

Report No. 2009-11A

May 7, 2009



Drummond Kahn, Interim Director, Audits Division

Kate Brown, Secretary of State

Secretary of State Audit Report

State of Oregon

Oregon Youth Authority: Improvements Needed in Availability and Reliability of Critical Juvenile Justice Information

Appendix A: Marion County Juvenile Justice Data

TABLE OF CONTENTS

INTRODUCTION4

NOTES ABOUT THE DATA4

DEFINITION OF TERMS7

DATA TABLES – REFERRALS CLOSED IN CALENDAR YEAR 200612

Marion County – Background Data.....12

 Table 1: The Total Number of Referrals that Closed During 2006 Classified by the Disposed Allegation Type.....12

 Table 2: Distribution of Elapsed Time from Receipt of Referral to Referral Closure.....12

Marion County – Offender Data.....13

 Table 3: The Distribution of Age of Youth at First Delinquency Referral13

 Table 4: The Number of Youth with the Associated Total Number of Prior Referrals Based on the Most Recent Referral to Close During 2006.....13

 Table 5: The Number of Youth by Prior Referral Category Based on the Most Recent Referral to Close During 2006.....13

 Table 6: The Number of Youth with the Associated Number of Prior Formal Accountability Agreements Based on the Most Recent Referral to Close During 200614

 Table 7: The Number of Youth with the Corresponding Most Intense Prior Level of Juvenile Justice Supervision Based on the Most Recent Referral to Close During 200614

 Table 8: The Number of Youth with the Corresponding Number of Active Referrals During 2006 for Youth with at Least One Referral that Closed in 2006.....14

 Table 9: The Distribution of Elapsed Time between Consecutive Referral Receive Dates for Youth with More than One Referral Active During 200615

 Table 10: The Number of Youth by Re-Offense Category for the First Year after the Earliest System Exit Date15

 Table 11: The Total Number of Youth and the Percent of Youth for Whom a Risk Assessment Tool was Completed by Assessment Type and Original Allegation Type16

Marion County – Referral Handling Data17

 Table 12: The Total Number of Referrals and the Percent of Referrals with Placement in Pre-Adjudicatory Detention Classified by Original Allegation Type17

Table 13: The Number of Referrals with Placement in Pre-Adjudicatory Detention Classified by the Number of Prior Criminal, Non-Criminal, and Total Referrals.....17

Table 14: The Number of Referrals Classified by the Initial Referral Handling Category.....18

Table 15: The Number of Referrals in Each Initial Referral Handling Category Classified by Original Allegation Type.....18

Table 16: The Number of Referrals in Each Initial Referral Handling Category Classified by the Number of Total Prior Referrals.....19

Table 17: The Number of Referrals in Each Initial Disposition Category Classified by the Number of Total Prior Referrals.....19

Table 18: The Number of Referrals in Each Initial Disposition Category Classified by the Number of Prior Criminal Referrals.....20

Table 19: The Number of Referrals in Each Initial Disposition Category Classified by the Number of Prior Non-Criminal Referrals.....20

Table 20: The Number of Referrals in Each Initial Disposition Category Classified by the Disposed Allegation Type.....21

Marion County – Elapsed Time Data for Key Processes.....21

Table 22: The Distribution of Elapsed Time from Receipt of Referral to Signing of the Formal Accountability Agreement for Referrals Assigned a Formal Accountability Agreement.....21

Table 23: The Distribution of Elapsed Time from Receipt of Referral to the Adjudication Date for Adjudicated Referrals.....22

Table 24: The Distribution of Elapsed Time from Receipt of Referral to the Petition Filing Date for Petitioned Referrals.....22

Table 25: The Distribution of Elapsed Time from the Petition Filing Date to the Adjudication Date for Adjudicated Referrals.....23

Table 26: The Distribution of Elapsed Time from the Adjudication Date to the Disposition Date for Adjudicated Referrals.....23

Marion County – Formal Accountability Agreement Data.....24

Table 27: The Number of Formal Accountability Agreements Classified by Disposed Allegation Type.....24

Table 28: The Number of Referrals with Assigned Accountability Agreements for each Disposed Allegation Type and Classified by the Formal Accountability Agreement Outcome.....24

Table 29: The Number of Referrals with Assigned Formal Accountability Agreements Classified by the ORS 419C.230 Compliance Category.....24

Table 30: The Number of Referrals Subject to ORS 419C.230 for each Offense Type and Classified by the Exception Category25

Table 32a: The Amount of Restitution Ordered ad Completion Category Classified by Disposed Allegation Type.....25

Table 32c: The Number of Program Intervention Conditions Ordered and Completion Category Classified by Disposed Allegation Type26

Table 33a: The Number of Referrals with Restitution Ordered and the Percentage of Referrals by Completion Category Classified by Disposed Allegation Type26

Table 33c: The Number of Referrals with Program Intervention Conditions Ordered and the Percentage of Referrals by Completion Category Classified by Disposed Allegation Type.....27

Marion County – Adjudicated Referral Data.....27

Table 34: The Number of Referrals Petitioned Classified by Petition Filing Outcome....27

Table 35: The Number of Adjudicated Referrals in Each Final Disposition Category Classified by Disposed Allegation Type.....28

Table 40: The Distribution of Elapsed Time on Probation for Adjudicated Referrals Ordered Probation.....28

Table 41: The Distribution of Elapsed Time on Probation for Adjudicated Referrals Ordered Probation and Categorized by Disposed Allegation Type.....29

INTRODUCTION

This appendix presents data on juvenile offense cases and the associated youth handled by the Marion County Juvenile Department. The data answer key questions identified by stakeholders during our audit of the availability of reliable juvenile justice data. The data tables are organized into the following categories: background, offender, referral handling, elapsed time for key processes, formal accountability agreement, and adjudicated referral data.

NOTES ABOUT THE DATA

Population Was Limited to Referrals Closed in Calendar Year 2006

We chose delinquency and status offense referrals closed in calendar year 2006 as the primary reporting population. Answering some questions required the use of the youth's referral history and subsequent involvement in the juvenile justice system. We used referral records and associated youth as the reporting units. The population was limited to those referrals provided to the county juvenile department and subsequently entered into the Juvenile Justice Information System (JJIS). We excluded expunged and dependency referral records.

