



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.**



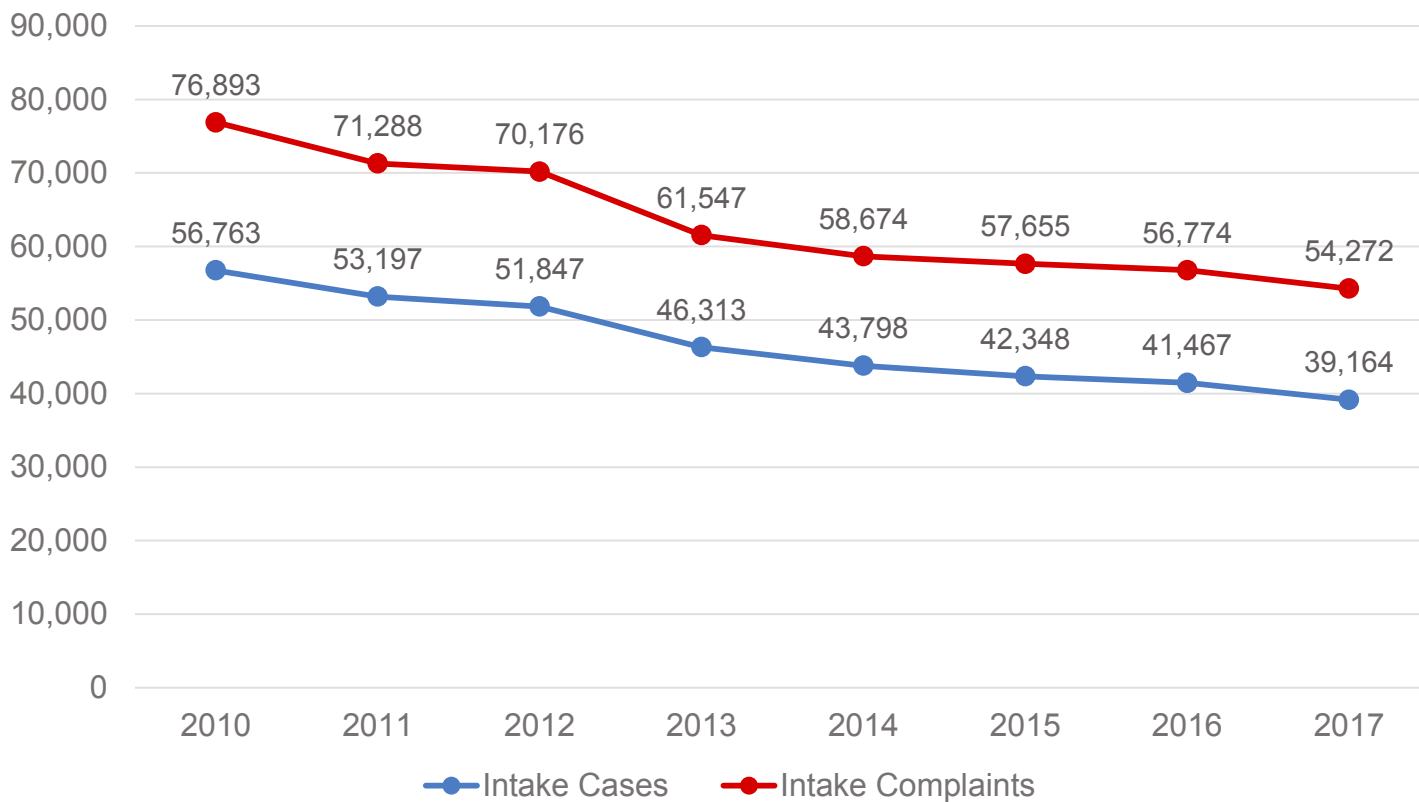
Study Limitations and Changes (continued)

