

# Juvenile Justice

in California

2003

STAFF/MISSION STATEMENT  
ATTORNEY GENERAL'S MESSAGE  
CONTENTS  
INTRODUCTION  
HIGHLIGHTS  
FALLOUT CHART



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**More ->**

Links To:  
**Preface**  
**Data Analysis**  
**Data Tables**  
**Appendices**

[CJSC Home Page](#)

[CJSC Publications](#)

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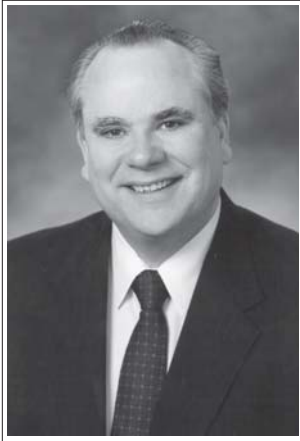
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The role of the Criminal Justice Statistics Center is to:

- Collect, analyze, and report statistical data which provide valid measures of crime and the criminal justice process.
- Examine these data on an ongoing basis to better describe crime and the criminal justice system.
- Promote the responsible presentation and use of crime statistics.



### Message From the Attorney General

The passage of Proposition 21 in March 2000 significantly reformed the administration of juvenile justice in California, requiring significant changes to the Juvenile Court and Probation Statistical System (JCPSS). In 2003, modifications to the JCPSS were completed enabling the collection of data to measure the effects of this landmark legislation.

Through the persistent efforts of the Chief Probation Officers of California and the Department of Justice, data from 50 counties, as well as fitness hearing, direct filing, and adult disposition information, are included in this report. These data represent 97 percent of the state's population and provide an accurate representation of the juvenile delinquency problem and justice system's response in California.

With more than one-third of California's population consisting of young people under the age of 25, deterring criminal behavior by juveniles is an important step in improving public safety in California. It is my hope that this report will provide law enforcement and policymakers with valuable information to achieve that goal.

BILL LOCKYER  
Attorney General

**More ->**



# Contents

Staff / Mission Statement .....	ii
Acknowledgments .....	ii
Attorney General's Message .....	iii
Introduction .....	2
Highlights .....	3
Juvenile Justice System Fallout Chart .....	5
Data Analysis .....	9
Arrests .....	11
Referrals .....	19
Petitions .....	27
Race/Ethnic Group Representation .....	37
Adult Dispositions .....	55
Data Tables .....	67
Appendices .....	97
Background .....	98
Penal Code Sections .....	100
Data Limitations .....	102
Computational Formulas .....	103
Felony-Level Arrest Offense Codes .....	104
Misdemeanor-Level Arrest Offense Codes .....	106
Juvenile Justice Glossary .....	108

**More ->**

## Introduction

*Juvenile Justice in California, 2003* is organized to display the flow of the juvenile justice process and provide specific information on the juvenile population, race/ethnic groups, gender, number of arrests, referrals to probation departments, petitions, juvenile court dispositions, offenses, and dispositions for those juveniles tried in adult courts.

The reader should also know that the California Department of Justice, Criminal Justice Statistics Center (CJSC) is required by statute to collect, tabulate, analyze, and interpret data that describe the administration of juvenile justice in California. To aid in the collection of data, Welfare and Institutions Code section 285 provides that "...all probation officers will make such periodic reports to the CJSC as required..." Penal Code section 13012 subdivision (d) requires CJSC to include the administrative actions taken by law enforcement, judicial, penal, and correctional agencies in the juvenile justice system. Penal Code section 13012.5 also requires the inclusion of fitness hearing information and outcomes, direct filings in adult criminal court, and the outcomes of those cases involving minors who are prosecuted in adult criminal courts, in the annual report to the Legislature.


This report is based on data submitted by 50 of California's 58 county probation departments representing approximately 97 percent of the state's population. Of the remaining eight counties, Del Norte, Plumas, San Joaquin, and Sierra were unable to provide any data, while Kings, Mariposa, Shasta, and Tehama only provided partial data for 2003. Therefore, the data from these counties are not included in this report.

The presentation of data in this report is organized to display the flow of the juvenile justice process. Each section examines the relevant data as follows:

- Arrests by gender, age, offense, and disposition.
- Referrals by gender, age, offense, disposition, and direct files in adult court.
- Petitions by gender, age, offense, disposition, and fitness hearings and outcomes.
- Group representation by arrest, offense, direct files in adult court, referral to probation, detention, petitions filed, fitness hearings and outcomes, type of defense representation, juvenile court disposition, and wardship placement.
- Adult dispositions by gender, age, and race/ethnic group.

Comparisons between 2002 and 2003 data are presented in this report at key decision points in the juvenile process; i.e., law enforcement, probation department, and juvenile court. Comparisons at all points in the process or for all data are not presented because of changes in the number of reporting probation departments and changes in the number of reportable offenses. In 2002, only the most serious offenses were reported; in 2003, up to five offenses could be reported.