Occasionally, multiple referrals for a single youth are received on the same day. For example, a youth may have broken into multiple vehicles in one day or over several days. Each vehicle break-in is reported on a separate police report, and each police report is recorded as a separate referral. During data analysis, we included each referral separately even if they were received on the same day.

We based our prior referral analysis on the day referrals were received. For some analyses, we counted all prior referrals for each referral that closed during 2006. In other cases, we determined prior referral information based on each youth's most recent referral to close in 2006. When multiple referrals were received on the same day, we included these in the prior referral count, except when multiple referrals were received on the same day as the referral being analyzed.

The Most Serious Allegation Type Was Reported

We reported referrals involving multiple offenses or allegations by their most serious allegation type. For example, if a youth was charged with both a misdemeanor and a felony, the reported allegation type was felony. Allegation type categories were non-criminal, misdemeanor, and felony. We further reported on the type of felony offense (person, weapons, substance/alcohol, property, public order, or other).

Depending on the type of data presented, we reported on either the most serious original allegation type or the most serious disposed allegation type. An original allegation type is based on the original offense as listed on the referral. In some cases, the district attorney or court modified the original offense to a reduced or elevated charge after the referral was received. In such cases, we reported the modified allegation type, based on the modified offense, as the disposed allegation type. The disposed allegation type is the allegation type associated with the disposition.

The Most Intense Disposition Was Reported

Referrals with more than one disposition were reported by their most intense or restrictive disposition. For example, probation would be the most intense disposition associated with a referral that had two allegations, one of which had a disposition of dismissed, and another that had a disposition of probation. A referral may also have an allegation with an initial disposition that is different from the final disposition. For example, a referral may have been initially handled with a formal accountability agreement, but had a final disposition of probation. This could happen if the youth failed to fulfill the conditions of the formal accountability agreement, the juvenile department filed a petition, and the resulting disposition was probation.

Dispositions and Conditions Were Assigned to Multiple Referrals

In some cases, dispositions and conditions were assigned to more than one referral. For example, if a juvenile was charged and referred with a burglary and assault one day and another burglary charge a week later, this would represent two referrals. Both referrals might be connected to a single petition and a single disposition. In addition, the single disposition would have assigned conditions that would be associated with both referrals. Since we reported disposition and condition data at the referral level, dispositions and conditions were sometimes duplicated in our results.

Condition Status Methodology Differed by Condition Type

This section explains the methodology we used for determining the completion status for the five different condition types: restitution, community service, detention, program intervention, and other. We used the field, Completion Status, to analyze the condition data in the following tables: Table 32a, Table 32d, Table 33a, and Table 33c.

We used a different methodology to determine the condition completion status depending on the condition type. For three condition types – restitution, community service, and detention – we used the condition fields Total Ordered and Total Complete to calculate the field Completion Status. We created the following values for Completion Status:

- “Completely Met” was assigned to conditions when the field Total Complete had an amount of dollars or hours that was equal to or greater than the amount in the field Total Ordered.
- “Partially Met” was assigned to conditions when the Total Complete amount was greater than zero, but less than the Total Ordered amount. When reporting the amount “Partially Met,” we provided the amount actually met. When reporting the amount “Partially Not Met,” we provided the result of subtracting the Total Complete amount from the Total Ordered amount.
- “Not Met” was assigned to conditions where the Total Complete amount was zero.

For the remaining two condition types, program intervention and other, we used the condition field Condition Status to calculate the field Completion Status. We created the same values of “Completely Met,” “Partially Met,” and “Not Met” for the field Completion Status, but used a different methodology, as detailed below. We also added the value “Vacated or Replaced.” All

five values are based on the number of conditions ordered and completed for a specific referral and use a field called Condition Status, which includes the following values: “Completed,” “Accepted as Complete,” “Incomplete,” “Vacated,” and “Replaced.” Examples of Completion Status values for program intervention and other conditions are as follows:

- “Completely Met” was assigned when all of the conditions had a Condition Status value of either “Completed” or “Accepted as Complete.”
- “Partially Met” was assigned when one or more conditions had a Condition Status value of either “Completed” or “Accepted as Complete,” and one or more conditions had a Condition Status value of “Incomplete.” For example, if three program intervention conditions are ordered and two of them have a Condition Status of “Completed” and one has a Condition Status of “Incomplete,” then the Completion Status would be “Partially Met.” When reporting the amount “Partially Met,” we provided the number of conditions with a Condition Status value of either “Completed” or “Accepted as Complete.” When reporting the amount “Partially Not Met,” we provided the number of conditions with a Condition Status value of “Incomplete.”
- “Not Met” was assigned when all of the conditions had a Condition Status of “Incomplete.”
- “Vacated or Replaced” was assigned to condition records for a referral when all of the conditions had a Condition Status of either “Vacated” or “Replaced.”

Condition Data Was Not Always Reported Due to Data Reliability Issues

We conducted data reliability testing at each of the four counties we reviewed. We tested the accuracy of 31 data fields by comparing electronic data to supporting documentation on file at the counties. At Marion County, we found that three condition fields (*Condition Status*, *Total Ordered*, and *Total Complete*) associated with formal accountability agreements and adjudicated referrals did not always agree with supporting documentation. More information about data reliability can be found in the body of the report, Oregon Youth Authority: Improvements Needed in Availability and Reliability of Critical Juvenile Justice Information (Report No. 2009-11).

We did not report condition data that we determined was insufficiently reliable or data for which the county lacked the supporting documentation necessary to assess reliability. For these reasons, we did not report the Marion County data for the following tables: Table 21, Table 31, Tables 32b and 32d, Tables 33b and 33d, Table 36, Tables 37a through 37e, Tables 38a through 38e, and Table 39.

Interstate Compact Referrals Were Excluded from Some Analyses

We removed interstate compact referral records from some of the analyses. For our purposes, we removed interstate compact referrals that were for youth who offended and were placed on probation in another state and who now reside in Oregon. For youth who now reside in Oregon, Oregon takes over the supervision of the youth on probation according to Oregon’s standards of supervision. We excluded the interstate compact referrals from specific tables when we wanted to limit the analysis to referrals that originated in Oregon.

