

Identifying and Accessing Juvenile Justice and Delinquency Prevention Data for Three-Year State Planning

Disclaimer: This brief is intended to accompany Modules 4B and 4C of the Juvenile Justice Specialist Certificate Program and, as such, provides suggestions for how best to identify and access data that can be included in your Three-Year State Plan. Not all the data referenced below are required for submission of your Three-year State Plan. You should reference the (forthcoming) Fiscal Year 2021 Title II Formula Grant solicitation to determine what specific data points must be included in your application.

Who Holds the Data?

The juvenile justice and delinquency prevention systems across the states and territories operate very differently. Some operate solely at the state level, some operate at both the state and local levels, and others operate exclusively at the local level. So, the questions are, in your state and then within each system, who collects and holds the aggregate statewide data, and how can you access those data?

Does your state have a centralized juvenile justice database? If so, are all data collected there, or do you need to contact systems individually for their data as well? If you do not have direct access to another agency's or system's data, you will need to make requests for what you need. Who are the keepers of the data in the other systems? Once you know what data you need, you may need to ask the state and/or local agencies if they can run the data for you.

When you encounter challenges in obtaining actual data to review, explore other options. Annual reports for state and local agencies often provide detailed data regarding the juvenile populations served, the services provided, and the outcomes of those served. Many reports also contain additional data analyses, such as analyses of juveniles served by race, ethnicity, gender, issues of concern, and so forth.

System Components: What Data Do We Need?

Whenever possible, all data should be provided by race, ethnicity, age, and gender. Three years of data is the minimal amount needed to explore trends.

What questions do you want to answer with the data? What puts youth at risk of delinquency involvement? How prevalent are those risk factors in our communities and states? Who is entering the juvenile justice system? Are more boys than girls entering the juvenile justice system? Are more youth

of one race or ethnicity than another entering the juvenile justice system? Does the type or level of crime explain those differences? What about factors such as mental illness or substance use? What services do youth receive? How is success measured? Graduation? Recidivism? Program completion?

Why Collect Data From the Education System?

Educational risk factors for delinquency include academic failure beginning in late elementary school, inadequate school climate, truancy, and economic deprivation. School discipline (e.g., suspensions/expulsions and school arrests) can also contribute to school disengagement (National Research Council and Institute of Medicine, 2020).

It is therefore implicit that targeting services to educationally at-risk students can improve the possibility of better long-term outcomes. Additionally, child abuse and neglect, poverty, and a host of other issues have been found to contribute to truant behavior. For these reasons, schools and other youth serving systems with expertise in those areas should form collaborative partnerships to develop solutions.

Education system data points include but are not limited to:

- Graduation rates
- Dropout rates
- School disciplinary actions (in-school and out-of-school suspension, expulsion, referrals to law enforcement, and any other applicable data collected in your state)
- Truancy filings by schools or school districts (as applicable) and use of detention related to the truancy court case

Why Collect Data from the Child Welfare/Social Service System?

Children and youth who are victims of child abuse and neglect are more likely to develop behavior issues, including engaging in juvenile delinquency. These “crossover” youth (those who have contact with both the child welfare and juvenile justice systems) have higher rates of complex trauma than other youth. They are also more likely to be detained, to be detained for longer periods of time, and to have histories of out-of-home placements with the child welfare system. The level of services required to address their complex trauma needs is both costly and disruptive and often results in further traumatic experiences due to multiple changes in educational settings, placements, and services (Juvenile Justice Information Exchange, 2021a and 2021b).

Child welfare/social service system data points include but are not limited to:

- Rates and trends of child abuse and neglect and re-incidence rate
- Rates and trends of involvement for the Children in Need of Supervision population
- Rates of history of abuse/neglect with Beyond Control of Parent population
- Rates and trends of out-of-home placement, age at placement, types of placement, and lengths of stay for child abuse and neglect.
- Prevalence of mental health and/or substance use and abuse
- Numbers of youth discharged from services, including out-of-home care due to a delinquency finding and placement into the juvenile justice system
- Number of juveniles in the justice system who have a prior case within the child welfare/social services system; breaking the data down by type of case (abuse/neglect, voluntary request for services, out-of-home placement, and child in need of supervision), age of youth at last child welfare intervention, and length of time between child welfare case and juvenile justice case

Why Collect Data from the Mental Health/Substance Use Disorder/ Co-occurring Services Systems?

There is an over-representation of youth with substance use, mental health, or co-occurring disorders in the juvenile justice system. At some juvenile justice contact points, as many as 70% of youths have a diagnosable mental health need, with the over-representation increasing as the juvenile moves deeper into the system. For juveniles subjected to child abuse and neglect and placed in out-of-home care, “... the presence of a mental health disorder was significantly associated with juvenile justice system involvement (Office of Juvenile Justice and Delinquency Prevention, 2017).”

Mental health/substance use/co-occurring system data points include but are not limited to:

- The prevalence (percentage) of substance abuse, mental health, or co-occurring disorders (i.e., dual diagnoses) in the general juvenile population and within the juvenile justice population
- The number and percentage of youth in need of services for substance abuse, mental health, or co-occurring disorders at the time such juveniles first have contact with the juvenile justice system¹
- The percentage of youth receiving mental health/substance abuse services who are involved in the child welfare or juvenile justice systems or both systems simultaneously

¹ A plan is required to address this per Section 223, 34 U.S.C. § 11133 (a)(7)(B) (i)-(viii).