- **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

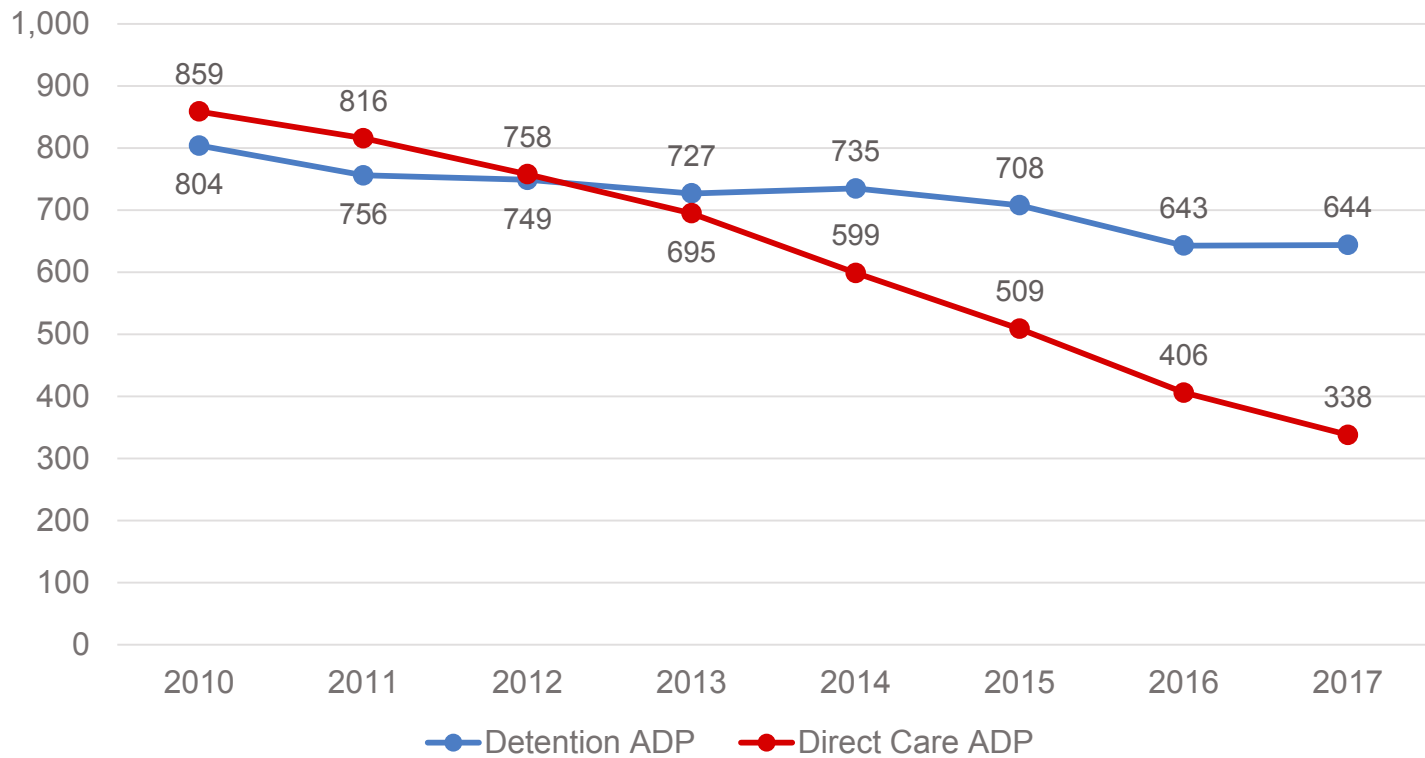


Source : Virginia Department of Juvenile Justice (08/02/2017)



