



# VIRGINIA CRIMINAL SENTENCING COMMISSION



## **Juveniles Convicted of Felonies in Circuit Court**

June 4, 2018

# Identification of Juveniles Convicted in Circuit Court

- **This analysis updates and expands upon a similar presentation by the Sentencing Commission in 2010.**
- **The Sentencing Commission has determined that it is not receiving sentencing guidelines forms for all juveniles convicted in circuit court.**
  - **By statute, guidelines apply in these cases.**
  - **Since the last project, there has been an improvement in the percentage of juvenile cases received (From 61% (FY01-10) to 71%).**
- **For this analysis, the Sentencing Commission supplemented sentencing guidelines data with data from:**
  - **Circuit Court Case Management System (CMS)**
  - **Department of Corrections (DOC)**
  - **Department of Juvenile Justice (DJJ)**



# Analysis of Juveniles Convicted in Circuit Court

- **The Commission's analysis is based on offenders who were under the age of 18 at the time of the offense (or for at least one offense in the case).**
- **Analysis focuses on the original felony conviction and excludes subsequent probation violation hearings for that offense.**
- **Analysis excludes offenders who were 21 years or older at the time of arrest or filing and who must be prosecuted in circuit court (§ 16.1-242).**
- **The Commission's analysis is based on sentencing events, not individual juveniles.**



# Study Limitations and Changes

- **The analysis cannot distinguish between the three main types of cases:**
  - 1) **Juveniles who have been transferred to circuit court to be tried as adults,**
  - 2) **Juvenile cases where the Commonwealth's attorney chooses to directly indict the juvenile in circuit court (per § 16.1-269.1), and**
  - 3) **Juveniles automatically treated as adults in circuit court because they have previously been convicted as an adult (pursuant to § 16.1- 271).**
- **These data only capture felony convictions.**
  - **Data are incomplete for cases in which the juvenile was found not guilty or the charge was reduced to a misdemeanor; therefore, these cases were excluded from the study.**



## Study Limitations and Changes (continued)

- **There were changes in the availability of data.**
  - **Automated Pre/Post-Sentence Investigation (PSI) and Local Inmate Data System (LIDS) data were not included.**
  - **This may have contributed to the lower number of juveniles convicted in circuit court identified in this study compared to the previous study.**
- **There was progress and improvements in data-collection.**
  - **For example, effectively identifying and excluding the sentencing events that only include probation violations.**



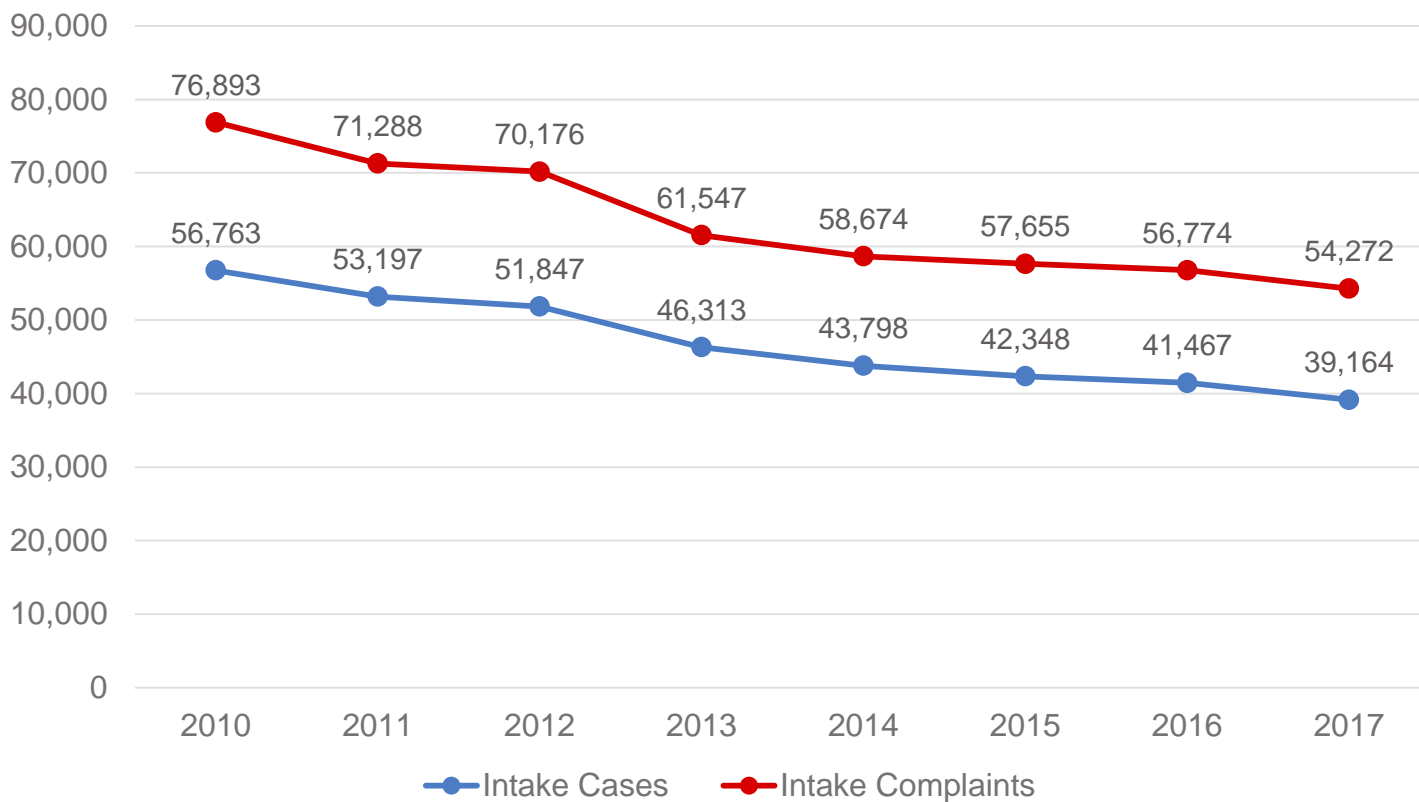
## Study Limitations and Changes (continued)