DEFINITION OF TERMS

Adjudication: The outcome of a court hearing where jurisdiction is established by a juvenile court, similar to a conviction in the adult system.

Adjudicated Delinquent: A youth who has been found by a judge in juvenile court to have committed a violation of the criminal law (i.e. a delinquent act).

Age Out: For the purposes of our report, the date at which a juvenile reached 18 years of age.

Allegation: A formal accusation against somebody, often in a court of law (See also Referral).

Commit to Other Agency: Auditor defined disposition field, which combines the following two Youth Authority defined dispositions: “Commit to DHS” and “Commit to Agency (or individual) Other Than DHS or OYA.” Examples of commitments to other than the Department of Human Services (DHS) include when a youth is committed to the Mental Health Division¹ or when a youth is committed to the custody of an individual person.

Commit to OYA: Auditor defined disposition field created by shortening the Youth Authority defined disposition “OYA Commitment for YCF.” Its definition is: After adjudication, the youth offender is committed to the legal custody of the Youth Authority for placement in a youth correctional facility (YCF) (ORS 419C.495).

Community Service: Uncompensated labor for an agency, the purpose of which is to enhance physical or mental stability, environmental quality or the social welfare. “Agency” means a nonprofit organization or public body agreeing to accept community service from offenders and to report on the progress of ordered community service to the court or its delegate.

Condition: Requirement that a youth must observe or complete during time under supervision (informal supervision, formal accountability agreement, probation, parole, etc.). A condition may be ordered or directed by the court, county juvenile department, or Youth Authority and may include a variety of types of conditions including: general rules of supervision; restrictions on behavior; accountability-related expectations like restitution and community service; other monetary conditions like fines and fees; participation in a program, sanction or activity designed to change behavior; or other recurring activity that needs to be documented.

Consolidated: Auditor defined initial referral handling category. This represents the Youth Authority defined dispositions: “Dealt with Through Another Charge,” “Handled as a Parole Violation,” and “Handled as a Probation Violation” (See also Initial Referral Handling).

Criminal: Refers to misdemeanor and felony offenses.

¹ The Mental Health Division is a division of the Department of Human Services.

Data Reliability: Data reliability refers to the accuracy and completeness of computer processed data, given the intended purposes for use. Computer-processed data include data entered into a computer system and resulting from computer processing. Computer-processed data can vary in form, from electronic files to tables in published reports.

Dealt with Through another Charge: A disposition used to close a law violation allegation that the juvenile department has decided to incorporate into another charge. It differs from “Handled as a Probation Violation” because the youth may not yet be on probation and/or the response to the behavior may be incorporated into another adjudication.

Dependency Referral: A referral for the purpose of facilitating the use of protective social services to prevent further abuse, safeguard and enhance the welfare of abused children, or preserve family life when consistent with the protection of the child by stabilizing the family and improving parental capacity.

Detention: Youth confinement pursuant to a judicial commitment or order pending final adjudication of the case.

Dismissed: To put (a claim or action) out of court without further hearing.

Disposition: The final outcome of a referral and its allegations. The sentence given to or treatment prescribed for a juvenile offender.

Diversion: Suspension of the prosecution of a charge for a period of time during which the defendant participates in a rehabilitation program or makes restitution and after which the charges are dismissed if the rehabilitation or restitution is completed.

Felony: One of several grave crimes, such as murder, rape, or burglary, punishable by a more stringent sentence than that given for a misdemeanor.

Felony Other: A felony offense of a nature other than person, property, public order, weapons, or substance/alcohol. Examples include fraud, bribery, animal abuse, and various conspiracies to commit fraud.

Felony Person: A felony offense involving a person or persons, including assault, sexual abuse, kidnapping, and manslaughter.

Felony Property: A felony offense involving property including arson, theft, burglary, and robbery.

Felony Public Order: A felony offense relating to public order including disorderly conduct, intimidation, rioting, and racketeering. For the purpose of this audit, we have excluded weapons offenses from this category (See Felony Weapons).

Felony Substance/Alcohol: A felony offense involving drugs or narcotics including the manufacture, delivery, possession, or trafficking of various controlled substances, drugs, or narcotics.

Felony Weapons: A felony offense involving weapons including the manufacturing, sale, possession, or use of a dangerous weapon, firearm, or destructive device.

Formal Accountability Agreement: A voluntary contract between a youth and a juvenile department whereby the youth agrees to fulfill certain conditions in exchange for not having a petition filed against him or her.

Formal Sanction: A type of disposition designed to record when a youth is given a single condition or set of conditions as the only disposition. When completed, it results in a closed allegation.

Handled as a Parole Violation: A disposition used to close a new law violation allegation that is being handled as a Parole Violation (See also Parole).

Handled as a Probation Violation: A disposition used to close a new law violation allegation that is being handled as a Probation Violation (See also Probation Violation).

Initial Referral Handling: During intake or district attorney review, the initial decision made or disposition given to a juvenile offender (See also Intake).

Intake: The process used for every youth referred to a county juvenile department. Intake involves screening each youth to determine the appropriateness for release or referral to a diversionary program or agency for nonofficial or nonjudicial handling. This screening also identifies the presence of medical, psychiatric, psychological, substance abuse, and educational problems or other conditions that may have caused the youth to come to the attention of law enforcement or others. Intake includes initial screening of a status offender to determine the recommended action to be taken in the best interests of the youth, the family, and the community.

Interstate Compact: The cooperation of the states to provide for the welfare and protection of juveniles and of the public with respect to (1) cooperative supervision of delinquent juveniles on probation or parole; (2) the return, from one state to another, of delinquent juveniles who have escaped or absconded; (3) the return, from one state to another, of non-delinquent juveniles who have run away from home; and (4) additional measures for the protection of juveniles and of the public, which any two or more of the party states may find desirable to undertake cooperatively.

