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Purpose

This report provides a comprehensive view of Utah's juvenile justice system. Using both current and historical data, juvenile criminal activity is examined, as well as how the juvenile justice system handles the young offenders.

The Appendix of the report contains tables of data used in analyzing Utah's juvenile justice system. These tables provide an easy to use reference for those researchers interested in the juvenile justice system in Utah. This will allow further examination into important juvenile justice issues that have not been addressed within the context of this report.

The report begins with an analysis of population trends in Utah. Changes in the juvenile population can have major impacts on juvenile arrests, as well as resources within the juvenile justice system.

The Arrest section examines data specifically from the Utah Department of Public Safety regarding juvenile arrests. This provides a picture of juvenile offending patterns.

The Juvenile Court section looks at the sheer number of juvenile cases handled by the Court. Many of these cases are never formally petitioned to Juvenile Court. This section looks at the types of juvenile cases handled non-judicially and the types of cases that are ultimately petitioned to the Juvenile Court. This section also examines juveniles who are placed on probation with the Juvenile Court and the Court's collection of fines, restitution, and community service hours.

The final section focuses on the Utah Division of Youth Corrections (DYC). The characteristics of the youths placed with DYC are examined as are the trends in the use of Youth Corrections' placement types.

Data Sources and Description

Demographic information regarding juveniles was provided by the Governor's Office of Planning and Budget. Population trend data was taken from "*State of Utah Economic and Demographic Projections, 1994.*" Demographic data regarding racial and ethnic

composition of Utah's juvenile population was taken from "*1990 Census of Population, General Population Characteristics, Utah.*" The latter document was published by the U.S. Department of Commerce, Economics and Statistics Administration, Bureau of the Census.

Juvenile arrest data was provided by the Utah Department of Public Safety. State and local law enforcement agencies collect specific offense related information which is summarized and sent to the Department of Public Safety (DPS). DPS then aggregates the data for the entire state, reports the data through the *Crime in Utah* report, and submits the aggregate data to the Federal Bureau of Investigation. This entire system is labeled Uniform Crime Reporting.

Most of the arrest data depicted and analyzed in the Arrest section of the report came from the Uniform Crime Reporting System either through the *Crime in Utah* report or through raw data collection.

Utah is in the beginning stages of implementing a replacement to the Uniform Crime Reporting system called the National Incident Based Reporting System or NIBRS. The Incident Based System provides more detail about each criminal incident than the UCR system could. This additional detail provides useful insight into criminal and juvenile offenses. Unfortunately, only 42 out of 130 law enforcement agencies are using the NIBRS system in Utah. Additionally, most of the largest law enforcement jurisdictions in Utah are not using

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the NIBRS system. Therefore, a large proportion of juvenile arrests are not being reported using the NIBRS system.

To include some analysis of NIBRS data in Utah, we chose one urban and one rural jurisdiction which have converted to the NIBRS system and are submitting good data. The Arrest section includes analysis comparing the two jurisdictions using unique data elements from the NIBRS system.

The data for the Juvenile Court section of the report was taken from statistical reports prepared by the Utah Administrative Office of the Courts. The data used to prepare these reports come out of the Juvenile Information System, which is a juvenile justice database shared by the Juvenile Court and the Division of Youth Corrections.

This first portion of the Juvenile Court (Court) section analyzes the referrals made to the Court. A referral is a unit of work for the Court. Several offenses committed by a juvenile may be contained within one referral, and one juvenile may have several referrals during a given year. Therefore, referrals cannot be considered the same as a count of juvenile offenses during a given year or an unduplicated count of juveniles handled by the Court during a given year.

The report concentrates mainly on criminal referrals. Criminal referrals include felonies, misdemeanors, infractions, and status offenses. Generally speaking, referrals, in this analysis, do not include administrative referrals or referrals for dependency, neglect, and abuse.

Not all referrals are petitioned to the Juvenile Court. Many are handled non-judicially by Court workers called Intake staff. The Juvenile Court section of the report begins by assessing referrals to the Court. The next section addresses those referrals that are petitioned to the Court. The final sections address probation and the collection of fines, restitution, and community service hours from juvenile offenders.

Data for the initial portion of the Youth Corrections section was also taken from the reports prepared by the Administrative Office of the Courts using the Juvenile Information System. Here, the overall number of youths being referred to Youth Corrections is noted, average age of offenders is assessed, and average offense history is assessed. It is important to note that although these elements (average age and offense history) are addressed yearly, they actually depict the history (or several years) of each youth identified.

