

# **COUNTY JUDICIAL DISTRICT DMC YEARLY DMC REPORTS**

County Judicial District - Clark County

Ages 8-17 Total Population - 280,582      Total Department Referrals- 20,868

## **YOUTH PROFILES:**

- a. Total males by age to year (i.e.) how many of each age group

Age: 8-11 – 58,425 (40.59%) Age: 12 – 14,479 (10.06%) Age: 13 – 14,157 (9.84%)

Age: 14 – 14,156 (9.83%) Age: 15 – 14,103 (9.80%) Age: 16 – 14,304 (9.94%) Age: 17 - 14,314 (9.94%)

- b. Total females by age to year (i.e.) how many of each age group

Age: 8-11 – 55,464 (40.59%) Age: 12 – 13,745 (10.06%) Age: 13 – 13,439 (9.84%)

Age 14 – 13,439 (9.84%) Age: 15 – 13,389 (9.80%) Age: 16 - 13,579 (9.94%) Age: 17 – 13,589 (9.94%)

## **TOTAL PERCENTAGE OF YOUTH BY GENDER:**

- a. Male - 51%
- b. Females – 49%

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## **TOTAL PERCENTAGE and WHOLE NUMBER OF YOUTH BY RACE:**

- a. African American – 29,181 / 10.4%
- b. American Indian/Alaska Native – 2,525 / 0.9%
- c. Asian/Pacific Islander - 20,482 / 7.3%
- d. Hispanic – 109,146 / 38.9%
- e. White – 119,247 / 42.5%

## **HOUSEHOLD COMPOSITION OF ARRESTED YOUTH: (how many total for each category)**

- a. One Parent Present – 5,824 (42.9%)
- b. Both Parents' Present – 3,732(27.5%)
- c. Other – 4,013 (29.6%)

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**ECONOMIC BACKGROUND:** Information unavailable.

## **MOST COMMON CHARGES:**

1. Burglary – 710 (4.94%)
2. Grand larceny – 143 (0.99%)
3. Robbery – 163 (1.13%)
4. Possession of stolen vehicle – 67 (0.47%)
5. Under influence or use of controlled substance – 523 (3.64%)
6. Malicious destruction of property – 256 (1.78%)
7. Lewdness with a minor – 101 (0.7%)
8. Conspiracy to commit burglary – 14 (0.10%)
9. Sexual assault victim under 16 – 5 (0.03%)
10. Assault with deadly weapon – 166 (1.15%)
11. Possession of dangerous weapon (1<sup>st</sup> offense) – 81 (0.56%)
12. Possession of stolen property – 74 (0.51%)
13. Possession or consumption of Alcohol – 861 (5.99%)
14. Possession of controlled substance – 216 (1.50%)
15. Public order - 33 (0.23%)
16. Informal – No corresponding charge
17. Traffic – 675 (4.69%)
18. Battery – 1,667 (11.59%)
19. Graffiti – 355 (2.47%)
20. Home Invasion – 97 (0.67%)
21. Taking vehicle without owner consent – 25 (0.17%)
22. Battery with intent to commit mayhem, robbery or grand larceny – 69  
(0.48%)
23. Damage to School Property – 103 (0.72%)
24. Battery with deadly weapon – 79 (0.55%)
25. Trafficking controlled substance – 2 (0.01%)

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**TOTAL REFERRALS -2008 (Felony/Gross Misdemeanor) Definition:** Referral is when a potentially delinquent youth is sent forward for legal processing and received by a juvenile or family court, or juvenile intake agency, either as a result of law enforcement action or upon a complaint by a citizen or school.

- a. African American - 1,180 (28.44%)
- b. American Indian/Alaska Native – 8(0.19%)
- c. Asian/Pacific islander – 123 (2.96%)
- d. Hispanic – 1,613 (38.88%)
- e. Other – 120 (2.89%)
- f. White - 1,105 (26.63%)

**TOTAL YOUTH PLACED IN SECURE DETENTION (Felony/GM) Definition** (Detention refers to youth held in secure detention facilities at some point during court processing of delinquency cases- i.e., prior to disposition. In some jurisdictions, the detention population may also include youth held in secure detention to await placement following a court disposition. The purposed of DMC, detention may also include youth held in jails and lockups. Detention should NOT include youth held in shelters, group homes, or other non-secure facilities).

