

DCJS

DIVISION OF CRIMINAL JUSTICE SERVICES

A Statistical Report of the
Department of Military Affairs and Public Safety
State of West Virginia

WV JUVENILE CORRECTIONS

1998 ANNUAL REPORT

DECEMBER 1999

Division of Juvenile Services

The WV Legislature created the Division of Juvenile Services (DJS) under the Department of Military Affairs & Public Safety in 1997.

The functions of juvenile detention & corrections were transferred from the Department of Health & Human Resources (DHHR) and the Division of Corrections (DOC) to the new division.

DJS operates seven juvenile facilities. Five are pre-dispositional detention centers, and two are correctional facilities.

Manfred G. Holland is the director of the agency.

Juvenile Correctional Facilities

The **WV Industrial Home for Youth** (Salem) is located one mile west of Salem on old U.S. Rt. 50 at Industrial.

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

Salem also has a thirty-day Diagnostic Unit that provides juveniles with complete psychological, medical and educational evaluations. Salem currently has a 124-bed capacity.

The **Davis Center** (Davis) is located near Black Water Falls State Park in Tucker County.

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

Juveniles committed to DJS Corrections are first received at Salem and assessed for placement there. Some male juveniles may be sent to Davis based on good behavior.

Almost 1,400 juveniles were committed to West Virginia (WV) juvenile correctional facilities between 1992 and 1998. These juveniles ranged from 12 to 20 years of age and were overwhelmingly white males.

More than 40% of the delinquent juveniles were committed as a result of violations of their conditions of probation, and more than half were adjudicated for more than one crime.

The average sentence served by juveniles committed to Salem between 1992 and 1998 was 6.6 months.

The following report provides a description of juveniles in WV juvenile correctional facilities.

It includes statistics about juveniles taken into correctional facilities in 1998 and provides an overview of the overall juvenile correctional facility population between 1992 and 1998.

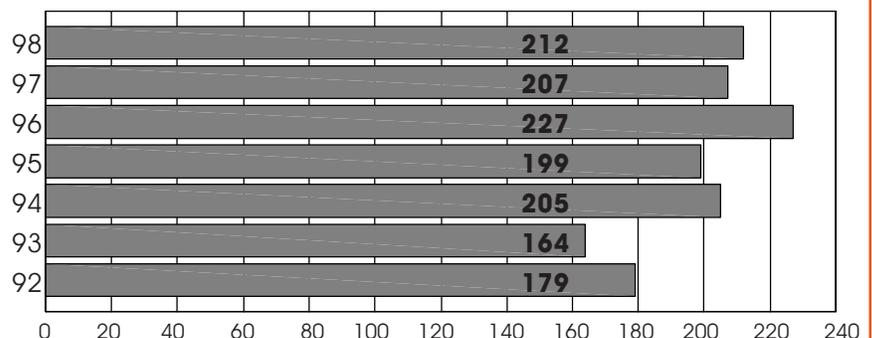
Data for this report were taken from monthly population reports (MPRs) generated by juvenile correctional facility staff. MPRs contain demographic information about juveniles committed to WV juvenile correctional facilities.

Collection of this data began in 1992. Under the Juvenile Justice and Delinquency Prevention Act (as amended in 1992), DCJS collects and reviews MPRs to monitor juvenile detention centers and correctional facilities for compliance with juvenile detaining standards and federal mandates.

This report is intended for criminal justice professionals and policy makers to facilitate sound policy decisions, ensure fair allocation of resources and determine more appropriate juvenile crime prevention and intervention measures.

1992-1998 Juvenile Intakes at Salem

Graph 1



Between 1992 and 1998, there was an 18% increase in the number of juveniles committed to juvenile corrections in WV. This increase corresponds with increases in bed capacity in 1994 (from 80 to 100 beds) and in 1996 (from 100 to 124 beds).

Admissions

In 1998, 212 juveniles were committed to Salem. 100 were subsequently transferred to Davis. 33 were released that same year, and 13 of the Davis transfers were sent back to Salem in 1998 because of their behavior.

Of the total 1,440 juveniles in Salem between 1992 and 1998, 600 were transferred to Davis. The number of Davis transfers ranged from a low of 66 in 1993 to a high of 105 in 1996. An average of 86 juveniles were transferred to Davis each year.

The number of intakes that remained at Salem ranged from a low of 98 in 1993 to a high of 128 in 1994. The average number of intakes per year that remained at Salem was 113.