The Juvenile Justice Process

Offense Classification Before a juvenile is involved in the juvenile justice process, he must do something which, as a society, we have decided he should not do. These violations of societal norms and values range in degrees of seriousness. Traditionally, offenses which could result in a loss of liberty through incarceration were labeled felonies, while the less severe offenses were labeled misdemeanors.

In Utah's system, juveniles are found delinquent when they violate social norms and values. The juvenile justice system intervenes, when necessary, to correct the delinquent behavior of the juvenile.

For this analysis, the following offense types are assessed: felonies, misdemeanors, infractions and status offenses. Felonies are the most severe offenses and are, themselves, divided into levels of severity. A capital felony, such as aggravated murder, is an offense for which the offender can be sentenced to death. The remaining severity levels of felonies are first degree felonies (i.e. kidnaping, rape, robbery); second degree felonies (i.e. aggravated assault, burglary); and third degree felonies (i.e. certain arson cases and certain theft cases).

Misdemeanor offenses are also divided into the following three severity levels: Class A, Class B, and Class C. Misdemeanor offenses are, for the most part, less severe violations than felony offenses. Infractions are less severe than misdemeanors and include violations such as trespassing and disorderly conduct. Finally, status offenses are actions that are violations only due to the age of the perpetrator. Status offenses include possession of tobacco, possession of alcohol, and habitual truancy.

For any of these violations, a juvenile may find himself involved in the juvenile justice system.

Adult Certification Juveniles in Utah's system can also find themselves being tried, convicted, and punished in the adult system.

Through a process called "certification," any juvenile 14 years of age or older can be tried in the adult court system if he or she commits a felony offense. If found guilty in the adult court system, the juvenile may receive an adult sanction, including probation or prison.

During the 1995 General Legislative Session, the Serious Youth Offender Act was passed and signed into law by the governor. Through the Serious Youth Offender Act, certain classes of juveniles are transferred to the jurisdiction of the adult criminal justice system. The Act applies only to juveniles 16 years of age or older.

If a juvenile commits aggravated murder, murder, or commits a felony offense after being placed in a juvenile secure facility, he or she is automatically transferred to the jurisdiction of the adult criminal justice system. In addition, there are ten serious offenses which, if committed, will likely lead to the transfer of the juvenile into the adult system. If the youth commits one of these offenses, a preliminary hearing in Juvenile Court will automatically ensue where the juvenile must overcome a presumption of certification if he is to remain in the jurisdiction of the Juvenile Court.

Process The juvenile justice system in Utah is complex, as are most systems. The flow chart on the following pages graphically depicts many of the decisions and directions a youth may travel

through the juvenile justice system if an offense is committed. Although the flow model does not account for every contingency in the system, it is a helpful tool for understanding the basic working of Utah's juvenile justice system.

Law Enforcement Arrest, Diversion, and Referral The system begins when a juvenile commits any type of offense, and that offense is discovered by an officer (or other individual) who can take action against the offending youth. The officer makes an initial determination of whether the offense or the juvenile's past merits a referral to Juvenile Court. If the officer decides there is little reason to refer the youth to Juvenile Court, the juvenile is released to parents or other guardians or diverted to an alternative program.

If the officer decides to refer the juvenile to Court, it is determined whether or not the juvenile needs to be detained. If detention is unwarranted, the youth is released to his parents to wait for the Court's intake action. If the officer decides the youth needs to be detained, he will be taken to a juvenile detention center. At the detention center, staff will screen the case, using guidelines, to determine if detention is required for this particular juvenile. If the detention staff determines that the youth does not need to be detained, the youth will be released from the detention center into the custody of his parents/custodian.

If the detention staff determines that the juvenile needs to be detained, he will be kept in the detention center waiting for a detention hearing before a

