were disposed. 67.9% were disposed informally, while 32.1% were resolved formally. Disposition was pending for 295 cases as of January 1, 2001.

Of cases that reported a disposition and a disposition date, 4.9% were disposed the status offense cases were disposed the same day the complaint was signed. More than one-fourth (27.4%) were disposed within one month of the date of the complaint.

Almost three-fourths (71.4%) of the status offense cases were disposed within 3 months of signing. 90.5% were disposed within 6 months. 96.1% were disposed within 9 months and 98.8% were disposed within one year of the date of the complaint. Only 1.2% of the status cases disposed in 2000 were not disposed within one year of the date of the complaint.

Informal Dispositions

In 2000, 1,780 status offense cases were disposed informally. The most common informal dispositions were referral to diversion program through probation and complaint resolved and/or juvenile counseled.



Initial Disposition of Status Offense Cases in 2000

Table 6

Disposition		#	%
informal	referred to diversion program through probation	526	20.1%
informal	complaint resolved and/or juvenile counseled	517	19.7%
formal	improvement period	298	11.4%
informal	referred to community agency	226	8.6%
informal	case closed or complaint withdrawn	204	7.8%
formal	dismissed	188	7.2%
formal	referred to DHHR	151	5.8%
informal	informal supervision by probation	146	5.6%
informal	held open w/o further action	120	4.6%
formal	DHHR custody	81	3.1%
formal	probation, noncustodial	65	2.5%
formal	DHHR custody, probation	45	1.7%
informal	other informal disposition	41	1.6%
formal	transferred to adult court	7	0.3%
formal	other formal disposition	5	0.2%
formal	mental health proceeding initiated	1	0.0%
Total	Cases Disposed in 2000	2,621	100%

Formal Dispositions

In 2000, 841 status offense cases were disposed formally. The most

common formal dispositions were improvement period, case dismissal, and referral to DHHR.

Formal Disposition of Status Offense Cases Adjudicated in 2000--Table 7

Disposition	Adjudication	no adjud.	dismissed at preliminary	nolle pros. w/o prejudice	nolle pros. w/prejudice	not guilty by trial	guilty by plea	guilty by trial	Total
dismissed		119	33	21	8		4	1	186
improvement period		273					25		298
referred to DHHR		39					83	21	143
probation, noncustodial							65		65
DHHR custody							55	4	59
DHHR custody, probation							39	4	43
DJS custody							1		1
mental health proceeding initiated									0
transferred to adult court		4							4
other									0
Total		435	33	21	8	0	272	30	799

Status Offense Case Dispositions

Formal Supervision

Of the formally disposed status offense cases that included formal supervision by probation, 576 reported the type of supervision.

- 59.5% improvement period supervision
- 16.7% monitor compliance
- 14.8% straight probation
- 8.5% probation with DHHR custody
- 0.3% monitor Salem/Davis
- 0.2% probation with home confinement

Entry Type

Of the formally disposed status offense cases involving formal supervision by probation, 398 reported the type of entry into supervision. All but one case was assigned. This case was a transfer in from another state.

Exit Type

Of the formally disposed status offense cases that involved formal supervision by probation, 173 cases reported the type of exit from supervision. In some of these cases, the period of formal supervision had not ended as of January 1, 2001.

- 71.1% discharged after full-term
- 10.4% early discharge
- 8.7% revoked term violation
- 2.3% transferred in state
- 1.2% revoked new crime
- 6.4% other type of exit

Transfer to Adult Court

In 2000, 7 status offense cases reported transferring the status offender to adult court. These 7 cases involved 7 different juveniles who were charged with offenses for which they could be

transferred to adult court in addition to their status offense charges. Most of these juveniles were white males. Only 5 juveniles' age at offense were reported. These juveniles were either 16 or 17 years old at time of offense.

The offenses charged in the adult transfer status offense cases included 8 counts of underage possession/consumption of alcohol and 2 counts of possession of tobacco by a minor.

Commitment Setting

Of status cases formally disposed in 2000, only 7.1% resulted in out-of-home placement.

Of those 75 cases, 82.7% involved commitment to non-secure, staff secure facilities, 14.7% to foster care, and 2.7% to hospitals.