- **There was progress and improvements in data-collection.**
  - **The availability of the newly introduced matching technique (e.g., iterative matching process with different key variables, case-control matching with the tolerance range for the sentencing date).**
- **In general, the data should capture the overall trend in juveniles convicted in circuit court from FY2010 through FY2017.**



# Juvenile Intakes & Complaints FY2010-2017

## Juveniles Intakes & Complaints: FY2010-2017

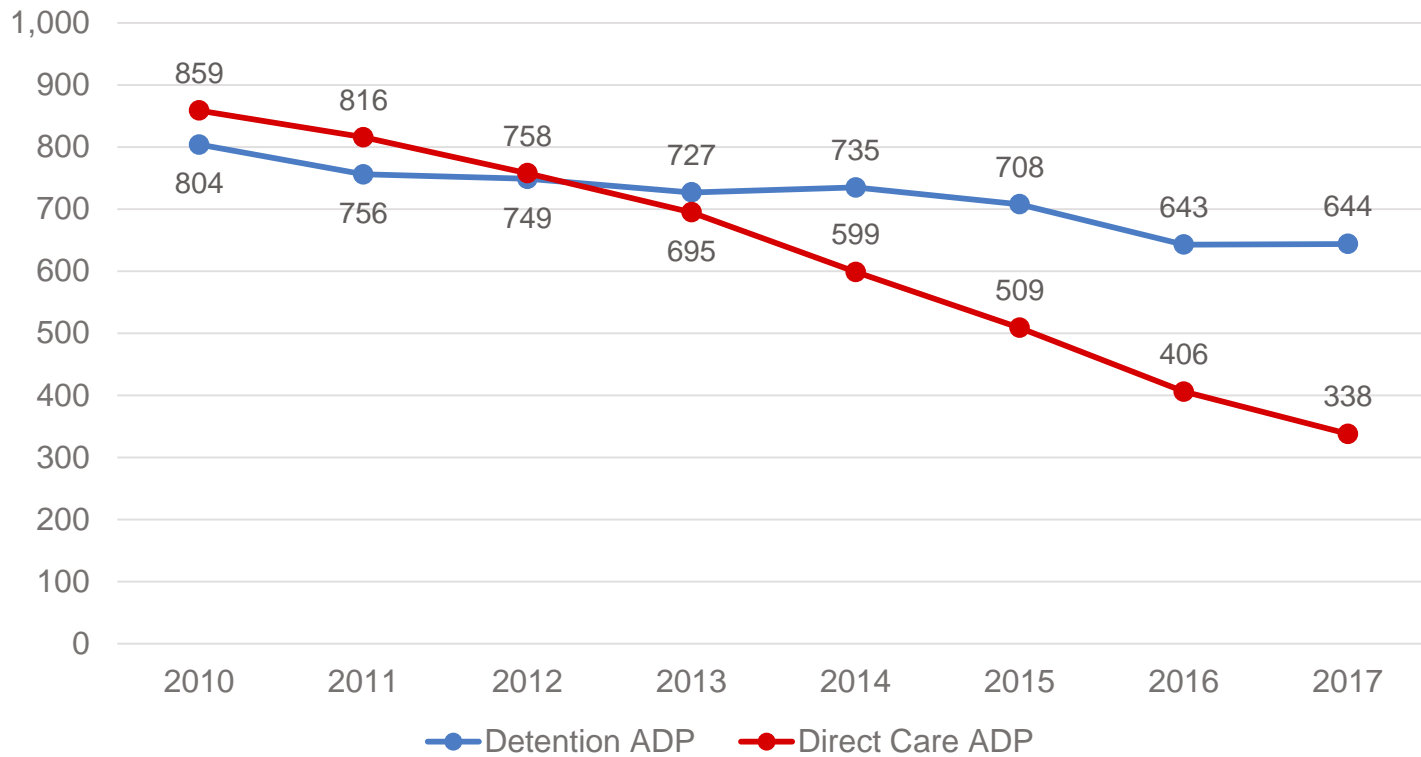


Source : Virginia Department of Juvenile Justice (08/02/2017)