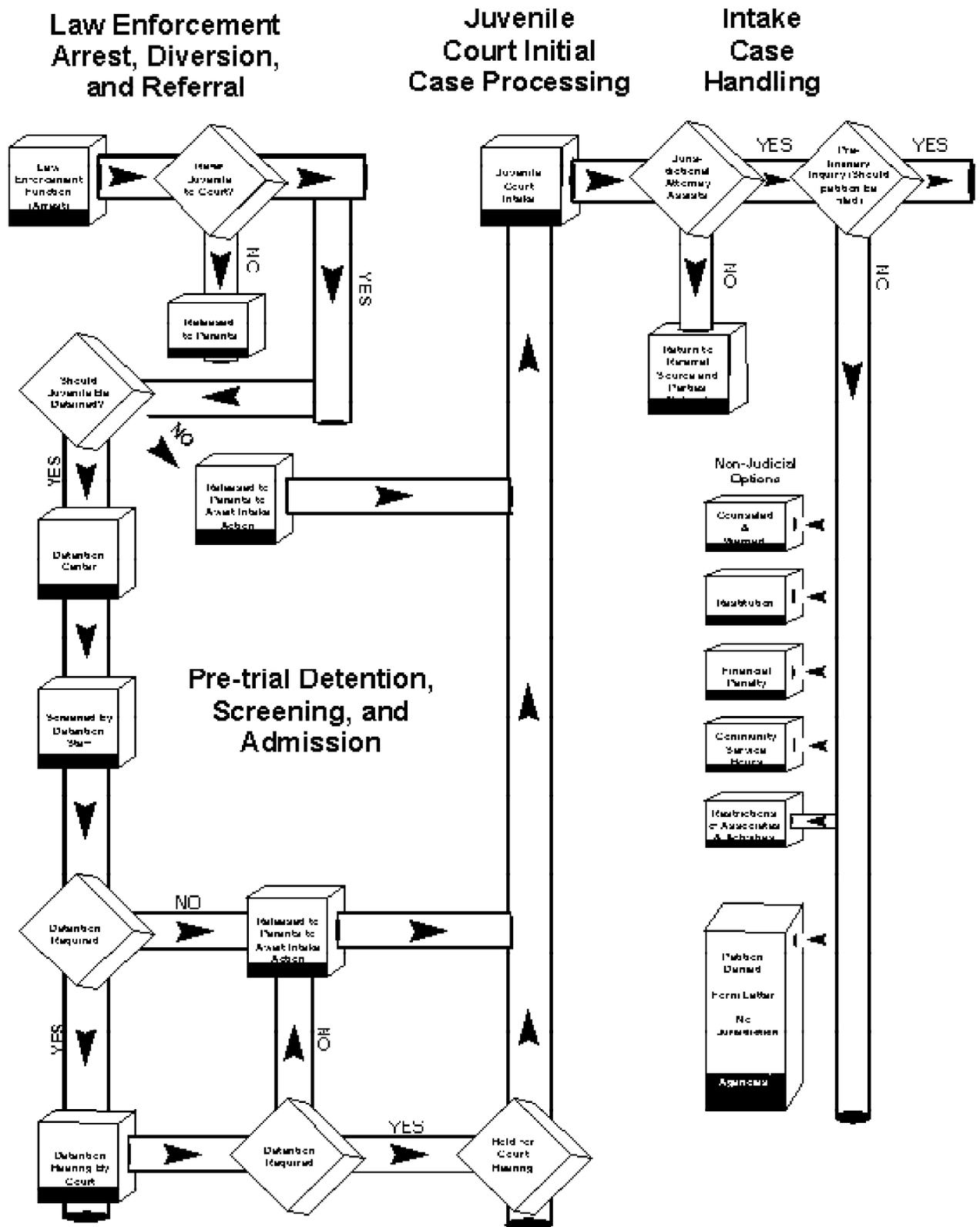
Juvenile Court Judge. At the detention hearing, the judge will make a determination of whether or not the youth needs to be detained until the hearing on the offense is conducted. If the judge does not believe the youth requires detention until the hearing is held, the youth will be released into the custody of his parents. The youth will be kept in detention until the hearing if the judge feels it is necessary.

Juvenile Court Initial Case Processing and Intake Case Handling If the case is not petitioned to Court, the intake officer has several non-judicial options at his/her disposal. The juvenile may simply be counseled and warned, or he may receive a financial penalty, community service hours, restitution payments, or other sanctions all arranged as part of a non-judicial consent agreement by the intake officer.