Gender

Of the 212 juveniles committed to Salem in 1998, 199 were male and only 13 were female. All 100 of the juveniles transferred to Davis were male because Davis is an all male facility.

The 1998 gender ratio is similar to the overall gender ratio of juveniles in corrections between 1992 and 1998. During those seven years, 92% of the incarcerated youth were male and 8% were female.

All 600 juveniles transferred to Davis between 1992 and 1998 were male. 86% of the juveniles who remained at Salem during those years were male and 14% were female.

Age

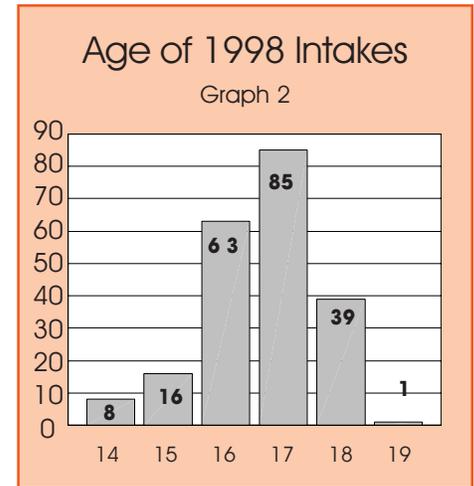
The age of juveniles committed to Salem in 1998 ranged from 14 to 19 years old. 17 year olds were the most frequently committed age group.

Between 1992 and 1998, the age at intake ranged from 12 to 20 years old. The average age for all juveniles committed during those seven years was 16.5 years. Overall, the most frequently occurring age at intake was 17.

Females committed to Salem were an average of six months younger (16) than their male counterparts.

56% of the females and 65% of the males in WV juvenile correctional facilities between 1992 and 1998 were between the ages of 16 and 17.

On their 18th birthday, juveniles who have not completed their sentence are returned to the committing court for



status reconsideration. Those deemed adults are then released to corrections. Those retained under juvenile jurisdiction may remain in juvenile correctional facilities until their 21st birthday.

Race

Minorities are overrepresented in WV's incarcerated juvenile population in contrast to the overall racial distribution of WV's juvenile population.

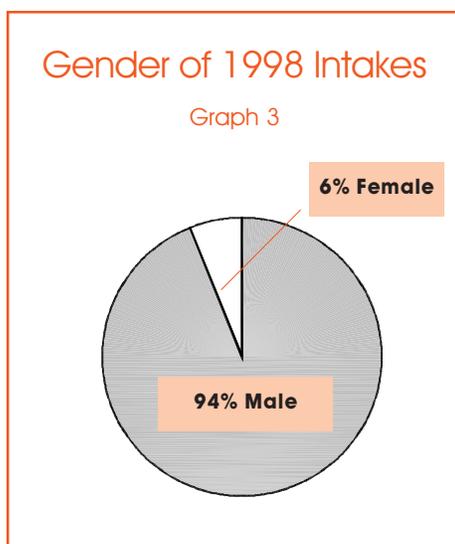
Of the 212 juveniles taken into Salem in 1998, 80% (170) were white, 17% (36) were black, and 3% (6) were other races. This racial distribution contrasts with the overall juvenile population that is 95% white, 4% black and 1% other races, according to 1990 Census data.

Minority overrepresentation also occurred in the overall juvenile

correctional facility population between 1992 and 1998.

However, taking into consideration the small number of juveniles who are actually taken into WV juvenile correctional custody every year, WV's juvenile minority overrepresentation rate is similar to the national rate.

According to *Juvenile Offenders and Victims: 1999 National Report*, minorities comprised 34% of the national juvenile population in 1997 and 67% of the juvenile population in public correctional facilities.



Limitations

Data for this report was taken from monthly correctional facility population reports obtained from DOC, DHHR and DJS. The quality of the data reported depended on the accuracy of information available at the time of intake.

Statistics in this report may include the demographics of juveniles who have entered the corrections system more than once. For example, some juveniles are committed to Salem, transferred to Davis and then transferred back to Salem because of behavior. Others are committed and released, then later committed again for committing other offenses. However, duplications are rare and do not affect the quality of the data.

Also notable are several recent changes in WV's juvenile justice law that may have affected statistics on the incarcerated juvenile population. Those changes include:

- *Abolishment of the statutory requirement that juvenile courts choose the "least restrictive alternative" when deciding on dispositions for delinquency cases.
- *Requiring youth incarcerated for criminal violations to be released from correctional facilities by the committing court, rather than leaving it to the discretion of the facility superintendent.
- *Lowering the age of adult court transfer from 16 to 14 for certain serious and repeat offenders.