# Juvenile Detention and Direct Care FY2010-2017

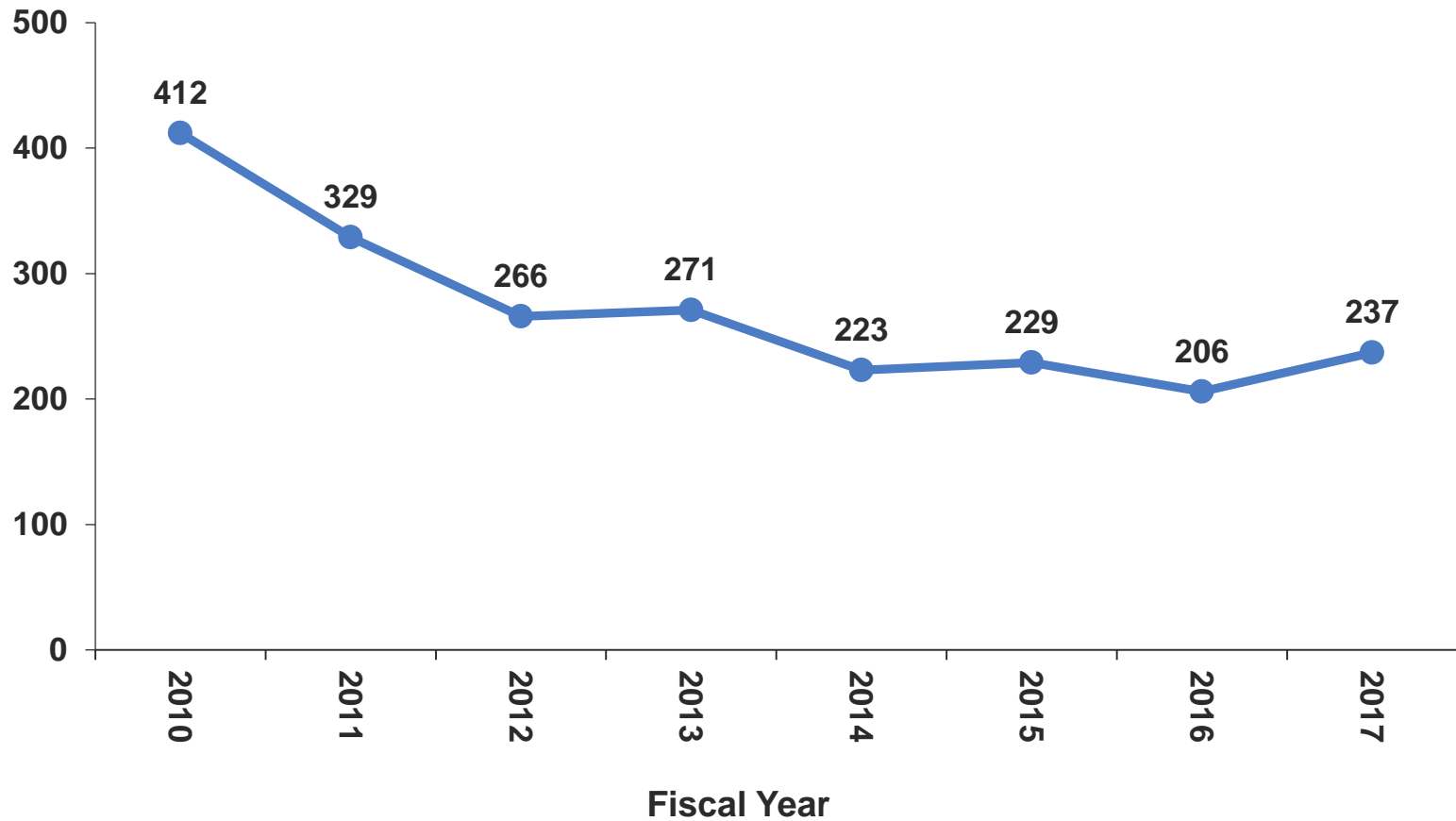
Detention and Direct Care Average Daily Population (ADP),  
FY2010-2017



Source : Virginia Department of Juvenile Justice (08/02/2017)



# Juveniles Convicted of Felonies in Circuit Court

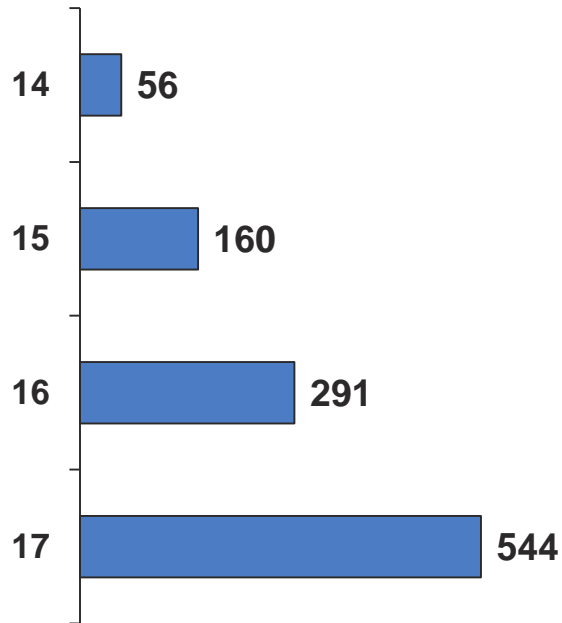


**Note:** For the purposes of this analysis, “juveniles” refer to persons who were under the age of 18 at the time of at least one felony offense that resulted in conviction.