- a. African American – 488 (35.31%)
- b. American Indian/Alaska Native – 1 (0.07%)
- c. Asian/Pacific islander – 35 (2.53%)
- d. Hispanic – 501 (36.25%)
- e. Other – 46 (3.33%)
- f. White - 311 (22.50%)

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## **TOTAL YOUTH PLACED AT COUNTY CAMPS**

- a. African American – 69 (31.36%)
- b. American Indian/Alaska Native – 1 (0.45%)
- c. Asian/Pacific islander – 5 (2.27%)
- d. Hispanic – 91 (41.36%)
- e. Other – 5 (2.27%)
- f. White - 49 (22.27%)

**TOTAL YOUTH PLACED IN SECURE STATE FACILITIES: Definition** (Confined cases are those in which youth are placed in secure residential or correctional facilities for delinquent offenders following a court disposition. The confinement population should NOT include all youth placed in any form of out-of-home placement. Group homes, shelter homes, and mental health treatment facilities, for example, would usually not be considered confinement. Every jurisdiction collecting DMC data must specify which forms of placement do and do not qualify as confinement).

- a. African American – 80 (32.92%)
- b. American Indian/Alaska Native - 0
- c. Asian/Pacific islander – 1 (0.41%)
- d. Hispanic – 105 (43.21%)
- e. Other – 9 (3.70%)
- f. White - 48 (19.75%)

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**TOTAL YOUTH CERTIFIED TO ADULT STATUS: Definition** (Data reported for criminal court transfer should at least include judicially waives cases. Waived cases are those in which a youth is transferred to criminal court as a result of a judicial finding in juvenile court. A petition is usually filed in juvenile court asking the juvenile judge to waive jurisdiction over their matter. The juvenile judge decides whether a case merits criminal prosecution. When a waiver request is denied, the matter is usually scheduled for an adjudicatory hearing in the juvenile court. If a request is granted, the juvenile is then sent to criminal court for further action. Juveniles may be transferred to criminal court using a variety of other methods, but most of these methods are difficult or impossible to track from within the juvenile justice system, including prosecutor discretion or concurrent jurisdiction, legislative exclusion, and the variety of blended sentencing laws).

- a. African American – 24 (45.28%)
- b. American Indian/Alaska Native - 0
- c. Asian/Pacific islander – 1 (1.89%)
- d. Hispanic – 19 (35.85%)
- e. Other – 1 (1.89%)
- f. White - 8 (15.09%)

**CASES RESULTING IN PROBATION PLACEMENT: Definition** (Probation cases are those in which a youth is placed on formal or court-ordered supervision following a juvenile court disposition. Note: youth on “probation” under voluntary agreements without adjudication should not be counted here, but should be part of the diverted population instead).

- a. African American – 934 (27.60%)
- b. American Indian/Alaska Native – 5 (0.15%)
- c. Asian/Pacific islander – 88 (2.60%)
- d. Hispanic – 1,360 (40.19%)
- e. Other – 112 (3.31%)
- f. White - 885 (26.15%)

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**JUVENILE Bookings: Definition** (Youth are considered to be arrested when they are apprehended, stopped, or otherwise contacted by law enforcement agencies and suspected to having committed a delinquent act. Delinquent acts are those which, if committed by an adult, would be criminal, including crimes against persons, crimes against property, drug offenses, and crimes against the public order)

- a. African American – 2,262 (30.31%)
- b. American Indian/Alaska Native – 15 (0.20%)
- c. Asian/Pacific islander – 170 (2.28%)
- d. Hispanic – 2,909 (38.98%)
- e. Other – 231 (3.10%)
- f. White - 1,875 (25.13%)

## **REFERRALS TO JUVENILE COURT:**

- a. African American – 5,603 (26.85%)
- b. American Indian/Alaska Native – 45(0.22%)
- c. Asian/Pacific islander – 601 (2.88%)
- d. Hispanic – 8,538 (40.91%)
- e. Other – 544 (2.61%)
- f. White - 5,537 (26.53%)

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**CASES DIVERTED: Definition** (Youth referred to juvenile court for delinquent acts are often screened by an intake department (either within or outside the court). The intake department may decide to dismiss the case for lack of legal sufficiency, to resolve the matter informally (without the filing of charges), or formally (with the filing of charges). The diversion population includes all youth referral for legal processing but handled without the filing of formal charges)

- a. African American – 2,757 (23.48%)
- b. American Indian/Alaska Native – 24 (0.20%)
- c. Asian/Pacific islander – 383 (3.26%)
- d. Hispanic – 5,042 (42.93%)
- e. Other – 241 (2.05%)
- f. White - 3,297 (28.07%)

**CASES PETITIONED (charges filed) Definition** (Formally charged (petitioned) delinquency cases are those that appear on a court calendar in response to the filing of a petition, complaint, or other legal instrument requesting the court to adjudicate a youth as a delinquent or status offender, or to waive jurisdiction and transfer a youth to criminal court. Petitioning occurs when a juvenile court intake officer, prosecutor, or other official determines that a case should be handled formally. In contrast informal handling is voluntary and does not include the filing of charges).

