

## Guide to the *State Juvenile Justice Profiles*

Melanie King  
National Center for Juvenile Justice  
April 2006

This bulletin introduces users to the history, content, and design of the *State Juvenile Justice Profiles* web site. The *State Juvenile Justice Profiles* features rich, descriptive information and analysis regarding each state's juvenile justice system, illustrating the uniqueness of the 51 separate juvenile justice systems in this country. Developed in collaboration with state and local juvenile justice practitioners, the *State Juvenile Justice Profiles* offers an evolving array of information about each state's laws, policies, and practices, with links to individuals and agencies in the state.

*Anyone may use the content of this publication as is for educational purposes as often and for as many people as wished. All we ask is that you identify the material as being the property of NCJJ. If you want to use this publication for commercial purposes in print, electronic, or any other medium, you need our permission. If you want to alter the content or form for any purposes, educational or not, you will also need to request our permission.*

### Introduction

There is not one, but fifty-one juvenile justice systems in the United States. Each system has its own history and set of laws and policies and delivers services to juvenile delinquents in its own way.

The National Center for Juvenile Justice (NCJJ) first documented how states organize and administer their delinquency services (e.g., probation supervision, juvenile corrections, and re-entry) in 1987. Funding from the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) allowed NCJJ to transform this work into a web site—the *State Juvenile Justice Profiles*—in 2000 and continues to support the web site's maintenance and expansion.

As a web site, the *State Juvenile Justice Profiles* is searchable, consumes considerably less space than a hard copy, and accommodates the transient nature of this

information. For example, in 2005 alone, at least three states substantially changed their systems: California reorganized its correctional agency, and the District of Columbia and Illinois elevated their juvenile correctional agencies to cabinet level.

The main component of the *State Juvenile Justice Profiles* web site is its “profiles” of state juvenile justice systems. Each profile describes the current structure and substance of a state's delinquency services and serves as a portal to juvenile delinquency laws and online resources. The “national overviews” place the individual state profiles into context by summarizing information across states.

To compile this information, NCJJ staff analyzes state statutes, reviews documents and web sites, and interviews state and local juvenile justice practitioners, including judges, chief probation officers, district attorneys, detention administrators, state juvenile corrections officials, state court administrators, and state juvenile justice specialists.

The screenshot shows the NCJJ website interface. At the top left is the NCJJ logo. To its right are two dropdown menus: "State Profiles:" with a "Select a state" dropdown, and "National Overviews:" with a "Select an overview" dropdown. Below these is a navigation bar with links: "State Juvenile Justice Profiles", "Home", "Using State Profiles", "Glossary", "Links", "Feedback", and "Contact Us". A copyright notice reads: "© 2010 (original copyright), © 2014 (most recent copyright) National Center for Juvenile Justice".

Below the navigation bar, there are several sections:

- What's New?**: A "GOOGLE SITE SEARCH" box.
- Developed and maintained by:** A logo for NCJJ and contact information for the National Center for Juvenile Justice: 2700 South Water Street, Ste 200, Pittsburgh, PA 15202, 412-227-4950, 412-227-4955 (fax).
- Sponsored by:** A logo for OJJDP.
- Did you know?**: A text box stating: "America does not have a juvenile justice system. Rather, it has 51 separate systems." Below this is a larger text box describing the website's features and development.
- Footer:** "This web site is maintained by the National Center for Juvenile Justice, the research division of the National Council of Juvenile and Family Court Judges."

At the bottom of the screenshot, a caption reads: "Home Page of State Juvenile Justice Profiles."