Offenses

Offenses were placed into categories developed by the Federal Bureau of Investigation's National Crime Information Center (NCIC).

The categories include: arson, assault, burglary, child abuse, controlled substance, damaged property, flight or escape, forgery, fraudulent activities, homicide, kidnapping, miscellaneous, obstructing justice and police, privacy violation, prostitution, public peace violation, robbery, sexual assault and offense, status offense, stolen property, stolen vehicle, theft, traffic violation and weapons offenses.

Because many offenders committed multiple offenses, juveniles may be included in more than one category.

The offense statistics in this report are based only on the offenses that were recorded on facility monthly population reports when juveniles were committed.

Juveniles may have originally been charged and disposed of multiple offenses that were not known at intake.

The most frequently occurring offense categories in 1998 were burglary, assault, and theft.

Similarly, assault (423), burglary (366), and theft (352) were at the top of

Admitting Offenses To Salem in 1998

Table 1

Offense Category	Frequency
Burglary	54
Assault	36
Theft	30
Robbery	16
Damage Property	15
Controlled Substance	14
Stolen Vehicle	12
Stolen Property	9
Fraudulent Activities	5
Weapons Offense	5
Homicide	3
Miscellaneous Codes	3
Traffic Offenses	3
Arson	2
Child Abuse	1
Obstructing Police	1
Privacy Violation	1
Prostitution	1
Sexual Assault	1
Total	212

the list of offenses charged to juveniles in corrections from 1992 to 1998.

There were also significant numbers of offenses in other categories during the seven-year period. There were 192 controlled substance charges, 174 property damage charges, 128 stolen vehicle charges, and 103 robbery charges.

Only 9 status offenses were charged in the seven-year period. However, these charges were secondary and not the reason for incarceration.

In 1998, 74 juveniles were committed to Salem because of a probation violation. That number is 35% of the total 212 juveniles committed to Salem that year.

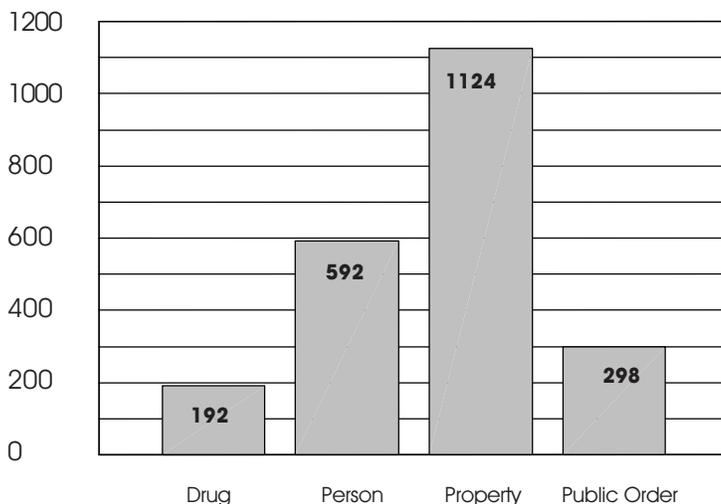
During the seven-year period, 610 or 42% were committed for probation violations.

95 of the juveniles committed in 1998 were listed with only one offense. 84 were listed with two, and 33 were listed with three or more offenses.

From 1992 to 1998, 68% of the juveniles (980) were listed as being charged with a single criminal act. The remaining 32% were listed as being charged with more than one offense.

Types of Offenses Charged to Juveniles in Salem 1992-1998

Graph 4



The previously mentioned NCIC offense categories have been grouped into five broader classifications to depict the frequency of certain types of offenses charged to juveniles in corrections between 1992 and 1998.

The **Drug** category includes all controlled substance offenses. **Person** comprises person-related offenses such as assault, child abuse, kidnapping, homicide and robbery. **Property** offenses include arson, burglary, damaged and stolen property and theft charges.

The **Public Order** category includes charges such as forgery, obstructing justice, traffic and weapons offenses, as well as all other miscellaneous offenses.