- a. African American – 1,937 (29.29%)
- b. American Indian/Alaska Native – 11 (0.17%)
- c. Asian/Pacific islander – 158 (2.39%)
- d. Hispanic – 2,646 (40.01%)
- e. Other – 217 (3.28%)
- f. White - 1,645 (24.87%)



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**CASES RESULTING IN DELINQUENT FINDINGS: Definition** (Youth are judged or found to be delinquent during adjudicatory hearings in juvenile court. Being found (or adjudicated) delinquent is roughly equivalent to being convicted in criminal court. It is a formal legal finding of responsibility. If found to be delinquent youth normally proceed to disposition hearings where they may be placed on probation, committed to residential facilities, be ordered to perform community service, or various other sanctions).

- a. African American – 1,209 (28.45%)
- b. American Indian/Alaska Native – 7 (0.16%)
- c. Asian/Pacific islander – 100 (2.35%)
- d. Hispanic – 1,704 (40.10%)
- e. Other – 138 (3.25%)
- f. White - 1,091 (25.68%)

## **GANG AFFILIATION**

- a. African American – 116 (38.41%)
- b. American Indian/Alaska Native – 0
- c. Asian/Pacific islander – 3 (0.99%)
- d. Hispanic – 154 (50.99%)
- e. Other – 12 (3.97%)
- f. White - 17 (5.63%)

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## **DATA ANALYSIS:**

Using the guidelines of the Disproportionate Minority Contact (DMC) technical assistance manual, from the Office of Juvenile Justice and Delinquency Prevention, summary tables were created to pull together all of the major decision points of the DJJS. Once the summary tables were completed, rate of occurrence tables were set up utilizing the figures that were assembled in the previous tables. The source of the youth population statistics is Nevada's State Demographer's Office. The occurrence rate for referrals is calculated per 1,000 youth, which was taken from the population statistics. The following rates are calculated per 100 referrals: cases diverted, cases referred to district attorney, cases filed directly in adult court, secure detention stays, and cases filed. The following rates are calculated per 100 cases filed: cases adjudicated, cases resulting in adult certification, probation placement, SMYC placement, and DCFS commitment. After completing the rate of occurrence table, a relative rate index (RRI) was created to compare minority rates to the rates for white youth. Utilizing line graphs, the statistics for the DMC points are well illustrated.

<b>Data Item</b>	<b>African American/Black</b>	<b>Asian/Pacific Islander</b>	<b>Hispanic</b>	<b>White</b>
Population at Risk	29,181	20,482	124,623	119,247
Juvenile Referrals	5,603	601	8,538	5,537
Cases Diverted	2,757	383	5,042	3,297
Cases Referred to District Attorney	2,362	215	3,139	1,991
Cases Filed Directly in Adult Court	10	0	9	3
Secure Detention Stays	1,121	70	1,263	792
Cases Filed	1,937	158	2,646	1,645
Cases Adjudicated	1,209	100	1,704	1,091
Cases Resulting in Adult Certification	24	1	19	8
Cases Resulting in Probation Placement	934	88	1,360	885
Cases Resulting in SMYC Placement	69	5	91	49
Cases Resulting in DCFS Commitment	80	1	105	48