# How should states organize and administer their juvenile delinquency services?

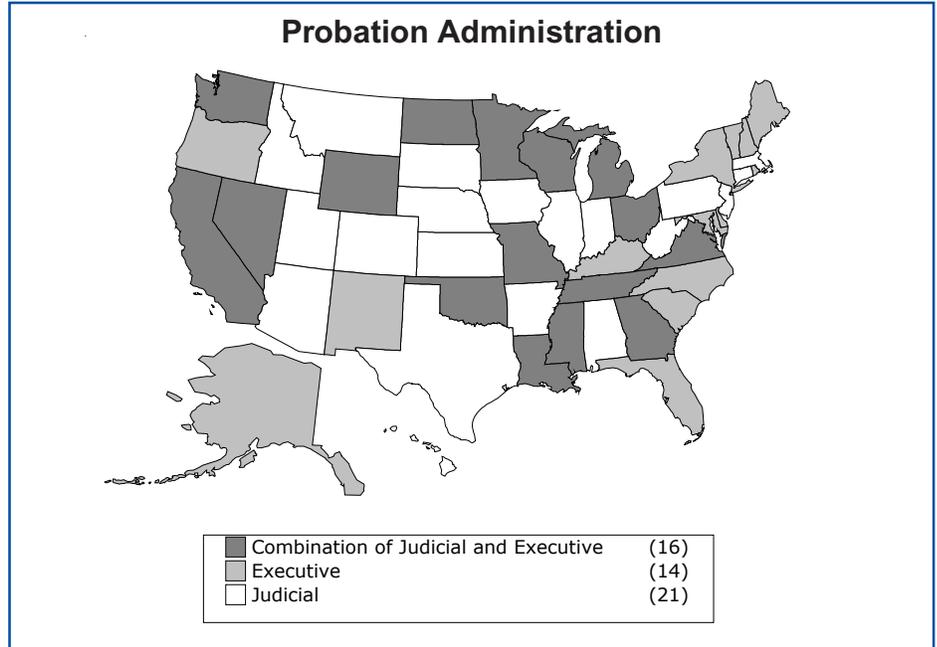
## The Great Debate<sup>1</sup>

Should a local or state agency administer the service? Should authority be given to a judicial or executive branch agency?

How a state organizes and administers its juvenile and family court, detention, probation, and post-dispositional services is a central focus of the *State Juvenile Justice Profiles* as well as an enduring topic of discussion. Since the first juvenile court system was created in the late 1890s, these arrangements have generated great debate, with the ability and appropriateness of the juvenile court to administer probation services at its heart.

Commissions, scholars, and analysts have argued that the executive branch of government should administer juvenile probation, not the judiciary. For example, the Institute of Judicial Administration<sup>2</sup> of the American Bar Association suggested that judges may not have a sufficient background in social sciences and that this arrangement risks violating constitutional doctrines (e.g., would judges' relationships with court-employed probation officers prevent juveniles from receiving impartial hearings?)<sup>3</sup>

Regardless, in 20 states and the District of Columbia, judicial agencies, either at the state or local level, administer juvenile probation. In another 16 states, some combination of executive and judicial branch agencies administers juvenile probation. In the remaining states with executively-administered probation, it is important that



the court and probation “collaborate closely and that their goals and principles are in alignment.”<sup>4</sup>

Although every state vests a state-level executive branch agency with responsibility for administering its juvenile corrections continuum, the debate lies in the type of agency. Thirty-two states vest authority in either a social or human services agency (16, including the District of Columbia) or in a separate juvenile corrections agency (16). Currently, only 10 states administer juvenile correctional services within the adult corrections agency. This reflects recognition that the mission of juvenile corrections differs substantively from that of adult corrections.

Twenty-five years ago, an OJJDP-sponsored study examined the “judicial-executive controversy” and related issues. The conclusion still rings true:

Whichever structure the interested reader may consider...certain factors...have critical impact. These include the amount of money available for these services, the quality of personnel with which the system is staffed, and the personal leadership of the judiciary in stimulating community interest and support. Each of these attributes is a sine qua non of good services, regardless of the formal administrative structure.<sup>5</sup>

Changes in leadership in state legislative, judicial, and executive branches continue the great debate by causing shifts in the organization and administration of juvenile services and changing purpose clauses, transfer laws, and other topics of interest to juvenile justice practitioners. The *State Juvenile Justice Profiles* describes the current situation in a state and across the nation on a variety of dimensions.

## Every page of the web site allows users to quickly access its two main features.

### Navigating the Site

Every page of the web site allows users to quickly access its two main features: the state profiles and the national overviews. A horizontal banner contains these navigational features.