Juvenile Detention and Direct Care FY2010-2017

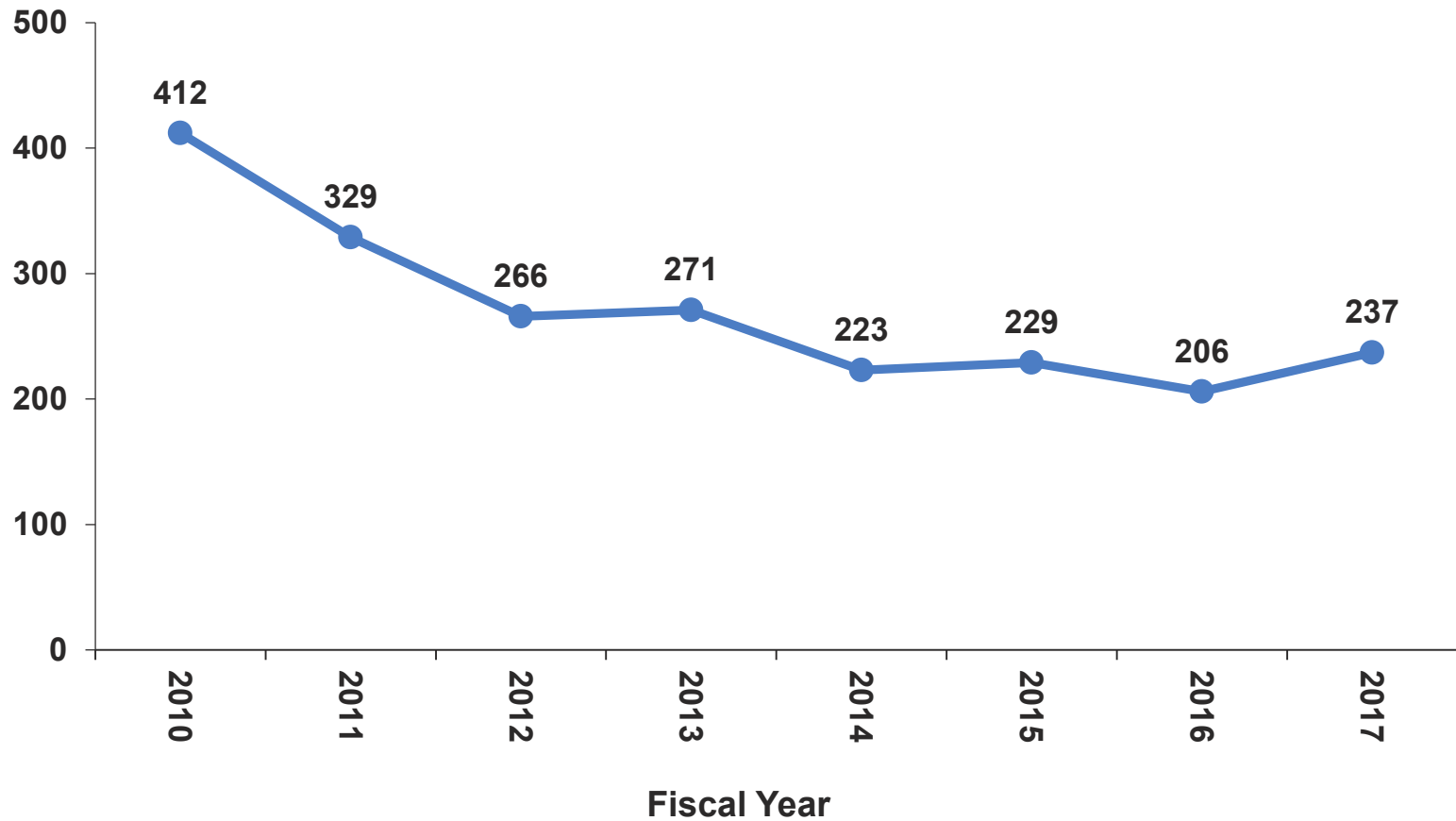
Detention and Direct Care Average Daily Population (ADP),
FY2010-2017



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



Juveniles Convicted of Felonies in Circuit Court

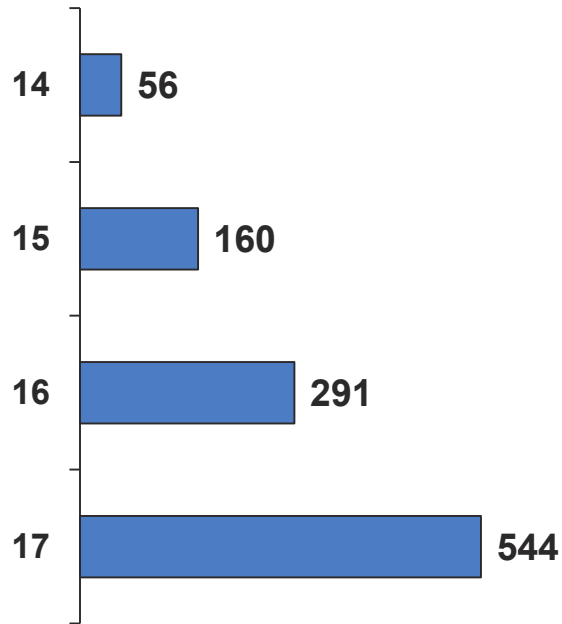


Note: For the purposes of this analysis, “juveniles” refer to persons who were under the age of 18 at the time of at least one felony offense that resulted in conviction.