JCP Risk Assessment: The Juvenile Crime Prevention (JCP) risk assessment tool was developed for use by Oregon county juvenile departments to identify risk and protective factors that put youth at risk of delinquency, and to guide decisions regarding level and type of intervention and/or supervision. All counties are required to use the JCP tool during the intake process for youth referred to them.

Juvenile Delinquency: Behavior of a child or youth that is so marked by violation of law, persistent mischievousness, antisocial behavior, disobedience, or intractability as to thwart correction by parents and to constitute a matter for action by the juvenile courts.

Misdemeanor: A crime less serious than a felony, including, but not limited to, littering, trespassing, resisting arrest, assault, harassment, theft, or disorderly conduct.

Money Judgment: A judgment against the defendant or complainant in a criminal action, so far as it requires the payment of a fine, fee, assessment, costs or disbursements of the action or restitution; may be enforced as a judgment in a civil action.

Non-Criminal: Non-criminal offenses include violations, including local ordinance violations and traffic violations. They also include status offenses (See also Status Offense).

OYA Risk Assessment: The Oregon Youth Authority (OYA) Risk Needs Assessment tool is used for youth committed to the Youth Authority. The Youth Authority has a key performance measure goal for youth to receive an OYA Risk Needs Assessment within 60 days of commitment or admission.

Parole: The conditional release of a person from prison prior to the end of the maximum sentence imposed.

Petition: An application for a court order or for some judicial action. In accordance with Oregon Revised Statute 419C.250, the state, acting through the district attorney, Attorney General or, when authorized by the district attorney, the juvenile department counselor, may file a petition alleging that a youth is within the jurisdiction of the court.

Post-Adjudicatory Detention: Detention of a youth that is court ordered following adjudication (See also Detention).

Pre-Adjudicatory Detention: Detention of a youth prior to adjudication proceedings, with the detention reason of either “New Law Violation,” “Parole Violation,” “Probation Violation,” “Runaway from Another State,” “Temporary Hold for Release Planning (36 Hour),” or “Violation of Conditional Release” (See also Detention).

Probation: A method of dealing with offenders, especially young persons guilty of minor crimes or first offenses, by allowing them to go at large under supervision of a probation officer.

Probation Officer: An official usually attached to a juvenile court and charged with the care of juvenile delinquents.

Probation Violation: Either a technical violation of a condition of probation or a new law violation that is handled as a Probation Violation.

Program Intervention: A category used to classify conditions that have an educational, treatment, or behavior intervention component.

Referral: A referral is any allegation or group of allegations received by a juvenile department at any one time, documented by a police report or other formal means of referral. Each referral must have an allegation reason defined by an ORS number or JJIS equivalent.

Referred to Another Agency: A referral sent to another agency prior to disposition that results in the closing of the referral. Examples include referral to the U.S. Citizen and

Immigration Services (formerly Immigration and Naturalization Service) and cases that are completely “diverted” to a private community agency and closed.

Restitution: Full, partial or nominal payment of economic damages to a victim.

Status Offense: Offenses that apply only to youth, such as skipping school, running away, breaking curfew, and possession or use of alcohol.

System Exit Date: For the purposes of our audit, the earliest date for which a youth had no active referrals (criminal or non-criminal) at referral closure as recorded in JJIS.

DATA TABLES – REFERRALS CLOSED IN CALENDAR YEAR 2006

Marion County – Background Data

Table 1: The Total Number of Referrals that Closed During 2006 Classified by the Disposed Allegation Type

Disposed Allegation Type	Number of Referrals	Percent of Referrals
Non-Criminal	2526	46%
Misdemeanor	2250	41%
Total Felony	735	13%
Felony Person	176	3%
Felony Weapons	20	0%
Felony Substance/Alcohol	89	2%
Felony Property	409	7%
Felony Public Order	12	0%
Felony Other	29	1%
Total	5511	100%

Table 2: Distribution of Elapsed Time from Receipt of Referral to Referral Closure²

Elapsed Time (Days)	Number of Referrals	Percent of Referrals
Less than 30	2404	44%
30 – 59	436	8%
60 – 89	312	6%
90 – 179	732	13%
180 – 364	620	11%
365 – 730	490	9%
More than 730	499	9%
Total	5493	100%

² Table 2 excludes 18 interstate compact referrals.

Marion County – Offender Data

Table 3: The Distribution of Age of Youth at First Delinquency Referral

Age (Years)	Number of Youth	Percent of Youth
Under 10	188	6%
10 – 11	357	11%
12 – 13	881	28%
14 – 15	1084	34%
16 or older	653	21%
Total	3163	100%

Table 4: The Number of Youth with the Associated Total Number of Prior Referrals Based on the Most Recent Referral to Close During 2006³

Number of Total Prior Referrals	Number of Youth	Percent of Youth
0	1427	45%
1	596	19%
2	340	11%
3	193	6%
4	141	4%
More than 4	466	15%
Total	3163	100%

Table 5: The Number of Youth by Prior Referral Category Based on the Most Recent Referral to Close During 2006

Prior Referral Category	Number of Youth	Percent of Youth
No Prior Referrals	1427	45%
Prior Non-Criminal Referrals Only	331	10%
Prior Criminal Referrals Only	626	20%
Both Prior Criminal and Non-Criminal Referrals	779	25%
Total	3163	100%

³ We based our prior referral analysis on the day referrals were received.

Table 6: The Number of Youth with the Associated Number of Prior Formal Accountability Agreements Based on the Most Recent Referral to Close During 2006

Number of Prior Formal Accountability Agreements	Number of Youth	Percent of Youth
0	2572	81%
1	465	15%
2	103	3%
More than 2	23	1%
Total	3163	100%

Table 7: The Number of Youth with the Corresponding Most Intense Prior Level of Juvenile Justice Supervision Based on the Most Recent Referral to Close During 2006

Prior Level of Supervision	Number of Youth	Percent of Youth
No Prior Supervision	1891	60%
Other Diversion	482	15%
Formal Accountability Agreement	430	14%
Formal Sanction	1	0%
Probation	307	10%
Commit to Other Agency ⁴	9	0%
Commit to OYA	43	1%
Total	3163	100%

Table 8: The Number of Youth with the Corresponding Number of Active Referrals During 2006 for Youth with at Least One Referral that Closed in 2006

Number of Active Referrals During 2006	Number of Youth	Percent of Youth
1	1834	58%
2	570	18%
3	269	9%
More than 3	490	15%
Total	3163	100%

⁴ The “Commit to Other Agency” category includes nine youth with both probation and commitment, and the “Commit to OYA” category includes 33 youth with both probation and commitment.