#### State Profiles

The state profiles tab contains a drop-down menu of states. Click on a state's name to view its profile. Then, jump directly to a topic by using the "select a topic" drop-down menu.

If you prefer to read a hard copy of the profile, click on "print entire profile." The dates on the upper right-hand corner indicate the currency of the information.

#### National Overviews

The national overviews tab is a gateway to frequently asked questions about topics in four categories:

- organization and administration of services
- statistical links
- trying juveniles as adults in criminal court and blended sentencing provisions
- other statutes analyses (e.g., purpose clauses and ages of juvenile court jurisdiction).

The screenshot shows the NCJJ website interface. At the top, there are two main tabs: 'State Profiles:' and 'National Overviews:'. Under 'State Profiles:', there is a drop-down menu currently set to 'Arizona'. Under 'National Overviews:', there is a 'Select an overview' drop-down menu. Below these tabs is a horizontal banner with the text 'Arizona' and 'Select a topic: Entire Profile'. A 'Print entire profile' link is also visible. The main content area contains two sections: 'Delinquency Services Summary' and 'Court(s) with Delinquency Jurisdiction'. Two callouts with blue lines point to the 'Arizona' drop-down menu and the 'Select a topic' drop-down menu, with labels 'Select a state' and 'Select a topic' respectively. At the bottom of the screenshot, it says 'Sample page from State Juvenile Justice Profiles'.

Most of the national overviews begin with a descriptive summary of national trends. Click on the hyperlinked numbers within the text to retrieve tables that identify which state belongs to which category. Some of the national overviews feature color-coded maps.

#### Supplementary Pages

A row of white links appears beneath the two blue tabs. These links lead you to the following supplementary pages:

*Using the State Profiles* presents information about the site's structure, content, and history.

*Glossary* defines the topics that appear in each profile and terms contained in the profiles.

*Links* provides direct access to related national and state juvenile justice web sites.

*Feedback* is a short user survey on the content and the format of the site.

*Contact Us* contains the National Center for Juvenile Justice's contact information.

## The state profiles encompass the range of juvenile delinquency services.

Each state profile contains the minimum you need to know to find your way around a state's juvenile justice system. The state profiles encompass the range of juvenile delinquency services, from who can file a delinquency complaint on a juvenile to who has the authority to release a juvenile from a correctional facility.

### ***Delinquency Services Summary***

Summarizes how the state administers and organizes its major delinquency services, reflecting the state's level of flexibility and uniformity.

### ***Service Classification***

Assigns a classification to major delinquency services based on the level (state and/or local) and branch (judicial and/or executive) of the agency responsible for day-to-day administration.

### ***Court(s) with Delinquency Jurisdiction***

Identifies the court with delinquency jurisdiction and whether it is a court of limited or general jurisdiction.

### ***Detention***

Identifies the agency(ies) that administers this service, the organization of which varies more than any other juvenile delinquency service.

### ***Delinquency Intake Screening***

Informs users about who determines whether to dismiss, divert, or handle a case formally through the court process.

### **Highlights**

Quickly reveals recent and current reform efforts, system reorganization, significant pieces of legislation, unique programs with statewide implications, and unusual policies or practices.

For example, did you know that:

... Hawaii has a specialized court for girls who are juvenile offenders, and Rhode Island and West Virginia have juvenile re-entry courts?

... the Kentucky Department of Juvenile Justice has a Mental Health Branch?

... through the use of fiscal incentives, several states encourage juvenile courts to develop local community-based programs and rely less on state juvenile correctional facilities?

### **Delinquency Law Topics**

#### Legal Resources

Provides places to turn for more legal information, including the citation for the juvenile code and the link to the state bar association's web site.

#### Purpose Clause(s) for Delinquency Proceedings and Juvenile Corrections

Contains actual text of the state's guiding philosophy.

#### Delinquency Jurisdiction

Explains who is under the jurisdiction of the juvenile court (e.g., the state's lower, upper, and extended ages).

#### Juvenile Transfer and Blended Sentencing Laws

See page 6 of this *Bulletin*.