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## **Occurrence Rates**

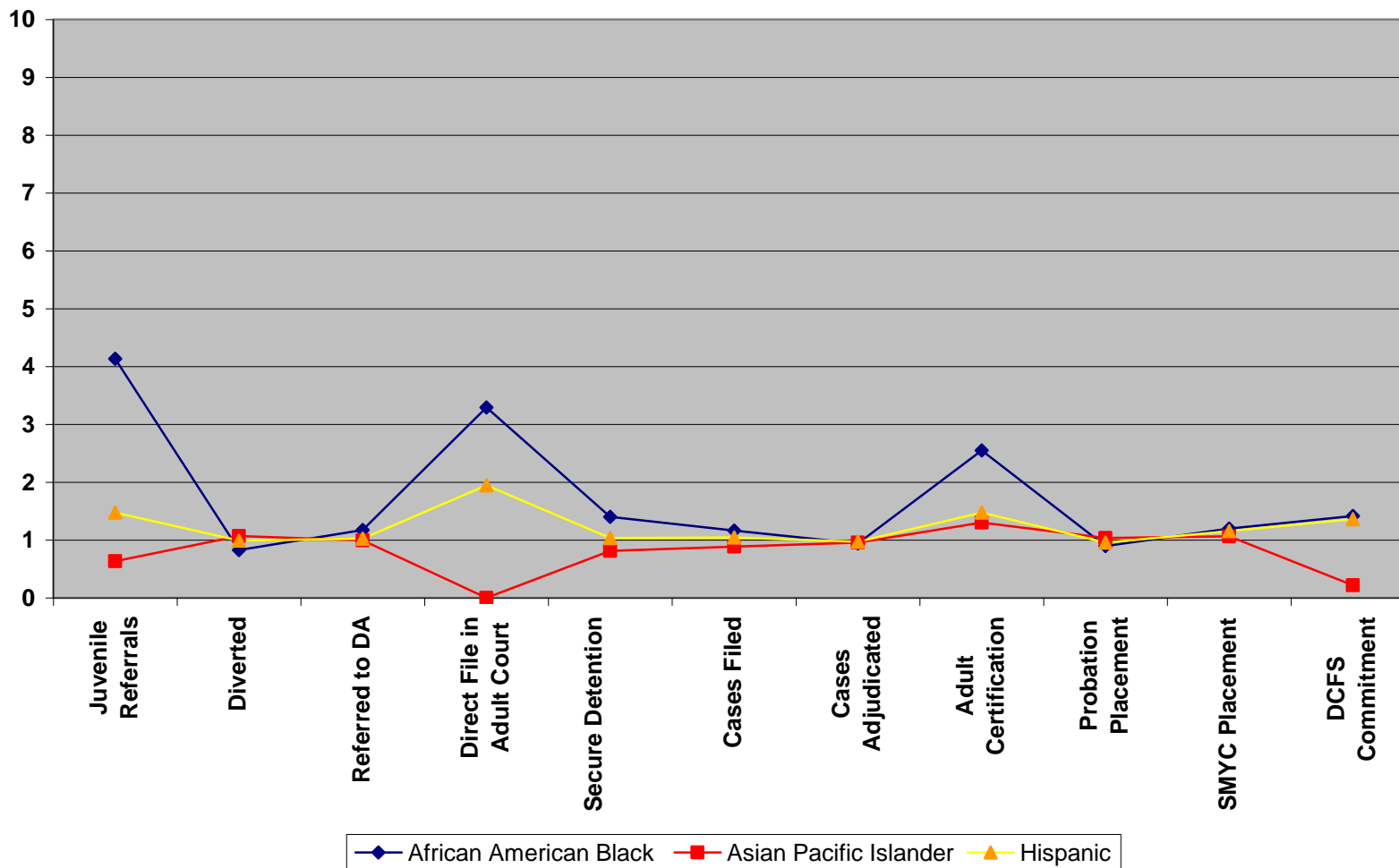
<b>Data Item</b>	<b>African American Black</b>	<b>Asian Pacific Islander</b>	<b>Hispanic</b>	<b>White</b>
Juvenile Referrals	192.01	29.34	68.51	46.43
Cases Diverted	49.21	63.73	59.05	59.54
Cases Referred to District Attorney	42.16	35.77	36.77	35.96
Cases Filed Directly in Adult Court	0.18	0.00	0.11	0.05
Secure Detention Stays	20.01	11.65	14.79	14.30
Cases Filed	34.57	26.29	30.99	29.71
Cases Adjudicated	62.42	63.29	64.40	66.32
Cases Resulting in Adult Certification	1.24	0.63	0.72	0.49
Cases Resulting in Probation Placement	48.22	55.70	51.40	53.80
Cases Resulting in SMYC Placement	3.56	3.16	3.44	2.98
Cases Resulting in DCFS Commitment	4.13	0.63	3.97	2.92

*Per 1,000 Youth
*Per 100 Referrals
*Per 100 Cases Filed

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## Line Graphs Based on Relative Rate Index

The closer the relative rate index is to one, the lower the amount of disproportion to white youth.



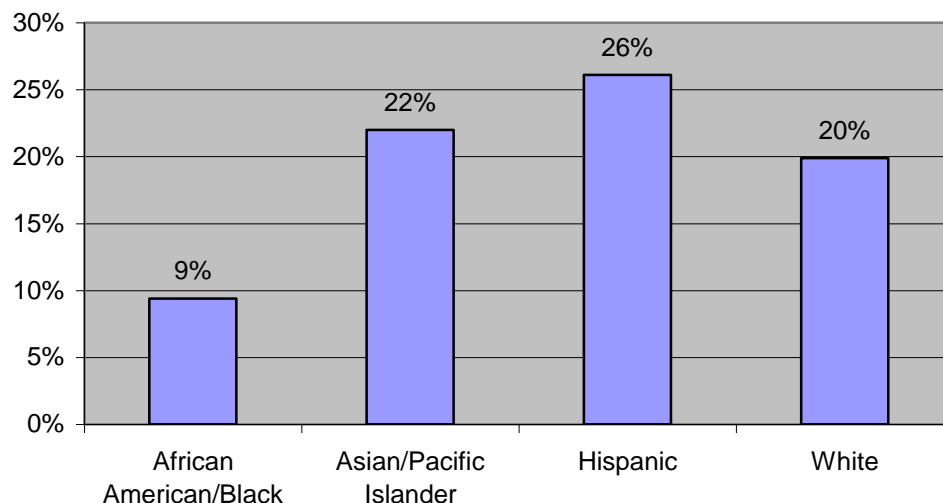
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## KEY FINDINGS:

As an overview of the juvenile justice system, the following decision points from 2011 have been found to have the greatest degree of disproportion: juvenile referrals, direct files to adult court, and certifications. After reviewing each of the graphs, the trend indicates that the African American/Black group is consistently the group with the highest degree of disproportion.