Table 9: The Distribution of Elapsed Time between Consecutive Referral Receive Dates for Youth with More than One Referral Active During 2006⁵

Elapsed Time (Days)	Number of Referrals
Less than 31 ⁶	1405
31 – 60	526
61 – 90	401
91 – 180	622
181 – 365	478
More than 365	203

Reading the table: For example, there were 526 instances in which between 31 and 60 days (inclusive) elapsed from the date one referral active in 2006 for a youth was received and the date that the subsequent referral, also active during 2006, was received.

Table 10: The Number of Youth by Re-Offense Category for the First Year after the Earliest System Exit Date

Re-Offense Category	Number of Youth	Percent of Youth
New Criminal Referral Total ⁷	596	19%
Within 90 days	253	8%
91 – 180 days	138	4%
181 – 270 days	128	4%
271 – 365 days	77	2%
Age Out Before New Criminal Referral ⁸	523	17%
No System Exit ⁹	161	5%
Age Out at System Exit ¹⁰	368	12%
No New Criminal Referral ¹¹	1515	48%
Total	3163	100%

⁵ Table 9 includes youth with at least one referral that closed in 2006. It also includes referrals active during 2006 that did not close in 2006.

⁶ Of the 1405 referrals that were received less than 31 days from the prior referral, 266 of these were multiple referrals received on the same day.

⁷ “New Criminal Referral” includes those youth that had a new referral after the *System Exit Date* with allegations classified as felonies or misdemeanors.

⁸ “Age Out Before New Criminal Referral” are those youth who turned 18 years old before the end of one year after the *System Exit Date* and for whom no criminal referral was recorded in JJIS after the *System Exit Date*.

⁹ “No System Exit” includes those youth who had at least one referral active from the earliest referral active in 2006 through the rest of 2006.

¹⁰ “Age Out at System Exit” includes those youth who were at least 18 years old at *System Exit Date*.

¹¹ “No New Criminal Referral” includes those youth who did not receive a criminal referral as recorded in JJIS for the first year after their *System Exit Date* and who did not turn 18 years old during that time frame.

Table 11: The Total Number of Youth and the Percent of Youth for Whom a Risk Assessment Tool was Completed by Assessment Type and Original Allegation Type

Original Allegation Type	Total Number of Youth¹²	Percent of Youth with a JCP Risk Assessment	Percent of Youth with an OYA Risk Assessment	Percent of Youth with a Risk Assessment (JCP or OYA)
Non-Criminal	1228	28%	4%	29%
Misdemeanor	1310	52%	4%	53%
Total Felony	613	68%	18%	75%
Felony Person	191	60%	21%	69%
Felony Weapons	0	0%	0%	0%
Felony Substance/Alcohol	65	63%	15%	71%
Felony Property	298	72%	19%	79%
Felony Public Order	38	76%	3%	79%
Felony Other	21	76%	5%	76%
All Youth	3151	46%	7%	48%

Reading the table: For example, of 613 youth with an original allegation type of felony, a JCP risk assessment was completed for 68% of these youth, an OYA risk assessment was completed for 18% of these youth, and either a JCP or OYA risk assessment was completed for 75% of these youth. The percentages are not intended to add up to 100%.

¹² Table 11 excludes 12 youth that only had a referral type of “Interstate Compact.” Risk assessments are not conducted for youth that are not seen face to face by the juvenile department, due to, for example, dismissal of the referral.

Marion County – Referral Handling Data

Table 12: The Total Number of Referrals and the Percent of Referrals with Placement in Pre-Adjudicatory Detention Classified by Original Allegation Type¹³

Original Allegation Type	Total Number of Referrals	Percent of Referrals w/ Pre-Adjudicatory Detention
Non-Criminal ¹⁴	2505	3%
Misdemeanor	2158	9%
Total Felony	830	33%
Felony Person	221	35%
Felony Weapons	0	0%
Felony Substance/Alcohol	94	32%
Felony Property	432	30%
Felony Public Order	56	61%
Felony Other	27	22%
All Referrals	5493	10%

Reading the table: For example, of 830 referrals with an original allegation type of felony, 33% of these referrals resulted in the youth being placed in pre-adjudicatory detention. The percentages are not intended to add up to 100%.

Table 13: The Number of Referrals with Placement in Pre-Adjudicatory Detention Classified by the Number of Prior Criminal, Non-Criminal, and Total Referrals

Number of Prior Criminal Referrals	Number of Referrals w/ Pre-Adjudicatory Detention	Number of Prior Non-Criminal Referrals	Number of Referrals w/ Pre-Adjudicatory Detention	Number of Prior Criminal or Non-Criminal Referrals	Number of Referrals w/ Pre-Adjudicatory Detention
0	61	0	145	0	41
1	59	1	111	1	39
2	65	2	85	2	53
3	68	3	45	3	39
4	42	4	29	4	43
5	37	5	35	5	32
6	49	6	25	6	31
7	33	7	15	7	26
8	25	8	12	8	34
9	33	9	2	9	17
10 or more	73	10 or more	41	10 or more	190
Total	545	Total	545	Total	545

Reading the table: For example, of the 545 referrals that had placement in pre-adjudicatory detention, 59 referrals had youth with 1 prior criminal referral; 111 referrals had youth with 1 prior non-criminal referral, and 39 referrals had youth with 1 prior referral (either Criminal or Non-Criminal).

¹³ Table 12 excludes 18 interstate compact referrals.

¹⁴ Table 12 shows three percent of “Non-Criminal” referrals had pre-adjudicatory detention, which is based on 72 non-criminal referrals.