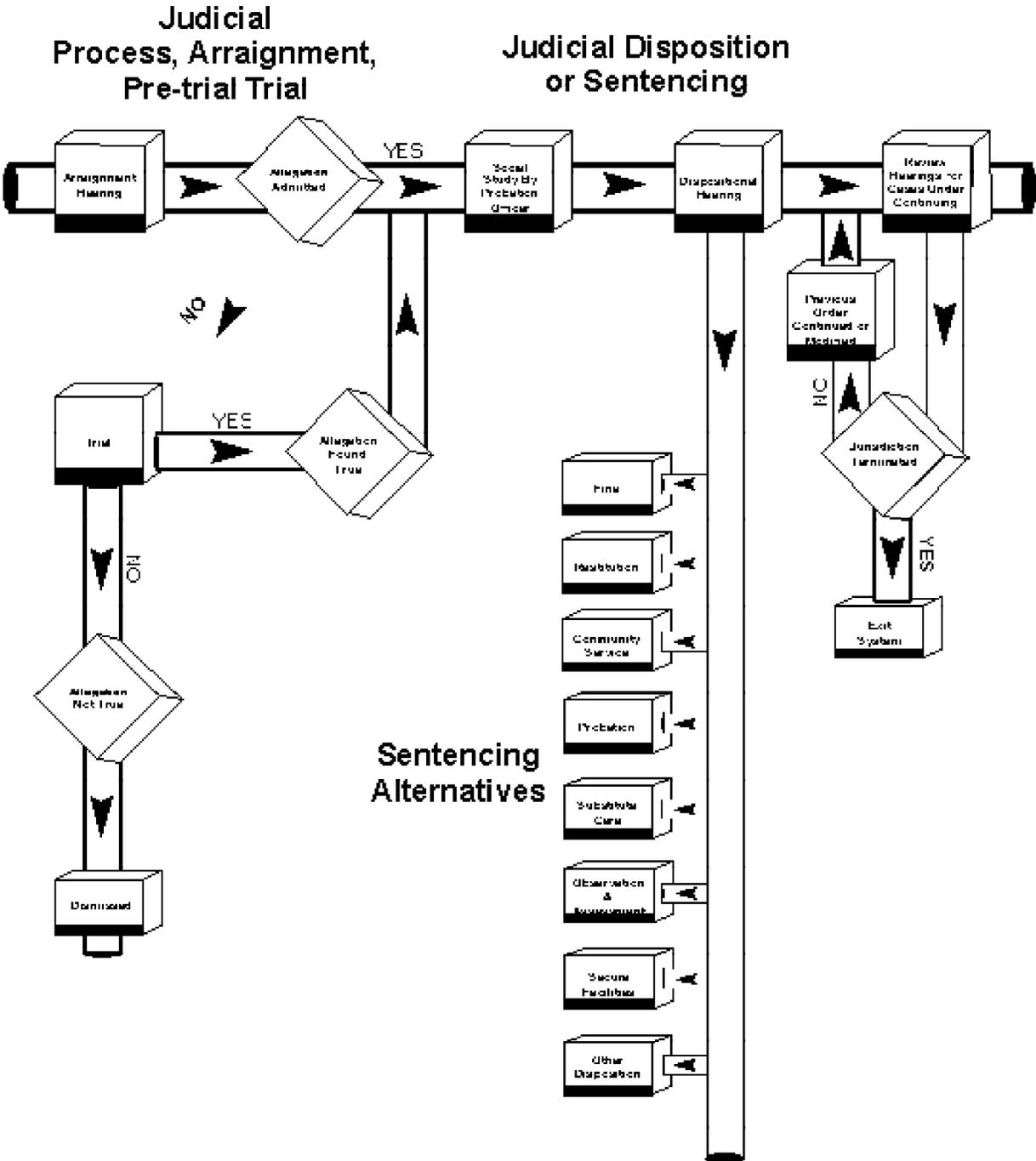
Judicial Process, Arraignment, Pre-trial Trial If the case is petitioned to the Juvenile Court, an arraignment hearing is held where the juvenile either admits to the offense or denies committing the offense. If the juvenile denies committing the offense, a trial will be held by the Juvenile Court to determine the innocence or guilt of the juvenile. If the Court finds the allegation untrue, the juvenile's case will be dismissed.

Judicial Disposition or Sentencing If the juvenile admits to committing the offense or is found guilty at trial of committing the offense, the probation or intake officer assigned will study the case in order to make sentencing recommendations to the judge.

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This flow model of the juvenile justice system was developed by the Utah Administrative Office of the Courts

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Once the recommendations are prepared, a dispositional hearing is held where the judge will inform the juvenile offender of his sanction. The sanction may include one or more of the following: fine, restitution, community service, probation, substitute care, observation and assessment, secure facility placement, or a variety of other dispositions.

It is common for juvenile offenders to receive a variety of sanctions. For example, an offender may be placed on probation, as well as ordered to pay a fine and pay restitution to the victim of the offense.