From an overall perspective, the household composition, the percentage of meeting detention criteria, and the prior adjudicated felony referrals are three areas that may provide insight into the disparity.

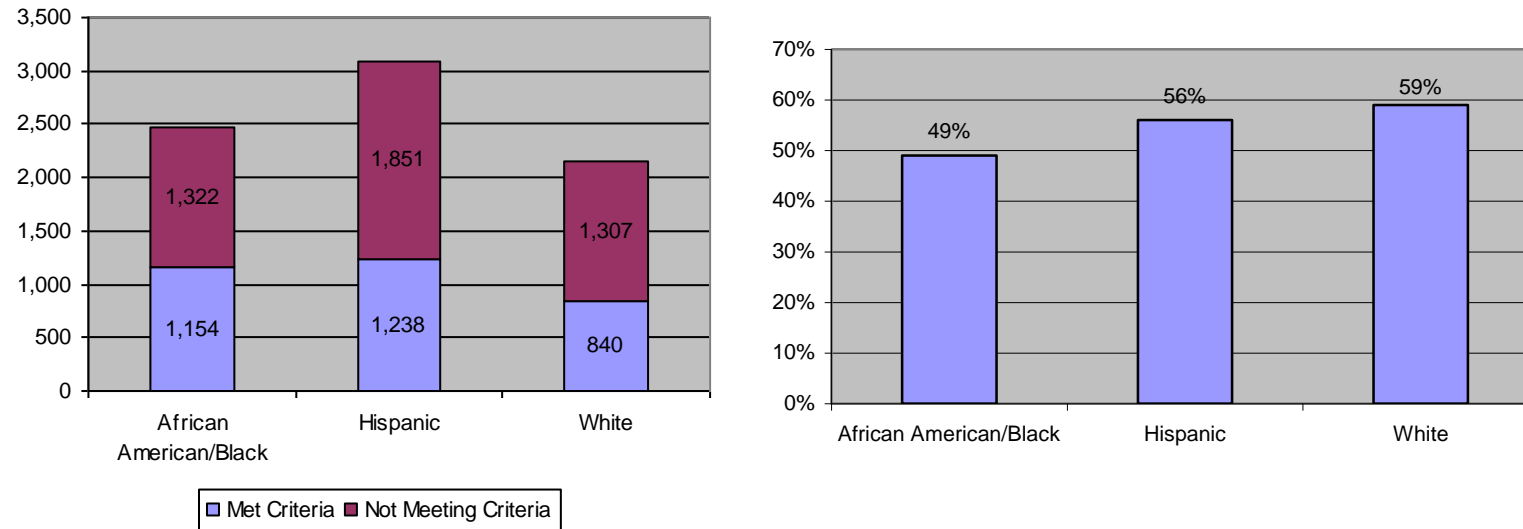
### 1. 2011 percentage of “Intact” families by Ethnicity/Race:



While this report does not attempt to make a direct correlation between household composition and referral rates, the percentage difference between the African American/Black group and the other ethnicities/races is significant. By having two natural parents, the “Intact” family is possibly better suited to provide structure and support for the youth than those household compositions that consist of a single parent. Additionally, there may be a correlation between household composition and household income.

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## 2. Percentage of booking referrals meeting criteria:

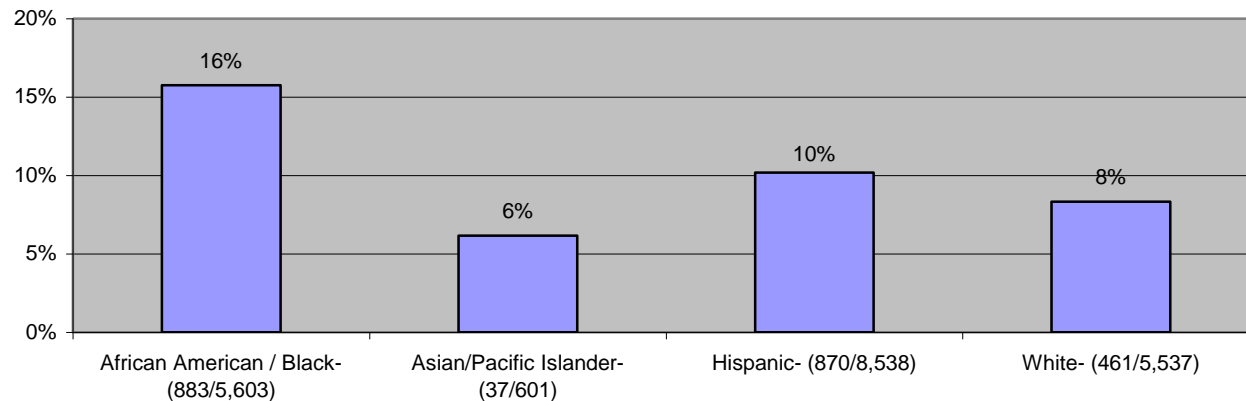


The graph on the left illustrates that the proportion of booking referrals meeting the detention criteria for the African American/Black group is almost half. To be specific, 49% of the booking referrals for the African American/Black group met the detention criteria, 56% of the Hispanic booking referrals met the detention criteria, and 59% of the White booking referrals met the detention criteria. A standardized risk assessment instrument (RAI) is used to determine each youth's detention placement. The seriousness of the crime and the youth's prior history is factored into the detainment decision.

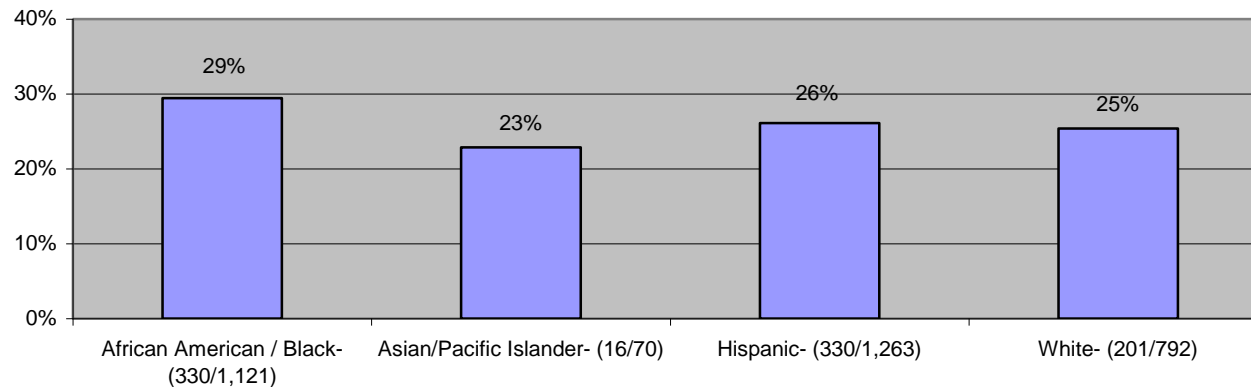
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## 3. Prior Adjudicated Felony Referrals

With each ethnicity/race group, the percentage of referrals that involve a youth with a prior adjudicated felony referral illustrates a disparity when the rates are compared against each other.

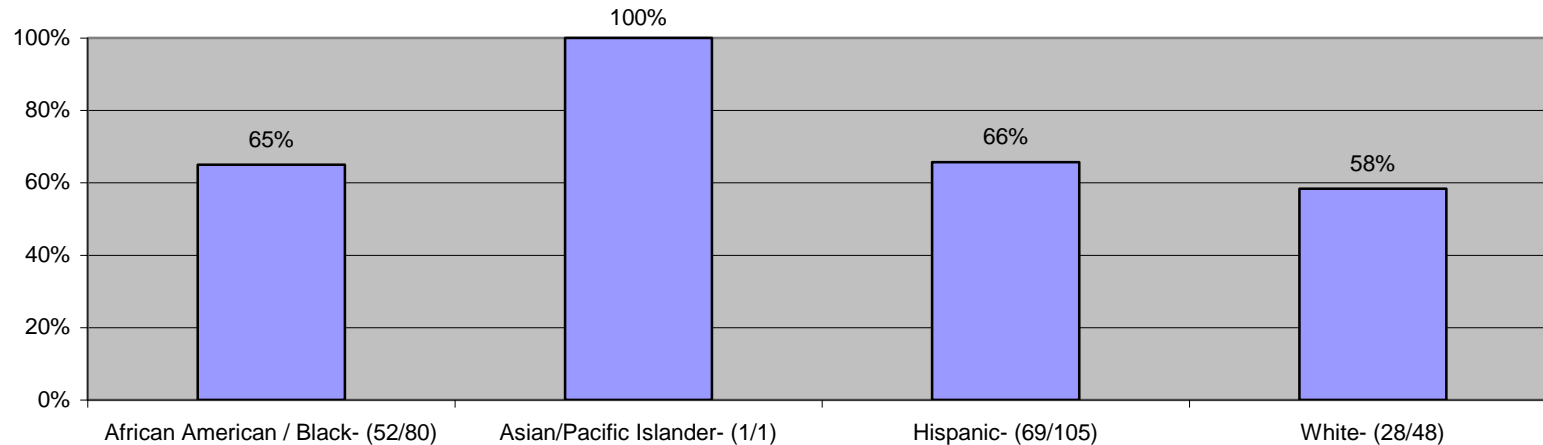


Likewise, using this process for detention placements, a disparity is illustrated when the rates are compared against each other.