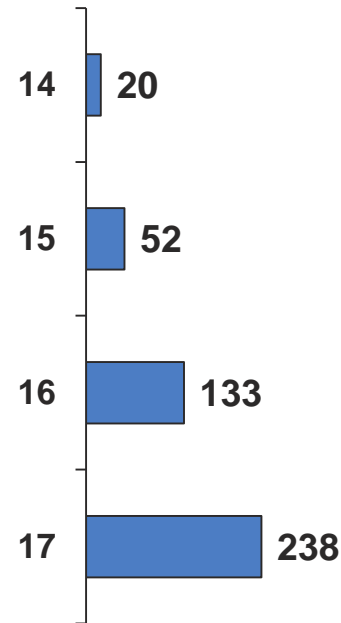
# Juveniles Convicted of Felonies in Circuit Court

**Juveniles Convicted of Felonies  
in Circuit Court  
By Age at Offense  
FY2008-FY2009**



**1,051 Cases**

**Juveniles Convicted of Felonies  
in Circuit Court  
By Age at Offense  
FY2016-FY2017**



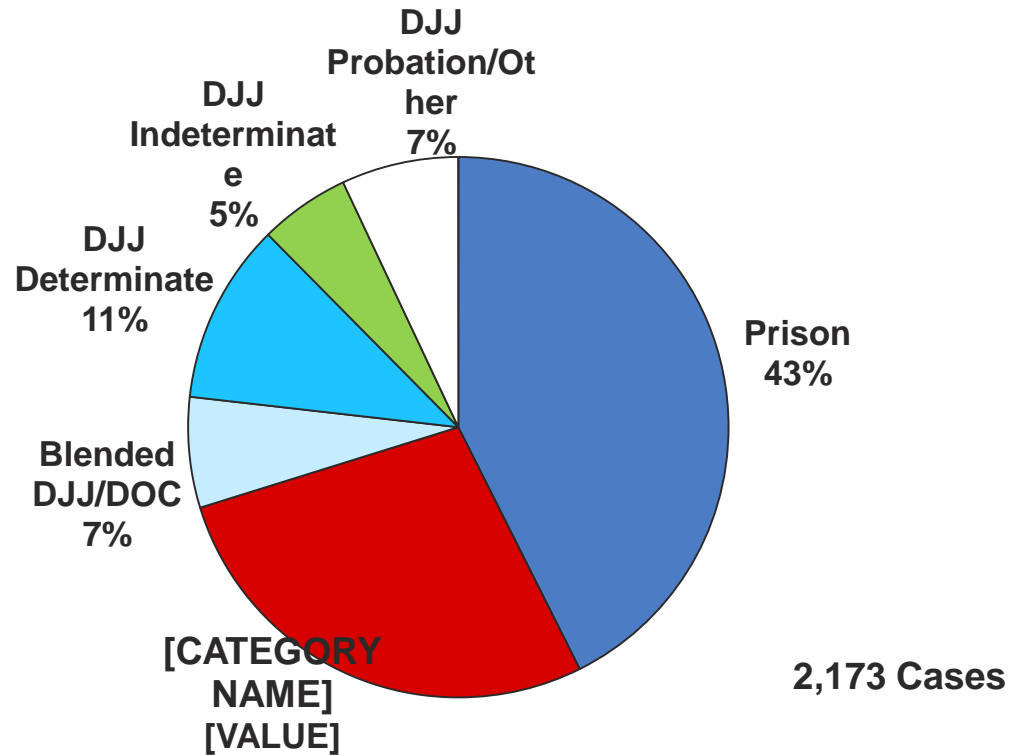
**443 Cases**

**Note:** For the purposes of this analysis, “juveniles” refer to persons who were under the age of 18 at the time of at least one felony offense that resulted in conviction.



# Juveniles Convicted of Felonies in Circuit Court

Juveniles Convicted of Felonies in Circuit Court  
By Type of Disposition  
FY2010-FY2017