In some cases, the jurisdiction of the Juvenile Court continues during the juvenile offender's sanction. In these cases, the juvenile will attend review hearings to determine the youth's progress. During the course of this hearing, the juvenile's sanction may be ended, and he will exit the juvenile justice system. If the judge deems necessary, the previous order may be continued or modified, and the juvenile will remain in the juvenile justice system.

Sanctions For Juvenile Offenders

This section is dedicated to a more detailed, yet abbreviated, description of the sanctions available for use with juvenile offenders. The sanctions described vary in severity and, as stated previously, may be used together or individually.

Monetary Penalties There are three types of monetary sanctions available: fines, restitution, and community service. These sanctions can be used individually,

but are often combined with other more severe sanction types.

Fines are specific financial penalties assessed for specific types of delinquent behavior. For example, a juvenile may be fined \$25 for possession of tobacco. A fine schedule is provided to act as a guide to the Court.

Restitution is traditionally a "repayment" to the victim of an offense for the value or the cost of the offense. The amount of restitution may be the full amount of the cost of the offense or what the judge believes the offender can realistically pay. Restitution may be payment for lost or destroyed property and may include payment for medical/psychiatric bills associated with the offense.

Community service, although strictly speaking is not a monetary sanction, is a payment made in hours of unpaid work. Juvenile offenders may be sentenced to a certain number of community service hours. The hours are spent on projects that improve the community.

Detention & Probation In some cases, the sentencing judge may want the juvenile offender placed into custody for a short time. In these cases, the judge may place the juvenile into a secure detention facility. These short-term commitments are used to hold the youth until a more appropriate sanction is recommended or made available. The commitments are for up to 30 days.

The judge may also sentence a juvenile to probation. Probation is a non-custodial supervision of the juvenile offender, meaning the

juvenile is allowed to remain in the community, usually in their own home. The intensity of probation supervision varies depending on the severity of the offense, the offense history of the offender, or the recency of the probation placement.

Probation is more intensive when the probation officer makes frequent contact with the juvenile offender. As the intensity of the probation decreases, fewer and fewer contacts are made with the juvenile offender. Often, a probation sanction begins with frequent contacts between the probation officer and the juvenile offender. As the offender progresses through months of offense free probation, the frequency of contact decreases.

Division of Youth Corrections Placements The more severe sanction types are found within the Division of Youth Corrections (DYC). These sanctions often lead to a loss of liberty for the juvenile offenders. The offenders' activity is most controlled in these types of sanctions.

Although secure detention facilities are operated by DYC, they are not included in this discussion. Detention facilities are used for short-term, up to 30 days, commitments and for holding offenders prior to judicial disposition.

There are four broad categories of sanctions within DYC, including work camps, community based alternatives, observation and assessment, and secure facilities. The following descriptions of these program areas were taken from the *Division of Youth Corrections Annual Report, 1994*.

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Work Camps "Work camps and work programs are becoming an integral part of the services offered by the Division of Youth Corrections. The Division currently operates one program that is exclusively a work camp and is integrating work projects into more traditional programming. Work programs provide youth with rehabilitative opportunities by helping them learn practical skills and helping them feel the pride that comes with completing a job. In addition, the programs give youth the opportunity to repay their victims and to engage in projects that benefit their communities and the public at large."

"Youth are required to attend school three hours a day and work five hours a day. Along with school and work, they also have daily chores in the facility."

Community Based Alternatives "Community based alternatives to incarceration are Youth Corrections' least restrictive placements. They provide the opportunity for delinquent youth to work on problems in structured surroundings but maintain daily contact with their communities and, in many cases, their families. Most of these services are supplied by private agencies who contract with the Division to provide both residential and nonresidential programs that compliment the activities of the Division's case managers."

"Residential Programs are located throughout the State. They provide 24-hour a day supervision and treatment options to youth in close proximity to their families and community. These programs fall along a continuum of supervision and treatment. They stress

strong community linkages with family, school, and employment. They also help youth learn and generalize appropriate behavior into a nonsecure community environment."

"Nonresidential services generally are oriented to supervision, treatment, or education. Tracker services provide intensive supervision of youth through daily contact and counseling focused on employment, education, courts, family, and life skills. Various types of therapy are provided by clinicians trained to deal with dysfunctional family dynamics and antisocial behaviors."

