Fingerprinting of Alleged or Adjudicated Juvenile Delinquents

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Currently all jurisdictions have a statute or court rule that governs the fingerprinting of juveniles, under specified circumstances.

In addition, most states have procedures that restrict the taking of juvenile fingerprints in some way.

Four states, Hawaii, Nebraska, New Mexico, and Wisconsin restrict by age. In Wisconsin, a juvenile must be 10 or older before fingerprinting is allowed. Hawaii sets the age at 12. New Mexico sets the age at 13. Nebraska sets the age at 14. Both Nebraska and New Mexico permit fingerprinting of younger juveniles by court order.

The same 9 states permit fingerprinting of juveniles of any age who are alleged to have committed specified more serious offenses. If the juvenile is alleged to have committed a more serious offense, no court order is necessary for fingerprinting.

Arkansas, California, Colorado, Florida, Iowa, Massachusetts, Mississippi, Nevada, Virginia, and Wyoming also permit fingerprinting of juveniles of any age who are alleged to have committed specified offenses. If the juvenile is alleged to have committed such an offense, no court order is necessary for fingerprinting.

The specified offenses include: an act that would be a felony or serious misdemeanor if committed by an adult, offenses involving violence or the use of a weapon, and specified sexual offenses. In some states, a juvenile of any age can be fingerprinted if he or she has previously been prosecuted as an adult, or if the juvenile is being transferred to criminal court for adult prosecution.

Thirteen states permit the fingerprinting of juveniles for any act of delinquency. There are no age restrictions and no court order is required. These states are: Alabama, Alaska, Arizona, Connecticut, Idaho, Illinois, Kentucky, Maine, Maryland, Michigan, Oklahoma, Oregon, and Pennsylvania.

Only New Jersey and North Carolina require the fingerprinting of juveniles adjudicated delinquent.

New Jersey statute requires the fingerprinting of a juvenile of any age who is adjudicated delinquent. Such prints are then sent to the State Bureau of Identification.

North Carolina statute requires the fingerprinting of a juvenile who was 10 or older at the time of the offense and it would be a felony if committed by an adult. Such prints are then sent to the State Bureau of Investigation and the Federal Bureau of Investigation. Such prints are also placed in the Automated Fingerprint Identification System to be used for all investigative and comparison purposes.

Any act of delinquency (13)
Serious offenses; no age/court order restrictions (19)
All others (19)