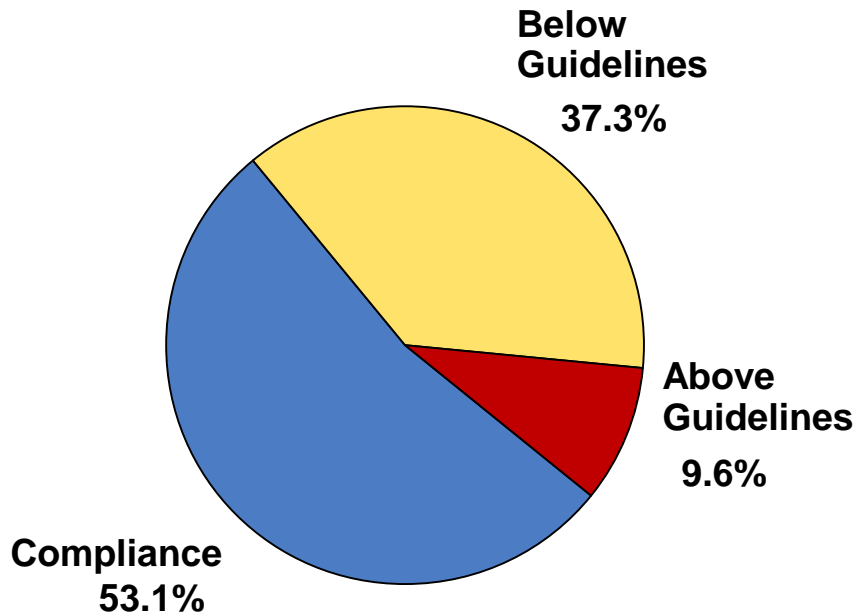


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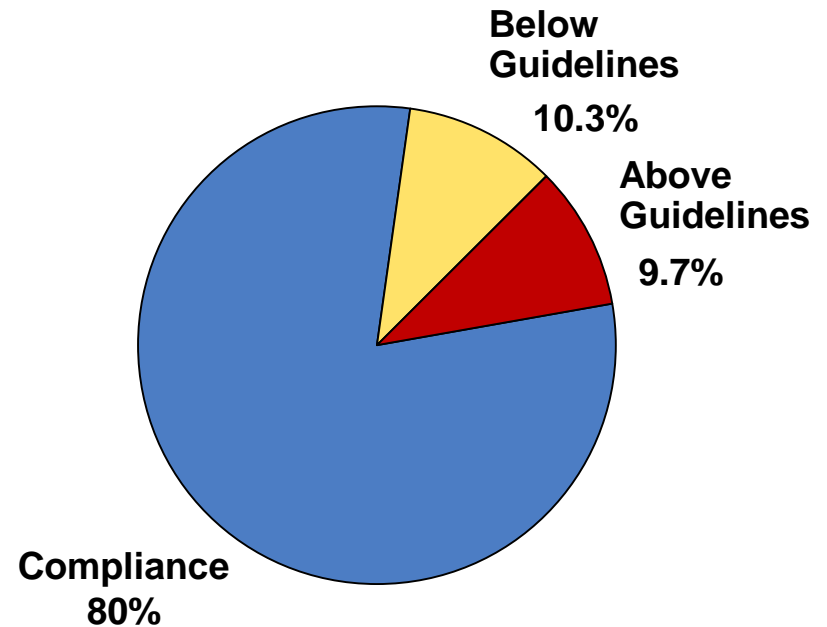
# Juveniles Convicted of Felonies in Circuit Court