The offenses presented in this report were "selected" based on the seriousness of the arrest offense and comparability to the national Uniform Crime Reporting System. The use of these offenses is intended to provide a valid and comparable measure of offenses and the juvenile justice process. The felony offenses are homicide (includes non-vehicular manslaughter), forcible rape, robbery, assault, burglary, theft, motor vehicle theft, and drug violations (includes narcotics, marijuana, dangerous drugs, and other drug violations). The misdemeanor offenses are assault and battery, petty theft, vandalism, disturbing the peace, alcohol-related offenses (including drunk and liquor laws), and drug violations (including marijuana and other drugs). The status offenses are curfew violations, truancy, running away, and incorrigibility.

 This logo, which appears repeatedly throughout the report, will alert the reader to featured analyses or items of special interest.

## Highlights

### ARRESTS

In 2003, less than one-quarter of one percent of juvenile arrests resulted in the arrestee being sent to adult court. (Source: Table 2)

In 2003, juveniles aged 15-17 were arrested nearly 2.5 times more than juveniles aged 12-14 (69.4 vs. 28.1 percent). (Source: Table 1)

In 2003, misdemeanor arrests exceeded felony arrests by more than two to one (59.5 vs. 26.5 percent) and status offense arrests by more than four to one (59.5 vs. 13.9 percent). (Source: Table 1)

In 2003, running away and incorrigibility were the only selected offenses not dominated by males. (Source: Table 1)

### REFERRALS

In 2003, less than one-fourth of the total referrals were female (22.0 percent). (Source: Table 2)

More than one-third of the truancy and incorrigibility referrals to probation were for offenders aged 12-14 (34.7 and 33.4 percent, respectively). (Source: Table 3)

In 2003, more than half (56.7 percent) of the referrals to probation resulted in a juvenile court action. (Source: Tables 2 and 16)

### PETITIONS

Of the petitions filed for formal juvenile court action, the percentage of misdemeanor and felony petitions were virtually the same (43.0 and 42.6 percent, respectively). (Source: Table 9)

Nearly two-thirds of the new petitions filed in juvenile court were for offenders aged 15-17 (66.2 percent). (Source: Table 4)

In 2003, less than one percent of the juveniles petitioned in juvenile court had fitness hearings (586 out of 87,927). (Source: Table 12)

The majority (57.5 percent) of juveniles made a ward of the court were allowed to go home. (Source: Tables 4 and 8).

### GROUPS

In 2003, when compared to their statewide race/ethnic group population of arrestees, of those arrested for a misdemeanor offense, whites were over-represented and blacks were under-represented. (Source: Tables 1 and 4)

In 2003, when compared to their statewide race/ethnic group population of referrals, Hispanics and Asian/Pacific Islanders were sent to adult court more than any other race/ethnic group. (Source: Tables 1 and 4)

In 2003, when compared to their statewide race/ethnic group population of petitions filed, blacks and Asian/Pacific Islanders were subject to a fitness hearing more than any other race/ethnic group. (Source: Tables 9 and 13)

In 2003, when compared to their statewide race/ethnic group population of wards of the court, Hispanics were over-represented in commitments to secure county facilities while blacks were over-represented in commitments to the Youth Authority. (Source: Table 4)

### ADULT DISPOSITIONS

In 2003, more than half (54.3 percent) of the adult dispositions received were for misdemeanor offenses. (Source: Table 15)

In 2003, more than two-thirds (68.1 percent) of the juveniles tried as adults were convicted. (Source: Table 15)

In 2003, when compared to their statewide race/ethnic group population of juveniles sent to adult court, blacks were convicted and committed to prison more than any other race/ethnic group. (Source: Table 15)

**More ->**





# Juvenile Justice System, 2003 Fallout Chart

The juvenile justice system in California differs from the adult system in the type of offenders received and the manner in which they are processed. The juvenile system primarily deals with persons under 18 years of age who have either violated criminal statutes or have committed "status offenses." Status offenses are acts that are offenses only when committed by a juvenile, such as incorrigibility, truancy, running away, and curfew violations.

Arrests of law violators and status offenders are received from law enforcement agencies throughout California. The law enforcement agency may refer the juvenile to the probation department, counsel and release, or turn the juvenile over to another law enforcement jurisdiction. The law enforcement agency, given the severity of the crime, may refer the juvenile offender to the District Attorney for direct filing in adult court.