### ***Predisposition Investigation***

Identifies the agency charged with performing the predisposition investigation and whether a standardized instrument is used.

### ***Probation Supervision***

Is one of the most substantive topics, reflecting probation's nickname of being the "workhorse" of the system (i.e., a probation officer handles virtually every case at some point).

### ***Juvenile Probation Officer Qualifications, Certification, and Training***

Addresses how "professionalized" the position of Juvenile Probation Officer is in the state.

### ***Juvenile Corrections Continuum***

Identifies the agency that administers juvenile corrections and the range of services available.

### ***Commitment to State***

Describes the roles of the court and state agency in determining the juvenile's actual placement and length of stay (sentence).

### ***Aftercare/Re-Entry***

Names the agency who prepares juveniles for their release from state juvenile correctional facilities and their return to their communities.

The remaining topics are:

- Diversion
- Victim Rights and Services
- Direct Placement
- Release
- Juvenile Justice Leadership
- Resources/Contacts

## The national overviews place the individual state profiles into context.

### National Overviews

The national overviews summarize information across states and link you to statistics. Below are examples of national overviews from each of the four areas that the national overviews cover:<sup>6</sup>

#### Organization and Administration of Services

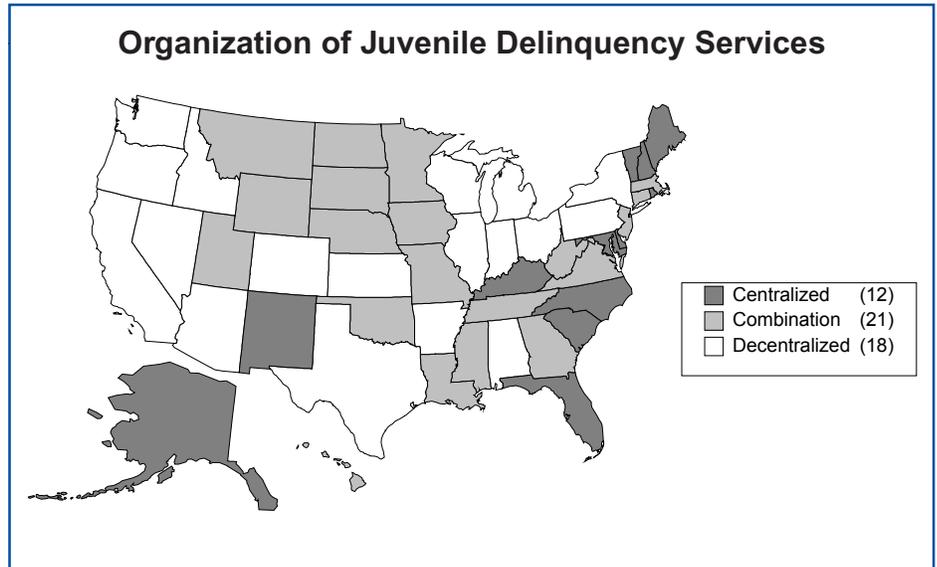
##### Are juvenile delinquency services centralized at the state level?

The states belong to one of these basic models:

**Centralized states:** These 12 states are characterized by a state executive agency having across-the-board state control of delinquency services.

**Decentralized states:** The organization of basic delinquency services in these 18 states is characterized, at a minimum, by local control of probation services. Often, local authorities also run detention centers. Some share responsibility for aftercare services with state agencies.

**Combination states:** The organization of basic delinquency services in these 20 states and the District of Columbia features a mix of state-controlled and locally operated delinquency services. For instance, they may have largely state-run systems—but with significant local control in the more populous, urban areas. Another possible scenario is that the state divides responsibility for delinquency services between the executive and judicial branches.



##### Why do states use secure detention?

Detention facilities are primarily used to hold juveniles securely while they await adjudication or placement. However, 35 states use detention as a disposition, and 40 states use it as a sanction for probation violations.