**Sentencing Guidelines Compliance  
Juveniles Convicted in Circuit Court  
FY2013-FY2017**



824 Cases

**All Other Guidelines Cases  
FY2013-FY2017**



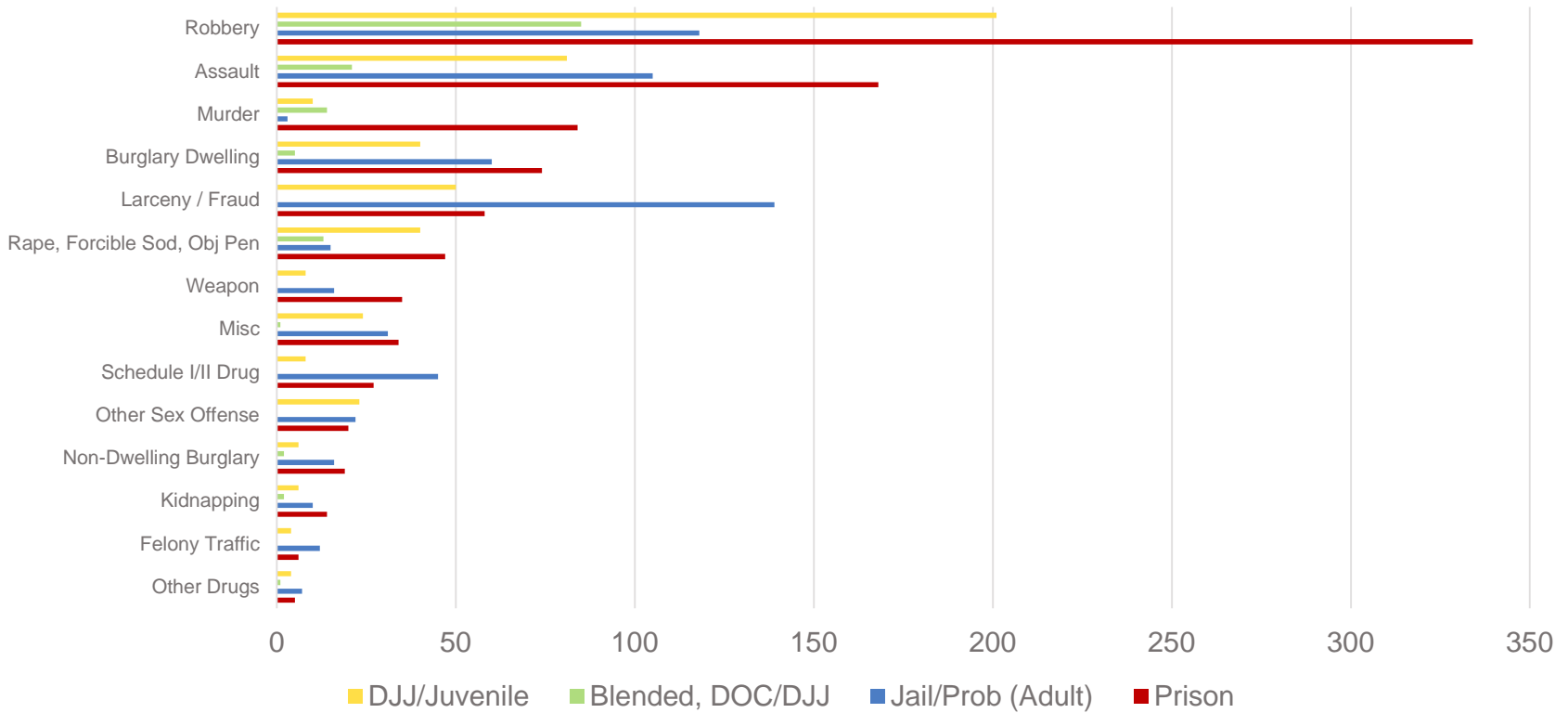
122,072 Cases

**Note:** For the purposes of this analysis, “juveniles” refer to persons who were under the age of 18 at the time of at least one felony offense that resulted in conviction.



# Juveniles Convicted of Felonies in Circuit Court

Number of Cases by Most Serious Offense & Type of Disposition  
(FY2010-FY2017)

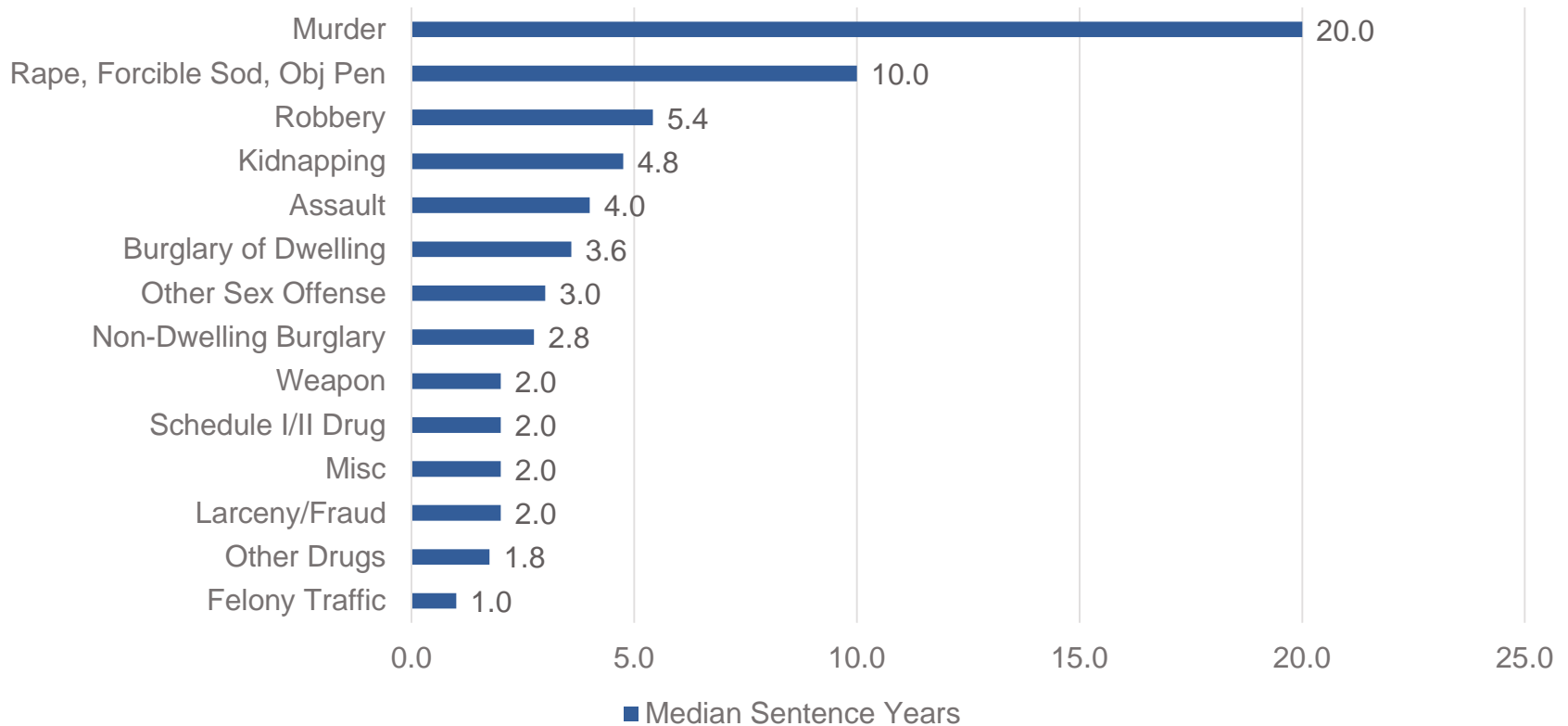


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# Juveniles Convicted of Felonies in Circuit Court