1998 Juvenile Incarceration Rates By County

Table 2

	Juvenile Population	Juveniles Committed	Rate		Juvenile Population	Juveniles Committed	Rate		Juvenile Population	Juveniles Committed	Rate
WV	217,329	212	0.10%	Lewis	2,051	2	0.10%	Raleigh	10,672	5	0.05%
Morgan	1,344	5	0.37%	Pleasants	992	1	0.10%	Boone	3,684	1	0.03%
Cabell	10,134	34	0.34%	Kanawha	23,202	22	0.09%	Brooke	3,212	1	0.03%
Hardy	1,213	4	0.33%	Randolph	3,362	3	0.09%	Wood	9,933	3	0.03%
Calhoun	990	3	0.30%	Ritchie	1,155	1	0.09%	Logan	6,593	1	0.02%
Jackson	3,228	8	0.25%	Nicholas	3,871	3	0.08%	Clay	1,562	0	0.00%
Jefferson	3,983	10	0.25%	Braxton	1,503	1	0.07%	Doddridge	869	0	0.00%
Grant	1,370	3	0.22%	Harrison	8,231	6	0.07%	Gilmer	813	0	0.00%
Roane	2,202	4	0.18%	Marshall	4,501	3	0.07%	Lincoln	3,050	0	0.00%
Mineral	3,062	5	0.16%	McDowell	5,352	4	0.07%	Mason	3,225	0	0.00%
Wayne	5,504	9	0.16%	Monongalia	6,838	5	0.07%	Monroe	1,397	0	0.00%
Berkeley	6,719	10	0.15%	Putnam	5,398	4	0.07%	Pocahontas	1,026	0	0.00%
Greenbrier	3,989	6	0.15%	Mingo	5,055	3	0.06%	Tucker	927	0	0.00%
Hampshire	2,114	3	0.14%	Ohio	4,974	3	0.06%	Tyler	1,196	0	0.00%
Mercer	8,016	11	0.14%	Taylor	1,765	1	0.06%	Webster	1,495	0	0.00%
Upshur	2,796	4	0.14%	Barbour	1,845	1	0.05%	Wetzel	2,282	0	0.00%
Fayette	6,676	9	0.13%	Hancock	3,983	2	0.05%	Wirt	584	0	0.00%
Pendleton	775	1	0.13%	Marion	6,379	3	0.05%	Wyoming	4,486	0	0.00%
Summers	1,643	2	0.12%	Preston	4,008	2	0.05%				

Juvenile incarceration rates were calculated by dividing the number of juveniles from a particular county committed to Salem in 1998 by the juvenile population of the county. 1990 Census figures were used for the juvenile population numbers. Juvenile population includes all juveniles age 10 to 17. Arrests and subsequent incarceration of juveniles under ten are rare. Including this age group in the calculations would cause the numbers to underrepresent the county rates.

County Offender Rates

To make accurate comparisons between counties, offender rates were calculated by dividing the number of juveniles incarcerated by the juvenile population of the county.

In 1998, **Cabell** and **Kanawha** had the most juveniles committed to Salem. However, in proportion to county population, **Morgan** and **Cabell** counties had the highest juvenile incarceration rates in 1998.

Between 1992 and 1998, Cabell (251), Kanawha (137), Marion (80) and Berkeley (74) counties sent the most juveniles to Salem.

When compared to county juvenile population, Cabell (2.48%), Greenbrier (1.35%), Morgan (1.34%) and Marion

(1.25%) had the highest incarceration rates between 1992 and 1998.

The counties with the lowest incarceration rates during those seven years were Wyoming (.04%), Braxton (.07%), Tyler (.08%) and Tucker (.11%).

While it is important to examine the number of juveniles incarcerated and the incarceration rate for each county, care must be taken in drawing conclusions from the data.

There were only a small number of cases (212) used to determine the rates. As shown in Graph 1, the number of juvenile intakes varies from year to year. This causes the incarceration rates to fluctuate widely.

There are also a number of factors, other than type of offenses committed, that go into a decision to incarcerate a juvenile. These factors include philosophy of the judge and the prosecutor in the county and the availability of alternative sanctions.

Data in Table 2 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.

Overall, WV's juvenile incarceration rate is low in comparison to other states. For rate of juveniles in public facilities, WV's rate was the 47th lowest in 1995. Only Hawaii, Massachusetts, and Vermont had lower rates that year.

Length of Stay

Salem

Of the 33 juveniles released from Salem in 1998, **more than 60% stayed six months or less.** Eight stayed three months or less. 12 juveniles stayed between four and six months, and 11 stayed between seven and nine months. Only two of the 33 juveniles stayed for 11 months.

Overall, **the length of incarceration for juveniles taken into Salem between 1992 and 1998** ranged from less than one month to 31 months with an **average of 6.6 months** for all juveniles. Six months was the most frequent length of stay.