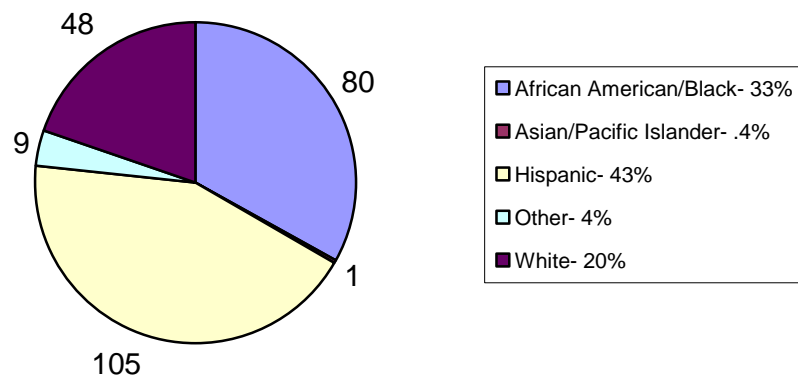


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On commitments, the percentage of committed youth, for each ethnicity/race, that had a prior adjudicated felony referral is as follows:



The high percentage of prior adjudicated felony referrals indicates that a majority of all commitments are related to the youth's prior record. It is likely that these committed youth have been previously given an adjudication of probation prior to being committed to the state. For 2011, the make up of total commitments is as follows:



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## RECOMMENDATIONS:

Using the information contained in this report, the identified areas of highest disproportion in the juvenile justice system are referrals to the DJJS, the direct files of youth into adult court, and certifications into the adult system. These areas of disproportion are processes that occur through external departments. The juvenile referral process mainly occurs through law enforcement agencies, the direct file occurs through the district attorney's office, and the certification process occurs through the judicial process.

Focusing on the highest level of disproportion, the direct file process is significantly different from the other two areas. While the juvenile referral process and the certification process may involve working with external entities and an investigative process, the direct file process is specifically outlined in Nevada statutes. Not to be inclusive, NRS 62B.330 states:

“...For the purposes of this section, each of the following acts shall be deemed not to be a delinquent act, and the juvenile court does not have jurisdiction over a person who is charged with committing such an act:

(a) Murder or attempted murder and any other related offense arising out of the same facts as the murder or attempted murder, regardless of the nature of the related offense.

(b) Sexual assault or attempted sexual assault involving the use or threatened use of force or violence against the victim and any other related offense arising out of the same facts as the sexual assault or attempted sexual assault, regardless of the nature of the related offense, if:

(1) The person was 16 years of age or older when the sexual assault or attempted sexual assault was committed; and

(2) Before the sexual assault or attempted sexual assault was committed, the person previously had been adjudicated delinquent for an act that would have been a felony if committed by an adult.

(c) An offense or attempted offense involving the use or threatened use of a firearm and any other related offense arising out of the same facts as the offense or attempted offense involving the use or threatened use of a firearm, regardless of the nature of the related offense, if:

(1) The person was 16 years of age or older when the offense or attempted offense involving the use or threatened use of a firearm was committed; and

(2) Before the offense or attempted offense involving the use or threatened use of a firearm was committed, the person previously had been adjudicated delinquent for an act that would have been a felony if committed by an adult.

(d) A felony resulting in death or substantial bodily harm to the victim and any other related offense arising out of the same facts as the felony, regardless of the nature of the related offense, if:

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(1) The felony was committed on the property of a public or private school when pupils or employees of the school were present or may have been present, at an activity sponsored by a public or private school or on a school bus while the bus was engaged in its official duties; and

(2) The person intended to create a great risk of death or substantial bodily harm to more than one person by means of a weapon, device or course of action that would normally be hazardous to the lives of more than one person.

(e) Any other offense if, before the offense was committed, the person previously had been convicted of a criminal offense.”

With this statute in place, the direct files in adult court are directly determined by the youth’s record and charged offense. As such, the crimes committed and the previous record of the juvenile may explain the disproportion rates for direct files. This process contrasts with the referral process and the certification process, where there may be a number of variables that factor into the decision making process.

As the juvenile referral process begins beyond the doorstep of the DJJS, the department should continue to take measures that will facilitate the development of relationships between external departments, community organizations, and the public as a whole. Working together, the pertinent information contained in this report can provide decision makers with the foundation needed for developing better solutions.