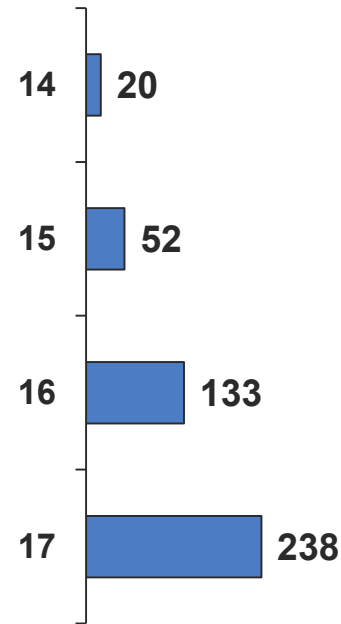
Juveniles Convicted of Felonies in Circuit Court

**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**



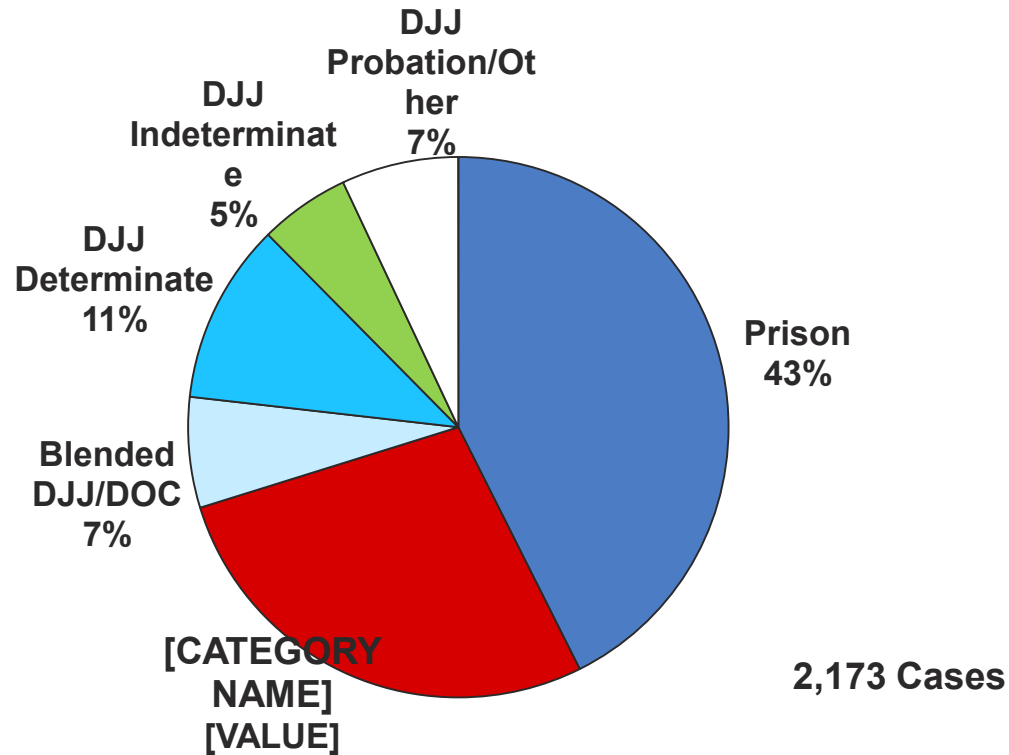
443 Cases

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**

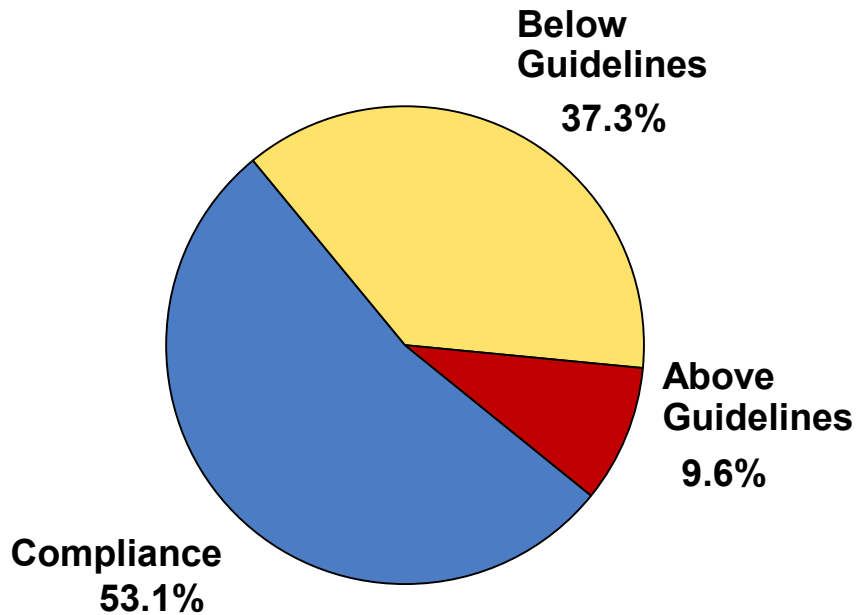


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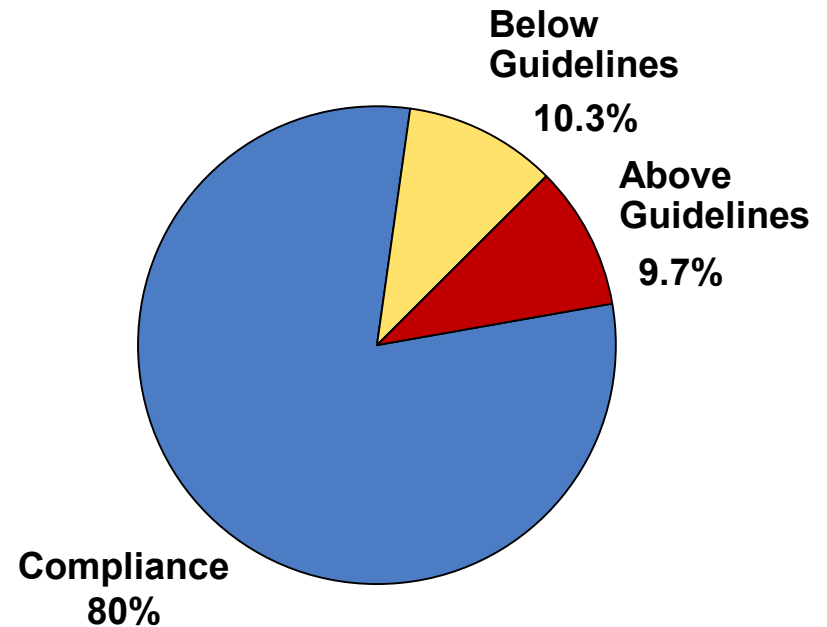
Juveniles Convicted of Felonies in Circuit Court