#### Statistical Links

##### How can I obtain juvenile arrest rates for each state?

Questions under this section link to the Easy Access family of web-based data analysis tools that the National Center for Juvenile Justice developed for the Office of Juvenile Justice and Delinquency Prevention. This particular question links to Easy Access to FBI Arrest Statistics, which provides online access to national, state, and county juvenile arrest statistics.

#### Trying Juveniles as Adults

##### How have state laws governing criminal prosecution of juveniles changed in recent years?

Thirty-one states substantively changed their laws governing the criminal prosecution and sentencing of juveniles during 1998 to 2002.

#### Other Statutes Analyses

##### What is each state's oldest age for original juvenile court jurisdiction in delinquency matters?

A 16-year-old is still under juvenile court jurisdiction in Pennsylvania, but is an adult next door in New York. This national overview features a table that lists each state's upper age limit for being under juvenile court jurisdiction. The juvenile court has original jurisdiction for 17-year-olds in the vast majority of states (38 states, including the District of Columbia).

## All states allow juveniles to be tried in criminal court under some circumstances.

### ***Transfer and Blended Sentencing Provisions***

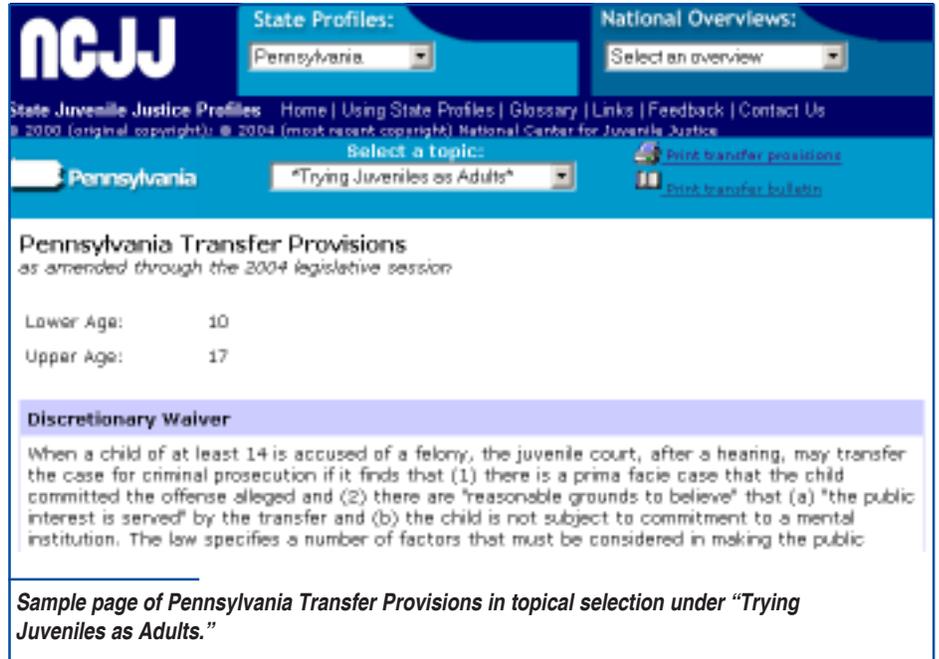
State transfer laws define categories of juveniles who, because of their ages, their past records, or the seriousness of the charges against them, may—or in some cases must—be tried in courts of criminal jurisdiction . . . Blended sentencing laws, on the other hand, focus not on the trial forum but on the correctional system (juvenile or adult) in which the serious juvenile offender will be sanctioned.<sup>7</sup>

The *State Juvenile Justice Profiles* addresses transfer and blended sentencing laws in three places: the state profiles contain summaries, the national overviews analyze these laws, and the glossary defines relevant legal terms. These are among the most popular pages on the web site.