- The prevalence and length of stay of residential treatment placement for youth with substance abuse, mental health, or dual diagnoses and juvenile justice involvement and the discharge setting for these youth
- Prevalence of substance abuse and mental health diagnoses for youth, availability of treatment, length of time between referral and provision of services

Law enforcement data points include but are not limited to:

- Total number of juvenile arrests
- Total number of arrests by type of offense and level of offenses charged (minimally, top five types of crimes for which youth arrests are made [e.g. assault, burglary])
- Total number of arrests made on school grounds
- Total number of survivors of commercial sexual exploitation²

Prefile detention data points include but are not limited to:

- Number of new admissions to detention
- Number of new admissions by level of assessed risk of juvenile
- Number of new admissions by level and type of charges leading to detention
- Number of admissions for other reasons
- Number of new admissions to detention due to a probation revocation
- Average length of stay in detention
- Rate of use of detention at prefile stage (arrest)

If screenings are done to determine the appropriate level of placement (home, out-of-home placement, nonsecure family foster care, secure group care, detention), include:

- number of youth screened to each level of care

If overrides are permitted, include the number of overrides granted

- from more secure to less secure
- from less secure to more secure
- reasons for overrides

If assessments are conducted at the detention facility or by law enforcement, note the level of risk of youth detained pre-filing, reasons for detainment versus release, as well as needs (e.g., substance abuse, mental health).

² A plan is required to address this per Section 223, 34 U.S.C. § 11133(a)(7)(B) (i)-(viii).

- Number of youth released at initial court hearing
- Average daily population in detention: what trends are seen by location, county, etc.
- Length of stay for pretrial detention
- Number of juveniles placed in secure detention who are awaiting placement in residential treatment programs³

Diversion data points include but are not limited to (diversion at any point prefile or post-file):

- Total number of cases diverted by type and level of charges (differentiating if diversion is pre- or post-file)
- Services provided
- Assessed or screened level of needs of youth diverted
- Outcomes of youth diverted
- Reasons for unsuccessful completions
- Recidivism for diversion participants years 1–3 post-termination

Prosecution data points include but are not limited to:

- Number of juvenile cases referred to prosecution
- Number of juvenile cases filed
- Number of cases resulting in no filing
- Number and types/levels of crimes of juvenile cases filed and not filed
- Number of cases formally diverted
- Number of cases resulting in a court filing
- Number of cases petitioned, waived, or direct filed to adult court
- Number and type of legal representation of juvenile (private attorney, public defense, none)
- Number of survivors of commercial sexual exploitation⁴

Probation data points include but are not limited to:

- Number of pre-sentence investigations conducted
- Number of new probation cases
- If assessments are conducted, the level of risk of new probation cases

³ A plan is required to address this per Section 223, 34 U.S.C. § 11133 (a)(7)(B) (i)-(viii).

⁴ A plan is required to address these per Section 223, 34 U.S.C. § 11133 (a)(7)(B) (i)-(viii).

- Average length of stay on probation at termination
- Terminations from probation and status (e.g., successful, unsuccessful, moved, etc.)
- Number of probation revocations filed and reasons (e.g., new misdemeanor, new felony, technical violation [including the nature of the violation])
- Recidivism among probationers' 1–3 years post-termination

Long-term commitment data points include but are not limited to:

Commitment may have varying levels of care from nonsecure, community-based to secure juvenile corrections. Data should be provided for the different levels of care when possible.

- Number of new commitments
- Number of new commitments by committing offense type
- Within those newly committed:
 - Number of prior adjudications
 - Number of prior out-of-home placements
- Percentage of new commitments with assessed mental health and/or substance abuse needs (and level of need)
- Number of juveniles placed in secure commitment facilities awaiting placement in residential treatment programs⁵
- New sentences per year to commitment by
 - prior juvenile justice involvement (e.g., prior diversion, prior probation, prior commitments, etc.)
 - prior adjudications
 - type and level of current committing offense
 - assessed level of need
- Average daily population of commitment
- Average length of stay for those released from commitment

Juvenile parole data points include but are not limited to:

- Average daily population on parole
- Average length of stay on parole
- Number of parole hearings held

⁵ A plan is required to address these per Section 223, 34 U.S.C. § 11133 (a)(7)(B) (i)-(viii).

- Parole decision (e.g., early parole denied, early parole granted, mandatory parole granted, mandatory parole granted with prejudice [dismissed permanently])
- Types of parole placements at discharge (e.g., parent, relative, friend, other out-of-home placement such as foster care or treatment center, homeless, independent living, adult jail/prison, etc.)
- Number of juvenile parole revocations and reasons for revocations (new arrest, failure to adhere to parole plan)
- Post-commitment discharge recidivism in 1-year increments (years 1–3)

Direct filing to adult court data points include but are not limited to:

- Total number of juveniles petitioned, waived, or direct filed to adult court for prosecution
- Total number of cases where juvenile returned to juvenile court setting
- Types and levels of crime alleged for direct-file cases
- Adjudication/conviction (guilty, not guilty)
- Disposition (juvenile corrections, adult jail, adult prison, probation, etc.)

Recidivism data points:

It is important that all juvenile justice systems use the same definition of what constitutes recidivism. If definitions are different when comparisons are made across systems, one system may erroneously appear to have higher rates of recidivism than another. Use of the same definition of recidivism allows for accurate comparisons. When providing recidivism data, always cite how recidivism rates have been defined and calculated.

- Minimally measure recidivism 1, 2, and 3 years out.
- Be sure to look at adult justice system data for recidivism data on released juveniles who aged out of juvenile court jurisdiction.
- Include types and levels of crime associated with recidivism

References

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