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



824 Cases

**All Other Guidelines Cases
FY2013-FY2017**



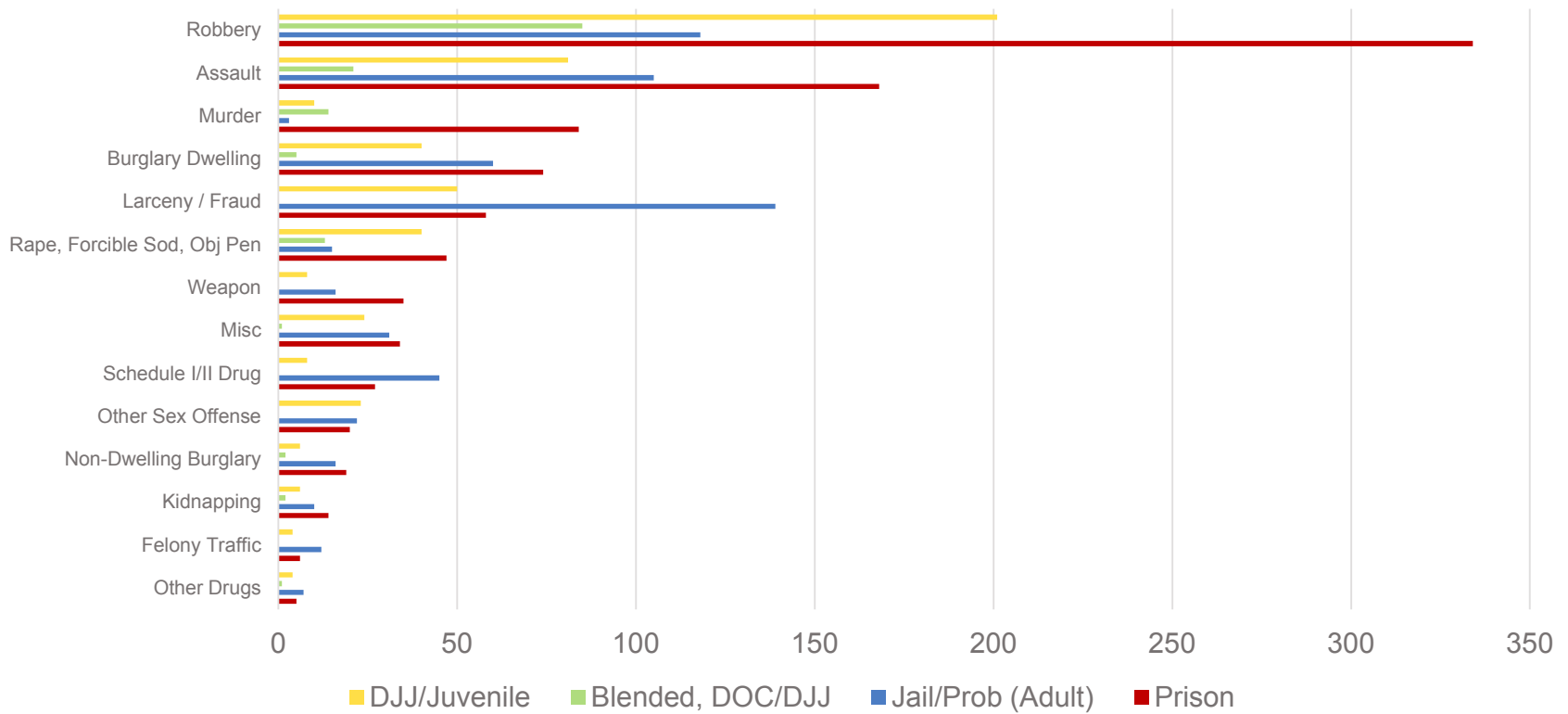
122,072 Cases

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Juveniles Convicted of Felonies in Circuit Court