Table 14: The Number of Referrals Classified by the Initial Referral Handling Category¹⁵

Initial Referral Handling Category	Number of Referrals	Percent of Referrals
Dismissed	2398	44%
Consolidated	86	2%
Referred to Another Agency	88	2%
Other Diversion	975	18%
Formal Accountability Agreement	515	9%
Petition Filed	1431	26%
Total	5493	100%

Table 15: The Number of Referrals in Each Initial Referral Handling Category Classified by Original Allegation Type¹⁶

Original Allegation Type	Dismissed	Consolidated	Referred to Another Agency	Other Diversion	FAA	Petition Filed
Non-Criminal	1871	10	14	205	178	227
Misdemeanor	413	52	30	741	271	651
Total Felony	114	24	44	29	66	553
Felony Person	44	6	29	2	15	125
Felony Weapons	0	0	0	0	0	0
Felony Substance/Alcohol	7	2	3	0	18	64
Felony Property	49	10	12	21	27	313
Felony Public Order	5	4	0	5	5	37
Felony Other	9	2	0	1	1	14
Total	2398	86	88	975	515	1431

¹⁵ Table 14 excludes 18 interstate compact referrals.

¹⁶ Table 15 excludes 18 interstate compact referrals.

Table 16: The Number of Referrals in Each Initial Referral Handling Category Classified by the Number of Total Prior Referrals¹⁷

Number of Total Prior Referrals	Dismissed	Consolidated	Referred to Another Agency	Other Diversion	FAA	Petition Filed
0	725	19	29	560	199	142
1	381	13	21	193	125	180
2	269	7	9	91	63	166
3	169	4	3	44	43	137
4	151	6	2	25	26	125
5	92	5	6	23	16	91
More than 5	611	32	18	39	43	590
Total	2398	86	88	975	515	1431

Table 17: The Number of Referrals in Each Initial Disposition Category Classified by the Number of Total Prior Referrals¹⁶

Number of Total Prior Referrals	Dismissed¹⁸	Other Diversion	FAA	Formal Sanction	Probation	Commit to OYA¹⁹	Commit to Other Agency	Referred to Another Agency
0	782	563	214	1	83	2	0	29
1	451	198	132	2	108	0	1	21
2	324	92	69	1	110	0	0	9
3	203	50	46	0	96	0	2	3
4	183	28	28	1	92	0	1	2
5	123	25	17	0	58	4	0	6
6	135	8	10	0	65	1	0	5
7	105	7	5	1	44	1	0	2
8	92	6	9	0	40	5	0	3
9	61	2	8	0	37	5	1	0
10 or	401	19	18	0	187	37	5	8
Total	2860	998	556	6	920	55	10	88

¹⁷ Table 16 and Table 17 exclude 18 interstate compact referrals.

¹⁸ The “Dismissed” category for Table 17, 18, and subsequent tables include consolidated referrals.

¹⁹ The “Commit to OYA” category in Table 17 includes 33 referrals with both probation and commitment. The “Commit to Other Agency” category includes 10 referrals with both probation and commitment.

Table 18: The Number of Referrals in Each Initial Disposition Category Classified by the Number of Prior Criminal Referrals²⁰

Number of Prior Criminal Referrals	Dismissed	Other Diversion	FAA	Formal Sanction	Probation	Commit to OYA²¹	Commit to Other Agency	Referred to Another Agency
0	1142	652	266	3	124	2	0	33
1	510	189	139	2	167	1	2	20
2	325	83	59	1	141	1	1	12
3	243	44	44	0	120	2	2	8
4	171	16	15	0	87	1	2	3
5	112	1	6	0	64	4	1	3
6	97	4	8	0	54	5	1	3
7	67	2	5	0	41	3	0	1
8	51	4	3	0	31	5	0	1
9	45	1	5	0	30	9	1	2
10 or	97	2	6	0	61	22	0	2
Total	2860	998	556	6	920	55	10	88

Table 19: The Number of Referrals in Each Initial Disposition Category Classified by the Number of Prior Non-Criminal Referrals¹⁹

Number of Prior Non-Criminal Referrals	Dismissed	Other Diversion	FAA	Formal Sanction	Probation	Commit to OYA²⁰	Commit to Other Agency	Referred to Another Agency
0	1302	760	371	2	302	5	3	60
1	545	137	104	2	211	4	0	9
2	284	43	40	0	139	17	2	6
3	177	24	11	0	78	4	0	3
4	142	14	14	1	54	4	0	2
5	90	3	7	1	45	11	0	1
6	86	4	4	0	18	5	0	2
7	64	5	3	0	11	0	0	0
8	44	1	0	0	9	3	0	2
9	29	3	0	0	3	0	0	0
10 or more	97	4	2	0	50	2	5	3
Total	2860	998	556	6	920	55	10	88

²⁰ Table 18 and Table 19 exclude 18 interstate compact referrals.

²¹ The “Commit to OYA” category in Table 18 and 19 includes 33 referrals with both probation and commitment. The “Commit to Other Agency” category includes 10 referrals with both probation and commitment.

Table 20: The Number of Referrals in Each Initial Disposition Category Classified by the Disposed Allegation Type²²

Disposed Allegation Type	Dismissed	Other Diversion	FAA	Formal Sanction	Probation	Commit to OYA²³	Commit to Other Agency	Referred to Another Agency
Non-Criminal	2027	218	185	4	56	4	0	14
Misdemeanor	643	751	297	2	498	25	4	30
Total Felony	190	29	74	0	366	26	6	44
Felony Person	64	2	17	0	54	8	2	29
Felony Weapons	4	2	3	0	10	1	0	0
Felony Substance/Alcohol	20	0	19	0	42	4	1	3
Felony Property	85	21	33	0	242	13	3	12
Felony Public	4	3	1	0	4	0	0	0
Felony Other	13	1	1	0	14	0	0	0
Total	2860	998	556	6	920	55	10	88

We did not report the Marion County data for Table 21 due to data reliability concerns. During data reliability testing procedures, we determined that the Marion County detention data associated with adjudicated referrals was not sufficiently reliable to report.