#### **State Profiles**

Each state profile contains summaries of the state's transfer and blended sentencing laws, accessible by selecting "Trying Juveniles as Adults" in the "Select a Topic" drop-down menu. Users can retrieve this same information via the table accompanying the first Trying Juveniles as Adults' national overview. These summaries serve as an updated online appendix for *Trying and Sentencing Juveniles as Adults: An Analysis of State Transfer and Blended Sentencing Laws*.<sup>8</sup>

The summaries begin with the state's lower and upper ages of juvenile court delinquency



The screenshot shows the NCJJ website interface. At the top, there are navigation menus for "State Profiles:" (with "Pennsylvania" selected) and "National Overviews:" (with "Select an overview" selected). Below these are links for "Home | Using State Profiles | Glossary | Links | Feedback | Contact Us" and copyright information. A "Select a topic:" dropdown menu is set to "Trying Juveniles as Adults". There are also links for "Print transfer provisions" and "Print transfer bulletin". The main content area is titled "Pennsylvania Transfer Provisions as amended through the 2004 legislative session". It lists "Lower Age: 10" and "Upper Age: 17". A section titled "Discretionary Waiver" contains text: "When a child of at least 14 is accused of a felony, the juvenile court, after a hearing, may transfer the case for criminal prosecution if it finds that (1) there is a prima facie case that the child committed the offense alleged and (2) there are 'reasonable grounds to believe' that (a) 'the public interest is served' by the transfer and (b) the child is not subject to commitment to a mental institution. The law specifies a number of factors that must be considered in making the public". At the bottom, a caption reads: "Sample page of Pennsylvania Transfer Provisions in topical selection under 'Trying Juveniles as Adults.'"

jurisdiction, followed by the classification of the type of transfer mechanism that the state uses (e.g., discretionary judicial waiver, direct file, statutory exclusion). A state may employ more than one transfer mechanism. For each type of mechanism, the summary identifies the applicable offense category (e.g., any offense, certain felonies, capital crime), the youngest possible age at which a juvenile accused of an offense in that category may be transferred, and offense detail.

#### **National Overviews**

The national overviews tab presents "Trying Juveniles as Adults" as an option on its drop-down menu. Selecting this option retrieves ten frequently asked questions about transfer provisions and one on blended sentencing provisions. For example:

#### ***Which states prosecute juveniles as adults in criminal court?***

The most common mechanism states have for transferring juveniles to adult criminal court is judicial waiver: as of the end of the 2004 legislative sessions, 46 states authorized or required juvenile court judges to waive jurisdiction over certain cases involving minors.

#### **Glossary**

Transfer and blended sentencing provisions come with their own legal lexicon. The glossary explains the differences between types of transfer mechanisms and blended sentencing configurations.

## Almost 1,000 people visit the *State Juvenile Justice Profiles* web site each day.

### ***Users of the Web Site***

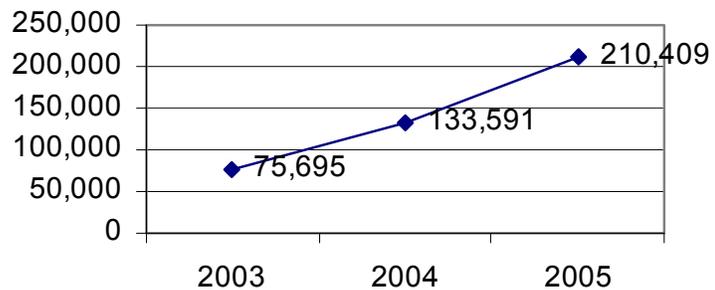
Currently, almost 1,000 people visit the *State Juvenile Justice Profiles* web site each day. During the six years of the web site's existence, the National Center for Juvenile Justice has identified frequent users from responses to the site's online survey and from web statistics. Although the *State Juvenile Justice Profiles'* users share a common destination, they are as diverse as the systems themselves.

For example, researchers must be cautious when comparing states because state policies and practices may influence data. A researcher pegs a state as "getting tough" on juvenile crime because of its relatively high rate of juveniles in custody. After consulting the *State Juvenile Justice Profiles*, the researcher concludes that the state's narrow transfer provisions and older extended age and upper age of jurisdiction are the likely culprits.

A state legislative committee considers relocating juvenile corrections. The legislative analyst uses the web site to identify how other states organize this function and is able to inquire further with key stakeholders from selected states by using the Resources/Contacts section.

A victim of a juvenile offender may refer to the Victim Rights and Services section of a state profile to find out the rights and services to which he or she is entitled.