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

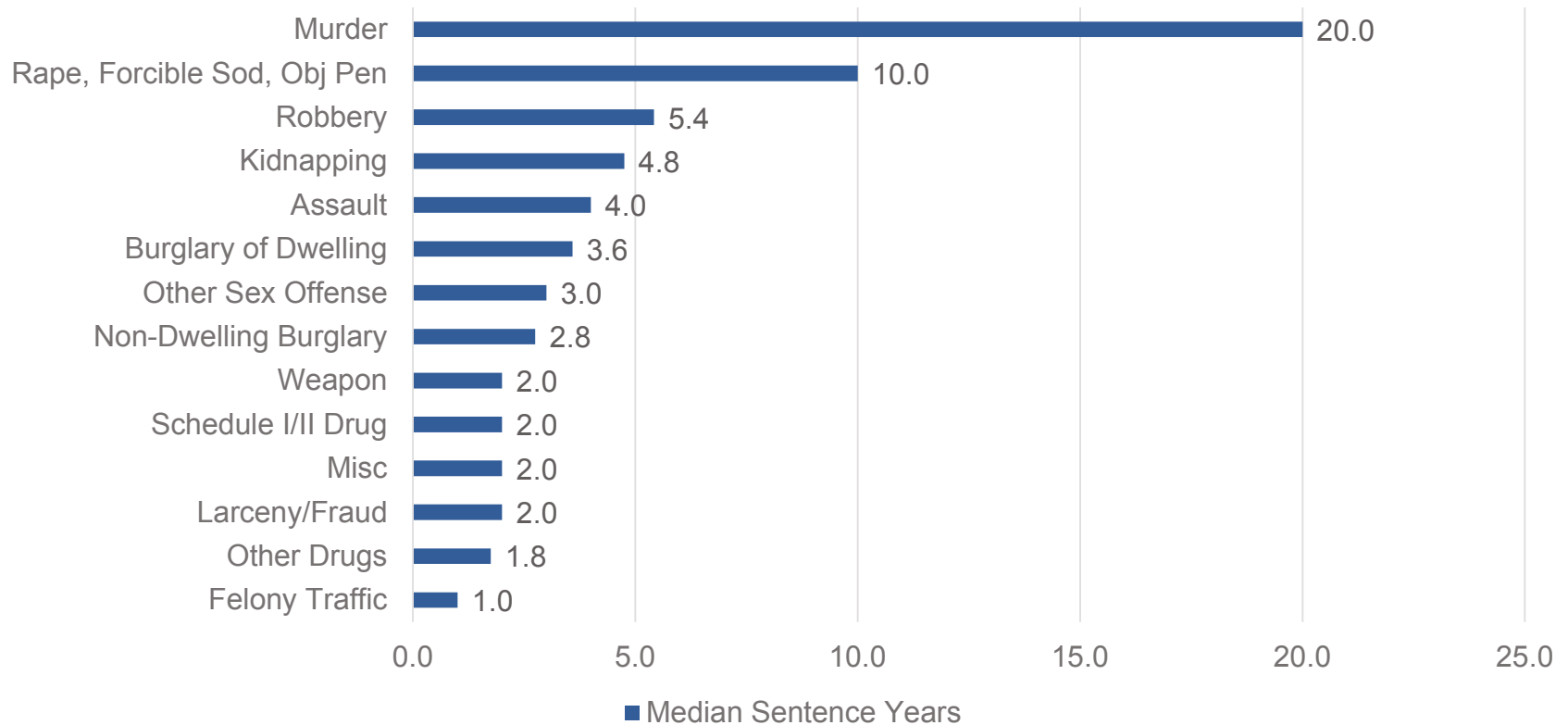


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Juveniles