Observation and Assessment "The Division operates three regional observation and assessment (O&A) centers. Each provides a 90-day program that includes assessment and treatment planning in a residential setting. Youth receive psychological, behavioral, social, educational, and physical evaluation. Based on the information that is gathered, recommendations are made to the Juvenile Court for future rehabilitative treatment. Centers also provide standardized programs to meet the educational and recreational needs of the youth. Following O&A, youth typically are placed on a 'trial placement' in a community program to transition back into the community."

Secure Facilities "Long-term secure confinement of the most seriously delinquent youth is provided by Utah's (*secure facilities*). These facilities emphasize security while maintaining humane, progressive, and quality treatment programs."

"Confined youth are held accountable for their delinquent acts by confronting criminal thinking and antisocial behavior, and by emphasizing victim reparation through restitution programming. Treatment groups focus on many areas including the impact of delinquent behavior on victims, drug and alcohol treatment, social skills development, and community reentry. Individualized education programs are also provided while youth are in a secure care facility."

Overall Findings

We begin by looking into the future, and the impact population growth may have on the juvenile justice system. In 1995, there were 312,170 juveniles between the ages of 10 and 17. Of these, 51.3% (160,177) were male and 48.7% (151,993) were female.

It is general knowledge, and will be shown, that juvenile offenses are committed almost entirely by those aged 10 to 17, and that most adult and juvenile offenders are male.

The total population of those aged between 10 and 17 is projected to increase 24.4% between 1995 and 2020. This amounts to 100,670 more juveniles in 2020 than in 1995. Of this increase, 51,902 are additional males.

The immediate future does not appear to include dramatic population pressures on the juvenile justice system. The juvenile population between the ages of 10 and 17 is projected to stabilize between 1995 and 2002. After 2002, the increasing trend is projected to begin anew.

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Utah's juvenile justice system divides the state into more manageable units in two ways. The Juvenile Court divides the state into eight judicial districts, and the Division of Youth Corrections divides the state into three regions. For the courts, between 1995 and 2020, the judicial districts' populations are projected to increase by the following percentages: 1st District by 23%, 2nd District by 21%, 3rd District by 25%, 4th District by 30%, 5th District by 48%, 6th District by 20%, 7th District by 9% and 8th District by 10%.

Youth Corrections' Region I is projected to increase 21.9%; Region II is projected to increase 24.9%; and Region III is projected to increase 29.9%.

Juvenile Arrests

The total juvenile arrest rate in Utah decreased from 1,379 per 10,000 in 1985 to 1,368 per 10,000 in 1994. The juvenile arrests for violent offenses increased over the same period from 24 arrests per 10,000 to 34 arrests per 10,000. Juvenile arrests for property offenses decreased over the period from 518 per 10,000 to 461 per 10,000.

Looking at specific offense types, the juvenile arrest rate for murder/non-negligent manslaughter increased. The juvenile arrest rate for rape increased dramatically during most of the period with a strong decrease between 1993 and 1994. The juvenile arrest rate for robbery increased, as did the rate for aggravated assault. There were decreases in the juvenile arrest rate for burglary and larceny/theft, and there were increases in the juvenile arrest

rate for motor vehicle theft and arson.

It is interesting to note that juveniles were arrested with greater frequency than adults for the offenses of burglary, larceny/theft, motor vehicle theft, and arson.

Juveniles between the ages of 15 and 17 account for most of the arrests. Looking at the ages of arrestees from 1989 to 1994, only the 16 year olds' arrest rate increased. The remaining age groups' arrest rates decreased. It does not appear that juvenile offenders are getting younger.

Looking at specific types of offenses, 15 to 17 year olds were arrested for a disproportionate amount of juvenile violent offenses, while 13 to 14 year olds were arrested for a disproportionate amount of juvenile property offenses. The age group of 10 to 14 accounted for 73% of juvenile arson arrests, 49% of the juvenile larceny/theft arrests, and 46% of the juvenile burglary arrests. An alarming revelation is that 40% of the juvenile forcible rape arrestees were between the ages of 13 and 14.

Juveniles aged between 15 and 17 accounted for 75% of the juvenile murder/non-negligent manslaughter arrests, 67% of the juvenile robbery arrests, and 61% of the juvenile aggravated assault arrests. Again we see, with the exception of forcible rape, that the younger age groups are arrested for more of the property offenses, while the older age groups are arrested for more of the violent offenses.