Marion County – Elapsed Time Data for Key Processes

Table 22: The Distribution of Elapsed Time from Receipt of Referral to Signing of the Formal Accountability Agreement for Referrals Assigned a Formal Accountability Agreement²⁴

Elapsed Time (Days)	Number of Referrals	Percent of Referrals
Less than 10	72	13%
10 – 19	60	11%
20 – 29	157	28%
30 – 39	90	16%
40 – 49	77	14%
50 – 59	26	5%
60 or more	84	15%
Total	566	100%

²² Table 20 excludes 18 interstate compact referrals.

²³ The “Commit to OYA” category in Table 20 includes 33 referrals with both probation and commitment. The “Commit to Other Agency” category includes 10 referrals with both probation and commitment.

²⁴ Table 22 includes all referrals in which a formal accountability agreement was assigned, not just those assigned as part of the initial referral handling process.

Table 23: The Distribution of Elapsed Time from Receipt of Referral to the Adjudication Date for Adjudicated Referrals

Elapsed Time (Days)	Number of Referrals	Percent of Referrals
Less than 30	320	31%
30 – 59	289	28%
60 – 89	163	16%
90 – 119	96	9%
120 – 149	55	5%
150 – 179	25	2%
180 – 209	29	3%
210 – 239	15	1%
240 or more	25	3%
Blank Adjudication Date	19	2%
Total	1036	100%

Table 24: The Distribution of Elapsed Time from Receipt of Referral to the Petition Filing Date for Petitioned Referrals²⁵

Elapsed Time (Days)	Number of Referrals	Percent of Referrals
Less than 30	1014	63%
30 – 59	285	18%
60 – 89	123	8%
90 – 119	50	3%
120 – 149	53	3%
150 – 179	36	2%
180 or more	26	2%
Blank Petition File Date	13	1%
Total	1600	100%

²⁵ Table 24 includes all referrals in which a petition was filed, not just petitions filed as part of the initial referral handling process.

Table 25: The Distribution of Elapsed Time from the Petition Filing Date to the Adjudication Date for Adjudicated Referrals

Elapsed Time (Days)	Number of Referrals	Percent of Referrals
Less than 30	605	58%
30 – 59	224	22%
60 – 89	87	8%
90 – 119	42	4%
120 – 149	22	2%
150 – 179	12	1%
180 or more	24	2%
Blank Dates ²⁶	20	2%
Total	1036	100%

Table 26: The Distribution of Elapsed Time from the Adjudication Date to the Disposition Date for Adjudicated Referrals

Elapsed Time (Days)	Number of Referrals	Percent of Referrals
Less than 7 ²⁷	1013	98%
7 – 13	0	0%
14 – 20	0	0%
21 – 27	0	0%
28 – 34	0	0%
35 or more	4	0%
Blank Adjudication Date	19	2%
Total	1036	100%

²⁶ Table 25 had eight referrals with blank adjudication dates, one referral with a blank petition file date, and eleven referrals where both the adjudication date and the petition file date were blank.

²⁷ All of the 1013 referrals in the “Less than 7” category in Table 26 had an adjudication date that was the same as the disposition date.

Marion County – Formal Accountability Agreement Data

Table 27: The Number of Formal Accountability Agreements Classified by Disposed Allegation Type

Disposed Allegation Type	Number of Agreements	Percent of Agreements
Non-Criminal	186	33%
Misdemeanor	305	54% ^d
Total Felony	75	13%
Felony Person	17	23%
Felony Weapons	3	4%
Felony Substance/Alcohol	19	25%
Felony Property	33	44%
Felony Public Order	1	1%
Felony Other	2	3%
Total	566	100%

Table 28: The Number of Referrals with Assigned Accountability Agreements for each Disposed Allegation Type and Classified by the Formal Accountability Agreement Outcome

FAA Outcome	Non-Criminal	Misdemeanor	Felony	All Referrals
Closed but not Completed	26	69	14	109
Completed Within One Year	120	174	48	342
Extended and Completed	3	5	1	9
Petition Filed	37	57	12	106
Total	186	305	75	566

Table 29: The Number of Referrals with Assigned Formal Accountability Agreements Classified by the ORS 419C.230 Compliance Category

ORS 419C.230 Compliance Category	Number of Referrals
Not Subject	550
Compliant (Authorized by DA)	9
Non-Compliant	7

Table 30: The Number of Referrals Subject to ORS 419C.230 for each Offense Type and Classified by the Exception Category

Exception Category	Sex Offense	Firearms Offense	Explosive Device Offense	Multiple Felonies
Compliant (Authorized by DA)	3	0	0	6
Non-Compliant	0	2	0	5

We did not report the Marion County data for Table 31, Tables 32b and 32d, and Tables 33b and 33d due to data reliability concerns. During data reliability testing procedures, we determined that the Marion County condition data associated with formal accountability agreements was not sufficiently reliable to report, with the exception of restitution and program intervention conditions.

Table 32a: The Amount of Restitution Ordered ad Completion Category Classified by Disposed Allegation Type²⁸

Disposed Allegation Type	Restitution Completely Met (\$)	Restitution Partially Met (\$)	Restitution Partially Not Met (\$)	Restitution Not Met (\$)	Total Restitution Ordered (\$)
Non-Criminal	30.00	48.35	350.65	0	429
Misdemeanor	3,005.31	48.35	350.65	2,448.36	5,852.67
Total Felony	2,389.76	276.25	19.39	2,235.00	4,920.40
Felony Person	70.00	0	0	50.00	120.00
Felony Weapons	0	0	0	0	0
Felony Substance/ Alcohol	0	0	0	0	0
Felony Property	2,299.76	276.25	19.39	2,185.00	4,780.40
Felony Public Order	0	0	0	0	0
Felony Other	20.00	0	0	0	20.00

²⁸ Table 32a reports the restitution data for each referral. Because, in some cases, multiple referrals are combined into one disposition, the table may include the same restitution data for more than one disposed allegation type. For example, one youth had a “Felony Property” referral and a “Misdemeanor” referral with restitution ordered in the amount of \$104. This amount was completely met, thus the \$104 is included under the “Restitution Completely Met” column for the “Misdemeanor,” “Total Felony,” and “Felony Property” categories. For all referrals, the total unduplicated restitution ordered was \$10,383.17, and a total of \$5417.27 was met.