Convicted of Felonies in Circuit Court

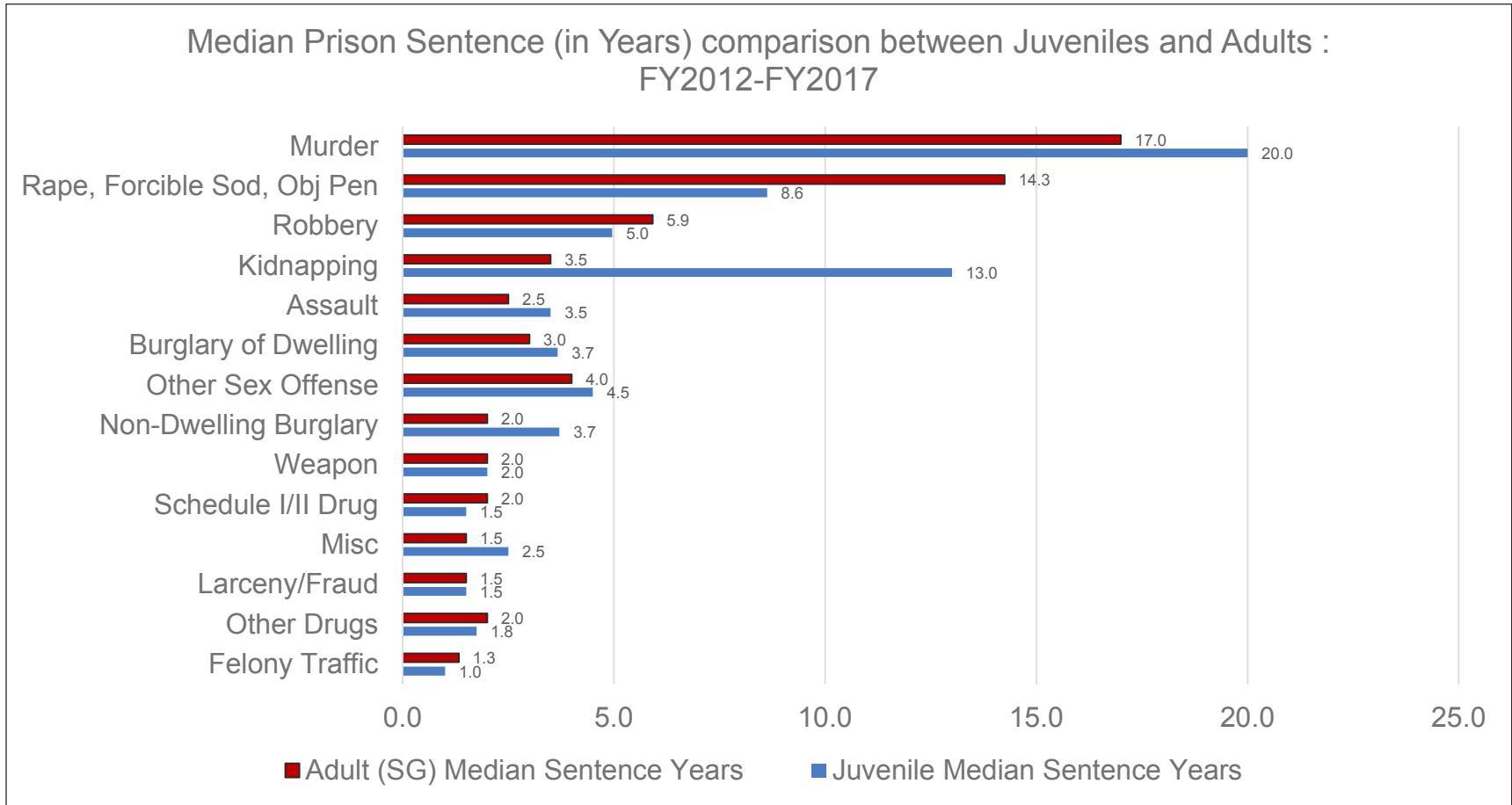
Median Prison Sentences (in Years): FY2010-FY2017