In the arrest analysis, racial/ethnic minorities do not appear to be severely overrepresented. However, these numbers must be viewed with caution knowing that Hispanics have not been accounted for and represent the largest minority group in Utah. Minorities appear to be most disproportionately represented in violent offense arrests, or, more specifically, in robbery arrests.

The analysis uses incident based law enforcement data to compare one urban jurisdiction and one rural jurisdiction. Some interesting findings are included in the report, but they will not be addressed here.

A final analysis examines the time that juvenile offenses occurred. Juvenile offenses peaked at 8:00 am, 12:00 to 1:00 p.m., 3:00 p.m., and 12:00 a.m. Some of these times are closely associated with school schedules. At 8:00 a.m., juveniles are either at or on their way to school. At 12:00 to 1:00 p.m., juveniles are on their lunch breaks, and at 3:00 p.m. juveniles are released from school. These are all peak times for juvenile offending in Utah.

Summarizing the arrest findings, it appears that although the overall rate of juvenile arrests is decreasing, the rate of juvenile arrests for violent offenses is increasing. Most of these arrests for violent offenses are of juveniles 15 years of age or older. Much of the property arrests are of juveniles between the ages of 10 and 14. The age of juvenile offenders does not appear to have changed much over the past several years, and much of the juvenile offending occurs around school time schedules.

Juvenile Court

New criminal offenses referred to Juvenile Court (Court) increased 58.2% between 1988 and 1994, resulting in 76,525 total offenses. Felony offenses referred increased 86.8%, and misdemeanor offenses referred increased 47.2% over the period.

Of the juvenile offenses referred, 18.1% were minority youth, compared to 8.9% minority youth in the general population. Clearly, minority youth are disproportionately represented at the referral stage of the juvenile justice system.

The average age of juveniles referred to Court in 1994 was 15.5 years, which is less than a one percent decrease from 1988. The average age of juvenile person felony offenders increased 1.7% to 15.2 years of age; the average age of juvenile property felony offenders increased 0.8% to 15.6 years of age; the average age of public order felony offenders decreased 1.5% to 16.2 years of age; and the average age of misdemeanor offenders decreased 0.1% to 15.5 years of age. It does not appear that the average age of total or serious juvenile offenders referred to juvenile court has decreased. It does appear that, on average, juvenile public order and property felony offenders are slightly older than the juvenile person felony offenders. This contrasts with the average ages of the juvenile arrestees.

About 90% of the juveniles referred to Court were male in 1994. Females comprised their largest proportions in misdemeanor offenses (21%), status

offenses (28%), and infractions (18%).

Of the offenses referred to Juvenile Court, only a portion actually get petitioned to the Court. Of those petitioned to the Court, only a portion get disposed of by the Court.

Ninety percent of the felony referrals were petitioned to Juvenile Court; 61% of the misdemeanor/infractions referrals were petitioned to Court; and 28% of the infraction referrals were petitioned to Court.

Offenses filed in Juvenile Court increased 85.3%, for a total of 44,983 filings between 1988 and 1994. Of these, person felony filings increased 120%, property felony filings increased 76%, public order felony filings increased 146%, and misdemeanor/infraction filings increased 84%.

Petitions disposed by the Juvenile Court increased 35.3% between 1991 and 1994, resulting in 23,333 total petitions disposed in 1994. The average time for disposition increased moderately for felony offenses and declined moderately for misdemeanor/infraction offenses and status offenses.

Juveniles on probation at the end of the year increased 34.3% between 1990 and 1994, resulting in 1,500 juveniles on probation at year end 1994. The average age of juveniles on probation decreased 0.5% to 16.5 years of age.

The average number of felonies for juveniles on probation increased 4.2% between 1990 and 1994 to 4.2 felonies. The average number of misdemeanor/infraction

for juveniles on probation increased 16.2% to 12.6 misdemeanors/infractions.

After probation placement (for those turning 18 years of age), the average number of felonies after probation increased 14.7% to 1.9; the average number misdemeanor/infractions after probation decreased 5.8% to 6.0. In 1994, 16% of probationers were subsequently placed in Observation and Assessment (an increase over 1990); 22% were subsequently placed in Community Placements (an increase over 1990); and 12% were subsequently placed in a secure facility (an increase over 1990).

In 1994, 74% of the ordered fines/fees were collected, amounting to \$1.3 million collected; 78% of the ordered restitution was collected, amounting to \$970,000 collected; and 73% of the ordered community service was completed, amounting to 327,000 hours completed.