West Virginia Juvenile Probation Officers

As of June 2002

	Circuit		Circuit		Circuit		Circuit
Angela Aguirre*	7 th	Jim Dorsey	28 th	John Mellinger	5 th	Larry Sponaugle*	14 th
Jocelyn Aird	23 rd	Douglas Dyer	10 th	DeLaine Miller*	23 rd	Judy Stephens	4 th
Sue Anglin*	19 th	Teresa Eads*	29 th	Bryan Moore*	14 th	Phillip Stephens*	4 th
Virginia Baker*	15 th	Tim Erwin*	12 th	Lewis Morales*	6 th	Phyllis Stewart*	17 th
Terry Ballard*	6 th	Marilyn Ferda*	12 th	Susan Mortakis	1 st	R. Keith Stewart	13 th
John Barker	16 th	Debra Fields	13 th	Angela Mullens*	26 th	Jerry Swanson*	25 th
Jane Barnes	4 th	Debra Fogle	2 nd	Sandra O'Brien	21 st	Fred Taylor*	11 th
Roger Beverage*	28 th	Joan Fontaine	4 th	Lisa Park	17 th	Robert Taylor	25 th
Caren Bills*	29 th	Gail Fry	24 th	John Parrish*	12 th	Crystal Thomas*	18 th
Paula Bland	13 th	Rose Gain	15 th	Cheryl Peal	13 th	Bradley Tinney*	26 th
Cathy Bowden	10 th	Sue Hatcher*	6 th	Jose Perez*	23 rd	Bonnie Viani	19 th
Mark Brady*	23 rd	John Hayner	4 th	Richard Perry*	24 th	Angela Visconti	13 th
Jack Bragg*	12 th	Raymond Herbert*	29 th	Serena Peterson*	26 th	John Voloski	10 th
Vickie Britner*	14 th	Mark Hofe*	23 rd	Toni Pill*	16 th	Jennifer Wells-Browning*	6 th
Charles Brown*	7 th	Jon Hoover*	14 th	Mary Porterfield	9 th	James Westfall	5 th
James Brown	13 th	Bryan Hostetler	2 nd	Jerome Powell*	8 th	Deborah Wiles*	27 th
Kay Browning*	7 th	Michelle Hunter*	6 th	Gladys Pratt	24 th	Roben Wilson	23 rd
Lloyd Burgess*	14 th	Larry Johnson	4 th	Marcia Price	30 th	Jonny Winkler*	6 th
Michael Burnside*	15 th	Robert Joltes*	2 nd	Brad Riggleman	23 rd	Franklin Wolfe*	17 th
Kerry Buzzo	9 th	James Kane	13 th	Danielle Robertson*	23 rd	Janet Wolfe*	18 th
Thomas Carpenter*	16 th	Tracy Keener*	15 th	Juanita Robertson	11 th	Janette Woodrum*	12 th
Judson Childs*	31 st	Brian Kilgore*	6 th	William Rogers*	6 th	Jon Wright	23 rd
Karen Childs	31 st	Brent King	16 th	John Rohrbaugh*	21 st		
Susan Christian	19 th	Stacy Klim*	6 th	David Ross*	15 th		
Ralph Cipoletti	1 st	James Lee*	1 st	Danica Rubenstein	17 th		
Peggy Cline	3 rd	Karen Lemons	11 th	Kevin Runyon*	7 th		
Mary Cobb	13 th	Charles McCann*	6 th	Thomas Scarpellini	25 th		
Shawn Cook*	23 rd	Patricia McCartney*	5 th	Charles Scott*	20 th		
Tamela Cook	20 th	John McCoy*	17 th	Brenda Shrader*	29 th		
Charlotte Crowe	9 th	Vickie McCrum	21 st	Stacy Silbaugh	1 st		
Jonathan Curenton	1 st	Melinda McGilton	23 rd	Manda Simmons*	22 nd		
Stephen Davis	22 nd	Carl McLaughlin	13 th	John Sizemore*	5 th		
Jerome DiBacco*	21 st	Scott Mealy	2 nd	Ricky Smoot	13 th		

*Adult & Juvenile Probation Officer