Table 32c: The Number of Program Intervention Conditions Ordered and Completion Category Classified by Disposed Allegation Type²⁹

Disposed Allegation Type	Program Interventions Completely Met	Program Interventions Partially Met	Program Interventions Partially Not Met	Program Interventions Not Met	Total Program Interventions Ordered
Non-Criminal	130	3	1	12	146
Misdemeanor	131	7	6	17	161
Total Felony	26	3	5	3	37
Felony Person	5	0	0	1	6
Felony Weapons	4	0	0	0	4
Felony Substance/Alcohol	11	3	5	2	21
Felony Property	5	0	0	0	5
Felony Public Order	1	0	0	0	1
Felony Other	0	0	0	0	0

Table 33a: The Number of Referrals with Restitution Ordered and the Percentage of Referrals by Completion Category Classified by Disposed Allegation Type

Disposed Allegation Type	Number of Referrals w/ Restitution Ordered	Percent of Referrals w/ Restitution Completely Met	Percent of Referrals w/ Restitution Partially Met	Percent of Referrals w/ Restitution Not Met
Non-Criminal	2	50%	50%	0%
Misdemeanor	53	79%	2%	19%
Total Felony	17	76%	6%	18%
Felony Person	2	50%	0%	50%
Felony Weapons	0	0%	0%	0%
Felony Substance/Alcohol	0	0%	0%	0%
Felony Property	14	79%	7%	14%
Felony Public Order	0	0%	0%	0%
Felony Other	1	100%	0%	0%
All Referrals w/ Restitution	72	78%	4%	18%

²⁹ Table 32c reports the program intervention condition data for each referral. Because, in some cases, multiple referrals are combined into one disposition, the table may include the same program intervention condition data for more than one disposed allegation type. For example, one youth had a “Misdemeanor” and “Non-Criminal” referral with a program intervention condition of “Participate in Substance Abuse Evaluation.” This condition was completely met. Thus, the program intervention condition was included in the “Program Interventions Completely Met” column for the “Misdemeanor” and “Non-Criminal” categories.

Table 33c: The Number of Referrals with Program Intervention Conditions Ordered and the Percentage of Referrals by Completion Category Classified by Disposed Allegation Type

Disposed Allegation Type	Number of Referrals w/ Program Interventions Ordered	Percent of Referrals w/ Program Interventions Completely Met	Percent of Referrals w/ Program Interventions Partially Met	Percent of Referrals w/ Program Interventions Not Met	Percent of Referrals w/ Program Interventions Vacated or Replaced
Non-Criminal	147	84%	1%	8%	7%
Misdemeanor	128	72%	3%	13%	12%
Total Felony	25	76%	8%	12%	4%
Felony Person	6	67%	0%	17%	17%
Felony Weapons	1	100%	0%	0%	0%
Felony Substance/Alcohol	12	67%	17%	17%	0%
Felony Property	5	100%	0%	0%	0%
Felony Public Order	1	100%	0%	0%	0%
Felony Other	0	0%	0%	0%	0%
All Referrals w/ Program Interventions	300	78%	2%	11%	9%

Marion County – Adjudicated Referral Data

Table 34: The Number of Referrals Petitioned Classified by Petition Filing Outcome

Petition Filing Outcome	Number of Referrals	Percent of Referrals
Adjudicated Delinquent	1036	65%
Formal Accountability Agreement ³⁰	40	3%
Diversion/Other	19	1%
Dismissed ³¹	505	32%
Converted to a Dependency Referral	0	0%
Total	1600	100%

³⁰ A “Formal Accountability Agreement” could be an outcome of petition filing due to a court decision or plea bargain agreement.

³¹ There were two post-adjudication dismissals. One was for a felony offense and one was for a non-criminal offense (where jurisdiction was set aside or vacated). We found evidence indicating the felony offense was vacated because the youth graduated from a diversion program, and the non-criminal offense was vacated when the youth completed the conditions of an earlier informal diversion.

Table 35: The Number of Adjudicated Referrals in Each Final Disposition Category Classified by Disposed Allegation Type³²

Disposed Allegation Type	Formal Sanction	Probation	Commit to OYA	Probation & Commit to OYA	Commit to Other Agency³³
Non-Criminal	4	60	1	4	0
Misdemeanor	3	417	58	75	6
Total Felony	0	288	52	62	6
Felony Person	0	43	15	4	2
Felony Weapons	0	10	0	1	0
Felony Substance/Alcohol	0	38	7	8	0
Felony Property	0	180	29	48	4
Felony Public Order	0	5	0	0	0
Felony Other	0	12	1	1	0
Total	7	765	111	141	12

We did not report the Marion County data for Table 36, Tables 37a through 37e, Tables 38a through 38e, and Table 39 due to data reliability concerns. During data reliability testing procedures, we determined that the Marion County condition data associated with formal adjudicated referrals was not sufficiently reliable to report.

Table 40: The Distribution of Elapsed Time on Probation for Adjudicated Referrals Ordered Probation³⁴

Probation Time (Months)	Number of Referrals	Percent of Referrals
6 or less	106	12%
More than 6 but no more than 12	242	26%
More than 12 but no more than 18	196	21%
More than 18 but no more than 24	125	14%
More than 24	249	27%
Total	918	100%

³² Table 35 excludes interstate compact referrals.

³³ All 12 referrals included in the “Commit to Other Agency” category in Table 35 had a disposition of both probation and commitment.

³⁴ Table 40 includes referrals with a disposition of probation or both probation and commitment.

Table 41: The Distribution of Elapsed Time on Probation for Adjudicated Referrals Ordered Probation and Categorized by Disposed Allegation Type³⁵

Probation Time (Months)	Felony	Misdemeanor	Non-Criminal
6 or less	25	66	15
More than 6 but no more than 12	88	134	20
More than 12 but no more than 18	72	110	14
More than 18 but no more than 24	61	62	2
More than 24	110	126	13
Total	356	498	64

³⁵ Table 41 includes referrals with a disposition of probation or both probation and commitment.