The majority of juveniles committed to Salem (93.9%) completed their sentence in a year or less. 86.4% were incarcerated for 9 months or less. 55.1% of the juveniles served a sentence of six months or less.

During the seven-year period, the average length of sentence increased from an average of 6.3 months in 1992 to 8.3 months in 1997.

Only 33 of the juveniles committed in 1998 were released by the end of the year. Therefore, the average length of stay for 1998 could not be calculated.

Female juveniles served shorter sentences (5.5 months) than their male counterparts (6.7 months), on average. Two male juveniles served a sentence greater than 24 months, while the longest sentence served by a female juvenile was 12 months.

The intake date for 47 juveniles was not available for this analysis, nor were the release dates for juveniles who had not been released at the time of analysis.

Davis

According to data reported by Davis Center staff, **the average length of stay for juveniles committed to Davis was a little more than 7 months.**

Their reports show that the average length of stay at Davis was 7.2 months in 1992 and averaged 7.4 months from 1993 to 1998.

Capacity

Salem has a licensed capacity of 124 beds. 12 of those beds are designated for female juveniles only. Salem's population has stayed at or near capacity in recent years.

The Davis correctional facility has a licensed capacity of 60 beds. In contrast to Salem, its population has stayed at or below capacity because of its minimum security classification. Most juveniles committed to DJS require a maximum security classification.

Because of strained capacity at Salem, some juveniles were court ordered to out-of-state facilities causing an increase in cost, transportation problems, after care planning problems, and visitation complications.

DJS has planned several expansion projects to help alleviate these problems.

Salem's capacity will increase from 124 to 324 by October 2000. This increase will bring the overall capacity of WV juvenile correctional facilities to from 184 to 384 beds.

Plans for a new facility in Boone county along U.S. 119 are also underway. The new Southwestern Juvenile Correctional Facility will have up to 75 male and female beds.

Plans for the facility include a special behavioral management unit for extremely aggressive juveniles, a unit for adult transfer detainees and programs for juveniles who are arsonists, sex offenders and/or mentally deficient. The facility will also feature a diagnostic unit and detention unit.

From 1992 to 1993, the capacity of juvenile correctional facilities was 80 beds and the average length of stay was six months. An average of 172 juveniles were committed each year.

In 1994, correctional facility capacity increased to 100 beds. The average length of stay was still approximately six months. In 1994 and 1995, an average of 202 juveniles were committed.

In the 1996, capacity increased to 184 beds while the average length of stay increased to 7.3 months. An average of 215 juveniles were committed to Salem from 1996-1998.

It is possible for the number of juveniles committed to correctional facilities in any given year to exceed the number of available beds that year because most juveniles do not stay longer than six months.

Acknowledgments

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Information presented in this report in no way represents the opinions of the US Department of Justice or the State of West Virginia.

Special thanks to Division of Juvenile Services staff and the facility staff at Salem and Davis for providing the information for this report.

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Population Estimates

The number of juvenile arrests and probation cases is increasing, causing an increase in the potential number of juvenile incarcerations. This creates a need for additional capacity in WV juvenile correctional facilities.

Estimating the potential need for juvenile corrections is necessary to effectively plan for facility expansion.

However, population projections are difficult to calculate because WV's juvenile correctional facilities have been at or near capacity for the last few years. This lack of capacity may influence a juvenile court's decision whether or not to order incarceration.

Because the incarceration rate of juveniles adjudicated delinquent in WV is unknown, **the national average incarceration rate of juveniles adjudicated delinquent was used to estimate the number of juvenile correctional beds needed for WV.**

The national average is 28% according to *Juvenile Court Statistics 1996*, a publication of the Office of Juvenile Justice & Delinquency Prevention, US Department of Justice.

There were 1,614 juveniles adjudicated delinquent in WV in 1998, according to juvenile probation statistics. This produces 452 potential

juvenile commitments.

However, because most juveniles do not stay longer than six months, it is possible for the number of juveniles committed to correctional facilities in any given year to exceed the number of available beds that year.

Therefore, when the average length of stay is factored in, approximately **389 beds per night would be needed to prevent overcrowding** in WV juvenile correctional facilities in 1999.

This projected number is five more than the number of beds that will be available (384) once expansion plans are completed next fall.

The map below lists the estimated number of beds needed by county for 1999. Each county is shaded according to the projected number of correctional facility beds needed for juveniles committed from each county. These estimated are based on the number of juveniles reported to have been adjudicated delinquent in 1998.

Projected Average Need for Juvenile Correctional Facility Beds

Per Night