Just like the juvenile referral process, to determine any opportunities to reduce the disparity in the certification process, the DJJS will continue to facilitate its partnership with the court. Likewise, the ability to share information between the departments may provide better insight or provide the spark needed for new ideas to solve this difficult issue. Like the direct file process, two major factors that influence the certification process are the youth’s prior history and the seriousness of the offense. Both of these factors are areas that provide a level of objectivity to the decision making process.

### **SUMMARY:**

The issues surrounding juvenile delinquency are complex and multifaceted. Juvenile delinquency issues may involve the areas of education, family structure, mental health, social economics, and support systems. To have a positive impact on reducing juvenile delinquency, youth programs and policies should be created with each of these areas in mind.

By increasing the involvement of stakeholders in the juvenile justice system of care, the objective is to develop and implement solutions that address the root causes of juvenile delinquency. By addressing the source of the issue, the intended byproduct is preventing the offense from occurring in the first place. In time, these proactive measures would thereby reduce the number of youth referrals to the DJJS.

The referral process to the DJJS is one of the highest areas of disproportion in the juvenile justice system. This portion of the juvenile justice system is an external process to the DJJS. Therefore, law enforcement agencies are considered a major stakeholder in the decision process.

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As the referral process initiates the juvenile justice system, any impact on this process will have a domino effect on the processes that follow. These processes would include: cases diverted, referrals to the district attorney, direct files in adult court, cases filed, cases adjudicated, certifications, placements into probation, SMYC placements, commitments, and secure detention.

In terms of prevention programming, one significant area that may provide some direction is the household composition statistics. In particular, due to a high disparity among “Intact” families, programming efforts could focus on providing more structure or support systems for the youth of the African American/Black community.

A second area of high disproportion in the juvenile justice system is the number of direct files within the adult court system. With mandated statutes guiding this process, the crimes committed and the youth’s record will dictate the direct files. Without a statutory change, the recommendation is to be proactive and focus on delinquency prevention.

Even though statutes may not fully direct the rest of the juvenile justice system, much of the process is affected by the youth’s record and charged offense. In particular, the risk assessment instrument (RAI) is a guideline used by the DJJS that determines whether or not a youth is placed into secure detention. To be more specific, the RAI utilizes a scoring system that weighs specified risk factors associated with public safety. The instrument was developed with the intent of finding an objective means to detaining a referred youth. Therefore, those youth being referred with prior records or serious alleged offenses have a greater likelihood of being detained.

As the RAI tool is geared toward scoring more points for serious offenses and for having prior records, this would indicate that the African American/Black group is either being referred for more serious offenses or that the referred population has prior records. When compared to the other groups, the African American/Black group had a higher percentage of its referrals meeting the detention criteria. For referrals, when compared to the other groups, the African American/Black group had at least 7% more of its referrals involving a youth that had at least one adjudicated prior felony referral. Likewise, for detention placements, the African American/Black group had at least 6% more of its placements involving a youth that had at least one adjudicated prior felony referral, when compared to the Hispanic and White groups. This disparity in prior adjudicated felony referrals may help to explain the disproportion in secure detainments.

Aside from secure detention, adult certification and commitments to the state also showed disproportion. Both of these processes are decided at the judicial level. Out of a 100 cases filed, statistically, 1.89 African American/Black youth, 1.02 Hispanic youth, and .50 White youth were certified. For commitments, of 100 cases filed, 4.63 African American/Black youth, 3.52 Hispanic youth, and 2.40

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White youth were committed. In general, when compared to the other groups per 100 cases filed, this shows about one more African American/Black youth being committed to the state when compared to Hispanic youths and two more when compared to White youth. If the commitment decision takes into consideration a youth's prior record, then the disparity may be explained by the number youth being committed with a prior adjudicated felony referral. In 2010, the African American/Black group made up 37% of all of the committed youth with a prior adjudicated felony referral. This rate is 20% higher than the White youth group.

In summary, the clear objective of this annual report is to identify minority disproportion in the decisions that are made throughout juvenile justice system. As the direct file decision is spelled out in statute, the referral process is the highest area of disproportion that may be impacted by external department decisions. On a positive note, the following areas showed minimal disproportion on the line graphs for the relative rate index: diversion, cases referred to the district attorney, cases filed, cases adjudicated, probation placement, and SMYC placement. In an effort to sustain and promote minimal to no disproportion, collected data will continue to support and serve as evidence for future policies and procedures. Additionally, the information contained in this report could assist with youth prevention programming efforts. As the issues of juvenile justice extend far beyond the reach of any single organization, the DJJS will continuously be active in coordinating and cooperating will with the stakeholders of the juvenile justice system to provide the services needed for Clark County's youth.