**Trends in User Sessions: 2003-2005**  
Annual user sessions have increased by 178% since 2003.



A journalist covering a juvenile being tried in criminal court for a drug offense may refer to a national overview to determine if this is a common practice.

A consultant trying to quickly become an expert on a state's pressing issues before a site visit reviews the Highlights section and clicks on the state agency links to be brought up to speed.

Other users include:

- Family members of youth in the system or the youth themselves
- Juvenile justice advocates
- State juvenile justice agencies
- Students and professors in university graduate and undergraduate programs
- Juvenile justice practitioners, from line staff to agency leaders and research departments
- Staff from state juvenile justice membership organizations

- State level policy makers
- National law journals
- Juvenile justice textbook publishers
- Juvenile justice reform committees
- National youth advocacy groups

### ENDNOTES

- <sup>1</sup> Pat Torbet, Senior Research Associate with the National Center for Juvenile Justice, made significant contributions to this section.
- <sup>2</sup> Institute of Judicial Administration/American Bar Association. (1980). *Standards Relating to Court Organization and Administration 1:2*. Cambridge, MA: Ballinger.
- <sup>3</sup> For more discussion, see: Pettibone, J.M., Swisher, R.G., Weiland, K.H., Wolf, C.E., and White, J.L. (1981). *Major Issues in Juvenile Justice Information and Training: Services to Children in Juvenile Courts: The Judicial-Executive Controversy*. Columbus, OH: Academy for Contemporary Problems.
- <sup>4</sup> National Council of Juvenile and Family Court Judges. (2005). *Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases*. Reno, NV: Author.

continued on next page...

# Read the State Juvenile Justice Profiles at [www.ncjj.org/stateprofiles](http://www.ncjj.org/stateprofiles)

Each state profile contains the minimum you need to know to find your way around a state's juvenile justice system.

## Contact Us

NCJJ, the research division of the National Council of Juvenile and Family Court Judges (NCJFCJ), is a nonprofit organization that conducts research on a broad range of juvenile justice topics and provides technical assistance to the field. For additional information concerning the material in this report, contact:

Melanie King  
National Center for Juvenile Justice  
3700 South Water Street, Suite 200  
Pittsburgh, PA 15203  
412-227-6950 (phone)  
412-227-6955 (fax)  
King@ncjj.org  
www.ncjj.org

Copyright 2006 National Center for Juvenile Justice.

Suggested Citation: King, M. (2006). "Guide to the State Juvenile Justice Profiles." *Technical Assistance to the Juvenile Court: Special Project Bulletin*. Pittsburgh, PA: National Center for Juvenile Justice.

*This report was supported by grant #2005-JL-FX-K184 from the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. Points of view or opinions contained within this document are those of the author and do not necessarily represent any official position, policy, or view of the U.S. Department of Justice or the National Council of Juvenile and Family Court Judges.*

....continued from page 7

<sup>5</sup> Pettibone, J.M., Swisher, R.G., Weiland, K.H., Wolf, C.E., and White, J.L. (1981). *Major Issues in Juvenile Justice Information and Training: Services to Children in Juvenile Courts: The Judicial-Executive Controversy*. Columbus, OH: Academy for Contemporary Problems.

<sup>6</sup> Patrick Griffin, a Research Associate with the National Center for Juvenile Justice, created most of the National Overviews and other sections of the *State Juvenile Justice Profiles*. This *Bulletin* contains excerpts of some of his writing.

<sup>7</sup> This definition of transfer and blended sentencing laws comes from the Griffin, P. (2003). *Trying and Sentencing Juveniles as*

*Adults: An Analysis of State Transfer and Blended Sentencing Laws*. Pittsburgh, PA: National Center for Juvenile Justice. This document is also the source of much of the *State Juvenile Justice Profiles'* material on this topic.

<sup>8</sup> Ibid.

**National Center for Juvenile Justice**  
3700 South Water Street, Suite 200  
Pittsburgh, PA 15203

Non-Profit Org.  
U.S. Postage  
PAID  
Pittsburgh, PA  
Permit No. 2003