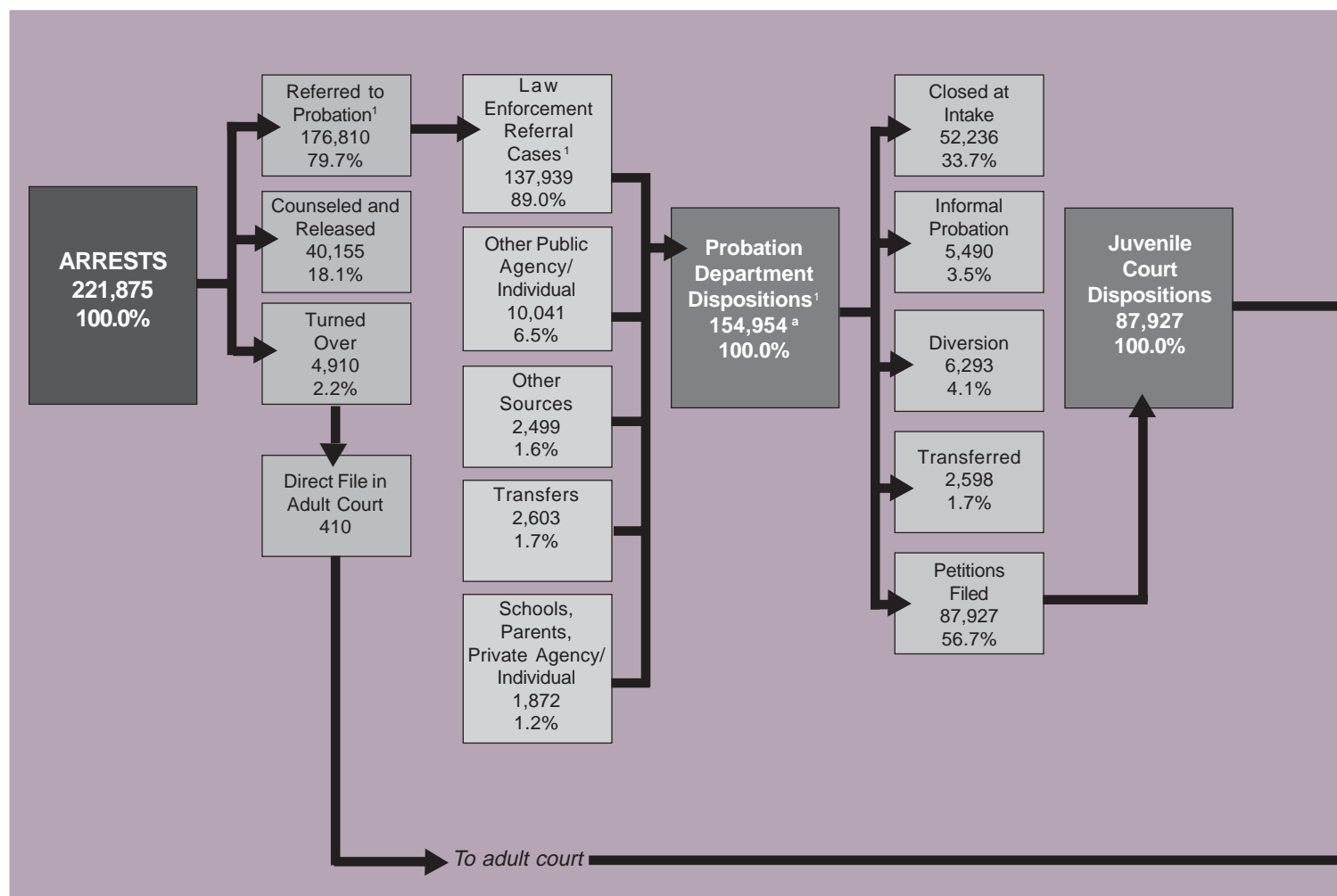
Referrals of law violators and status offenders to probation departments are from law enforcement, other public agencies or individuals, other sources, transfers from other counties or states, or from schools, parents, or private agencies or individuals.

The accompanying fallout chart depicts the path of a juvenile through the juvenile justice system in California from arrest to final disposition, including the outcomes of juvenile cases transferred to the adult system for prosecution.