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Juveniles Convicted of Felonies in Circuit Court

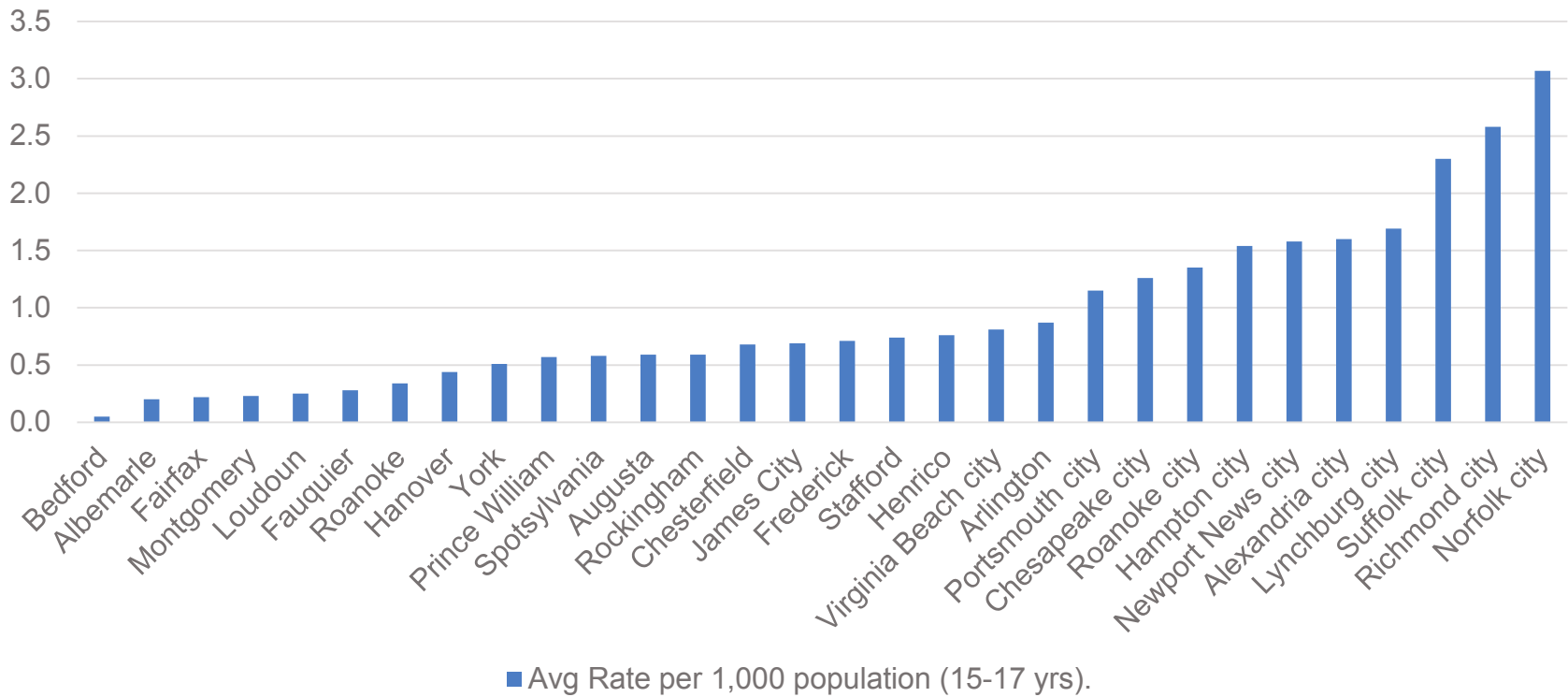


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Juveniles Convicted of Felonies in Circuit Court

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



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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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