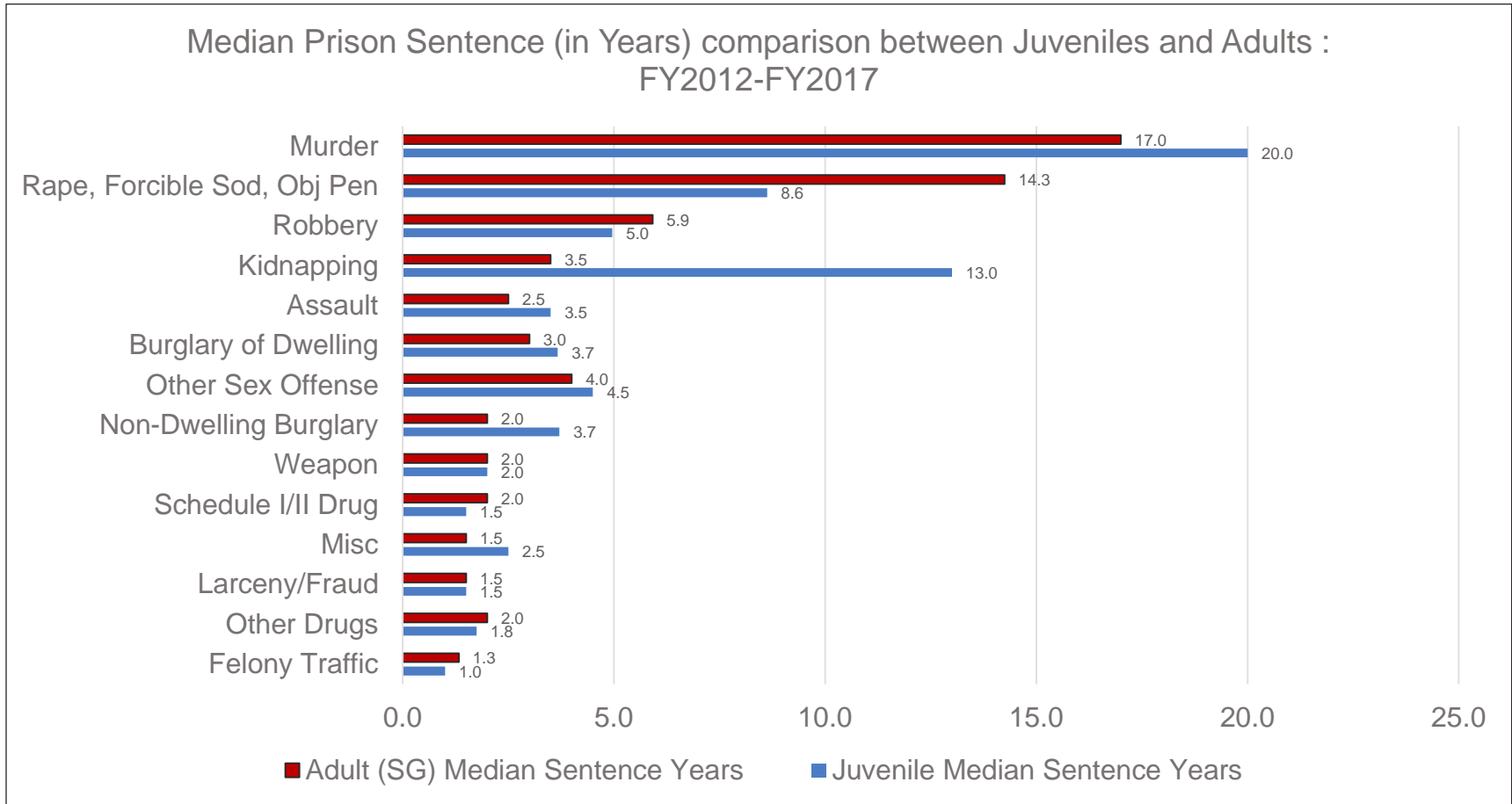
## Median Prison Sentences (in Years): FY2010-FY2017



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# Juveniles Convicted of Felonies in Circuit Court