See Chart →

**More ->**

# JUVENILE JUSTICE SYSTEM, 2003 FALLOUT CHART



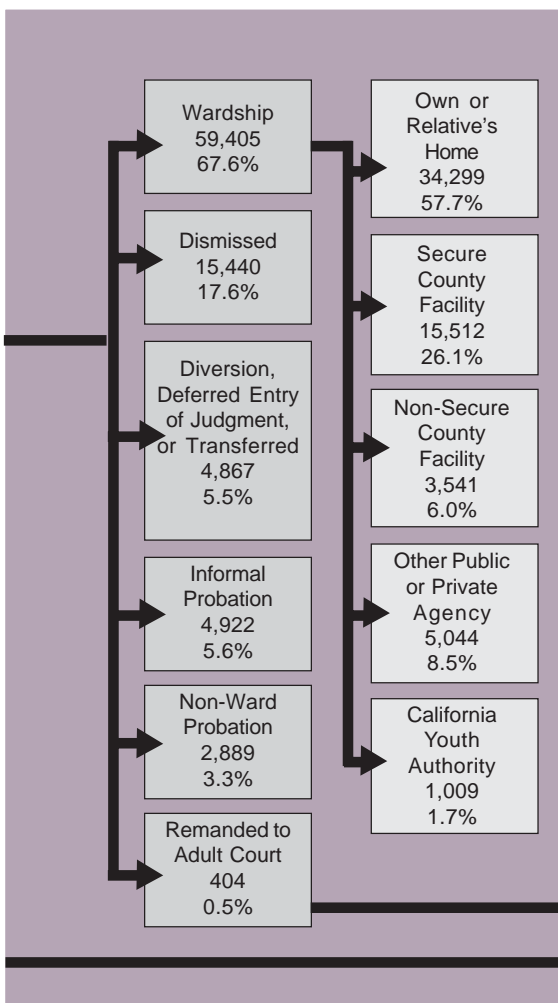
Source: Tables 1, 2, and 4.

<sup>1</sup>The arrest data are reported by law enforcement agencies, whereas law enforcement referral data are reported by probation departments. Comparisons between arrest data and referral data should not be made because of differences in the units of count between the two sources. See Appendix 3, page 102, for more detail.

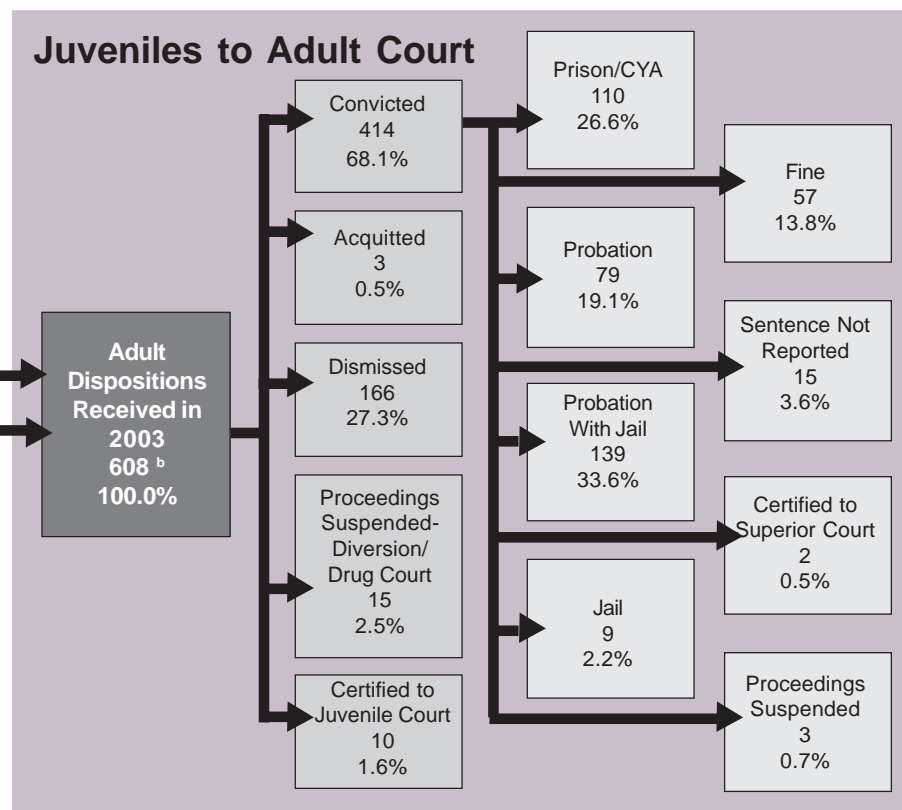
<sup>a</sup>Includes the 410 juveniles sent directly to adult court.

<sup>b</sup>In 2003, probation departments reported information on 814 transfers to the adult system. The adult disposition information being discussed here is for the 608 dispositions received in 2003. It is anticipated the adult court dispositions for the remaining 206 juveniles will be received in subsequent years.

## Juvenile Justice in California, 2003



- Typically, referrals are made to the probation department in the juvenile's county of residence. The majority come from police and sheriff's departments (89.0 percent in 2003), with the remainder coming from other sources.
- Probation departments decide how to process referred cases. A case may be closed or transferred, a juvenile may be placed on informal probation or in a diversion program, or a petition may be sought for a court hearing.
- Most formal juvenile court hearings resulted in the juvenile being made a ward of the court. Most wards (57.7 percent in 2003) were allowed to go home under the supervision of the probation department.
- Juveniles can be transferred to the adult criminal justice system for prosecution by failing a fitness hearing in the juvenile court or sent directly by the District Attorney. More than two-thirds of dispositions received in 2003 resulted in a conviction (68.1 percent).



**Data Analysis ->**