Finally, looking at all juveniles in Utah turning 18 during 1994, 65.4% had no criminal referrals; 25% had referrals for misdemeanor offenses only; and 9.8% had referrals for felony offenses.

Overall, the Juvenile Court experienced an increasing number of referrals in 1994, with the largest increase in felony referrals. The number of petitions filed in the Juvenile Court also increased dramatically over the period, although the disposition time for the cases changed very little. The number of juveniles on probation increased, as did the offense history of the juveniles placed on probation. Twenty-four percent of probationers subsequently ended

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up in Youth Corrections' placements.

Youth Corrections

Total commitments to the Division of Youth Corrections (DYC) increased 53.4% between 1989 and 1994, resulting in a total of 702 commitments in 1994.

The average age of juveniles in Observation and Assessment (O&A) remained at 15.7 years of age between 1989 and 1994. The average age of juveniles in community placements increased 0.6% to 15.7 years of age, and the average age of juveniles in secure facilities decreased 0.6% to 16.3 years of age. It is clear that juveniles in secure facilities are, on average, older than juveniles in other placement types.

In 1994, juveniles in O&A had an average of 4.3 felonies (14.0% decrease from 1989), 14.0 misdemeanor/infractions (12.5% decrease from 1989), and 1.9 status offenses (13.6% decrease from 1989). In 1994, juveniles in community placements had an average of 5.3 felonies (1.9% increase from 1989), 15.7 misdemeanor/infractions (4.8% decrease from 1989), and 2.1 status offenses (8.7% decrease from 1989). In 1994, juveniles in secure facilities had an average of 8.0 felonies (10.1% decrease from 1989), 23.5 misdemeanor/infractions (same as 1989), and 2.4 status offenses (27.3% decrease from 1989).

It is clear that the offense history of juveniles in secure facilities is more serious than the offense history of juveniles in other DYC placements. It also appears that the average history of the juve-

niles has not increased over the past five years. In fact, in most cases, the average offense history of juveniles has decreased in all DYC placement types.

The average nightly bed count in DYC detention facilities increased 80.7% between 1992 and 1995, ending in an average of 225 juveniles in detention centers with a capacity of 156. In fiscal year 1995, most of the juveniles in detention were between the ages of 14 and 17, and 80.4% of the juveniles were male. Of the same juveniles, 31.8% were minority youth, while the general population was 8.9% minority. Again, disproportionality exists. Of the juveniles in detention, 59.8% had a previous admission to a detention facility.

The total number of youth in DYC custody more than doubled between 1992 and 1995, resulting in an average of 931 youth in custody at the end of the period. Looking at the typical placement distribution of juveniles in DYC custody during fiscal year 1995, 13% were in secure facilities, 38% in community placements, 7% in O&A, 16% in home placements, and 6% in detention.

The average number of juveniles in community based alternatives more than doubled between 1992 and 1995, resulting in an average of 495 juveniles at the end of the period. Of the juveniles in community placements during fiscal year 1995, 78% had a previous community placement, 54% had a previous O&A placement, and 12% had a previous secure facility placement.

The average number of juveniles in Observation and Assessment increased 67.7% between 1992

and 1995, resulting in an average of 55 juveniles at the end of the period. The daily capacity in O&A facilities at the end of the period was 48. Of the juveniles in O&A during fiscal year 1995, 29% had previously been in a community placement, and none had previously been in a secure facility. Of the same juveniles, 36.6% were minority youth, and 87.9% were male.

The average number of juveniles in secure facilities remained at the operational capacity of the facilities between 1992 and 1995. However, at the end of the period, there were 166 juveniles either in a facility, on a trial placement, or waiting for placement in a secure facility. The capacity of secure facilities at the end of the period was 112, which includes 32 double-bunked slots. Of the juveniles in secure facilities during fiscal year 1995, 67% had previously been in O&A, 66% had been in a community placement, and 47% had been in a secure facility. Of the same juveniles, 42.8% were minority youth and 95.9% were male.

It is clear that juveniles in Utah are committing more violent offenses than in the past. The pressures of population growth and growth in juvenile offending are evident in referrals to Juvenile Court, petitions to Juvenile Court, and placements in DYC facilities. Juvenile offenders do not appear to be getting involved in crime at younger ages. Minority youth appear to be disproportionately involved throughout the juvenile justice system as compared to their proportion in the general population. Finally, youth corrections facilities are operating, in most cases, well above their design capacities.