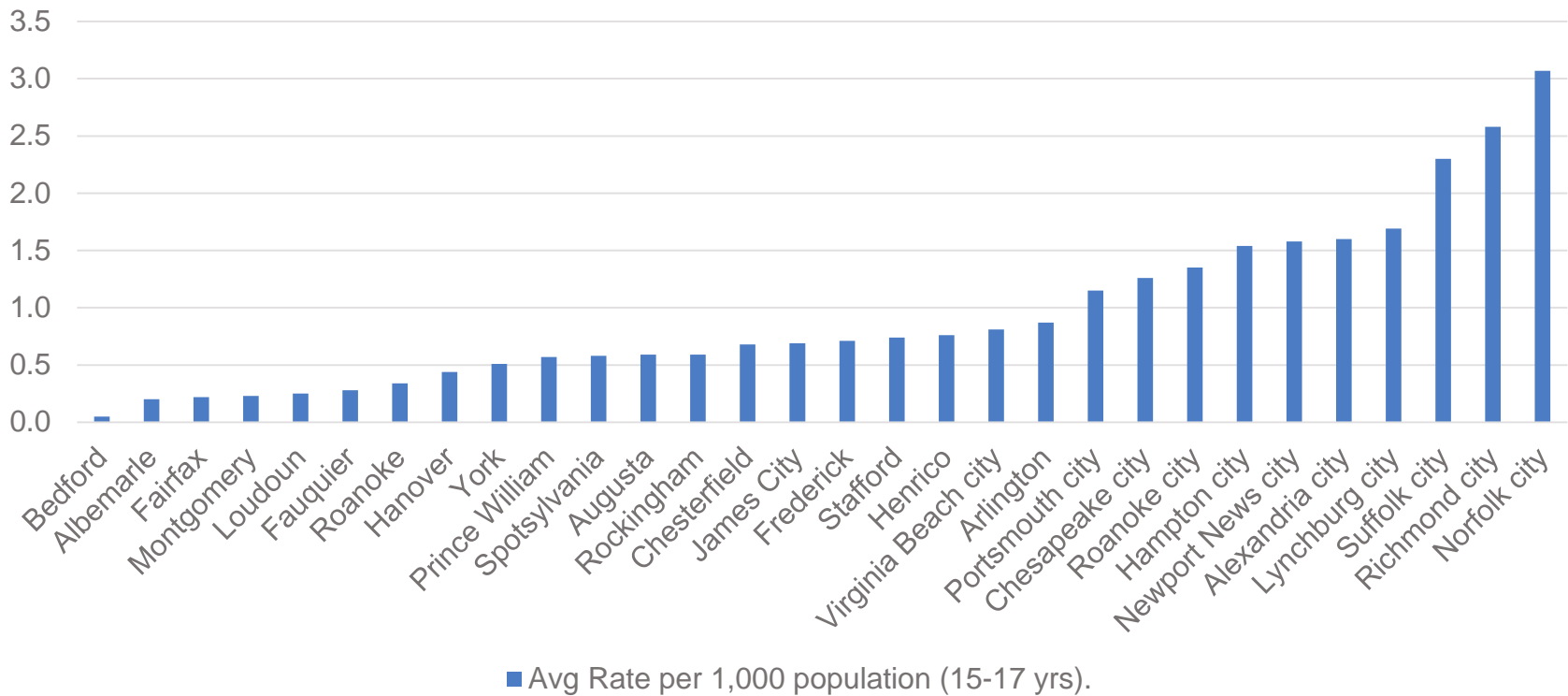


**Note:** For the purposes of this analysis, “juveniles” refer to persons who were under the age of 18 at the time of at least one felony offense that resulted in conviction.



# Juveniles Convicted of Felonies in Circuit Court

Juveniles (15-17 years old) convicted in Circuit Court per 1,000 population (15-17yrs): Year 2010-2016



**Note:** For the purposes of this analysis, “juveniles” refer to persons who were under the age of 18 at the time of at least one felony offense that resulted in conviction.





# Juveniles Convicted of Felonies in Circuit Court

- Top 20 jurisdictions having the most number of juvenile cases for which sentencing guidelines have not been submitted to the commission (FY2010-FY2017).

| FIPS               | Count | Percent |
|--------------------|-------|---------|
| 710 NORFOLK        | 91    | 13.9%   |
| 760 RICHMOND CITY  | 44    | 6.7%    |
| 550 CHESAPEAKE     | 39    | 6.0%    |
| 087 HENRICO        | 29    | 4.4%    |
| 810 VIRGINIA BEACH | 28    | 4.3%    |
| 153 PRINCE WILLIAM | 26    | 4.0%    |
| 730 PETERSBURG     | 26    | 4.0%    |
| 700 NEWPORT NEWS   | 25    | 3.8%    |
| 800 SUFFOLK        | 20    | 3.1%    |
| 650 HAMPTON        | 18    | 2.7%    |
| 033 CAROLINE       | 17    | 2.6%    |
| 179 STAFFORD       | 17    | 2.6%    |
| 041 CHESTERFIELD   | 13    | 2.0%    |
| 830 WILLIAMSBURG   | 13    | 2.0%    |
| 740 PORTSMOUTH     | 12    | 1.8%    |
| 510 ALEXANDRIA     | 10    | 1.5%    |
| 770 ROANOKE CITY   | 10    | 1.5%    |
| 107 LOUDOUN        | 9     | 1.4%    |
| 149 PRINCE GEORGE  | 9     | 1.4%    |
| 177 SPOTSYLVANIA   | 9     | 1.4%    |

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