

# Juvenile Arrests/Petitions in Durham, North Carolina 2010 - 2014



May 2015

# Contents

- Background.....2
- Consequences to the Juvenile.....2
- Misdemeanor Diversion Program .....3
- Arrests/Petitions 2010 – 2014.....3
- Charges – All Juveniles .....4
- Top 5 Charges – Ages 6 to 9 .....5
- Top 5 Charges – Ages 10 to 13 .....6
- Top 5 Charges – Ages 14 to 17 .....7
- Summary .....8

## Background

According to the North Carolina Department of Public Safety, all juveniles enter the juvenile justice system by having a formal complaint lodged by a law enforcement officer or private citizen. There are two types of complaints – the delinquency complaint alleges that a juvenile committed a criminal offense, while the undisciplined complaint alleges non-criminal behavior (e.g., running away, unlawful absences from school, incorrigible behavior within the home). **This report will focus on criminal offenses.**

This report examines juvenile arrests and petitions by the Durham Police Department for the years 2010 to 2014. The Durham County Sheriff's Office (DCSO) only collects petition data from School Resource Officers (SRO's) and began collecting that data in 2011. DCSO data is not broken down into the various offenses or included in this report, however, an additional report entitled "*School Resource Officer Incident Reports at Durham Public Schools 2010 to 2014*" is available on the Durham County website at <http://dconc.gov/government/departments-a-e/criminal-justice-resource-center/gang-reduction-strategy>.

## Consequences to the Juvenile

"There are very real consequences to a juvenile adjudication. A juvenile arrest or adjudication can result in an immediate impact on school attendance, driving privileges, and access to public housing. The severity of the impact varies by state but may result in negative consequences in all areas."<sup>1</sup>

Records for Durham juveniles may be shared with the school where the juvenile is enrolled "may be shared with the school where the juvenile is enrolled for the purposes of protecting the safety of the student or others"<sup>2</sup> and schools can suspend or expel students based on the notification by the juvenile court if the act violates school rules or if the juvenile is considered a danger to himself/herself or others. Access to higher education for an individual with a juvenile record varies with the institution.

The court may transfer the case to superior court if the juvenile was at least thirteen at the time of an alleged felony offense, and if the court finds probable cause to believe the child committed a Class A felony, transfer to adult court is mandatory.<sup>3</sup>

Any juvenile with a delinquency complaint must go through an intake process that includes a screening and evaluation by a court counselor. Using this information, a court counselor determines if the complaint should be closed, diverted or approved and brought before the court.

---

<sup>1</sup> Juvenile Delinquency Adjudication, Collateral Consequences, and Expungement of Juvenile Records; UNC Center for Civil Rights; <http://www.law.unc.edu/documents/civilrights/centerforcivilrightsexpungementreport.pdf> accessed on May 4, 2015

<sup>2</sup> N.C. General Statute 115C-404(b) (2009)

<sup>3</sup> N.C. General Statute 7B-2200 (2009)

## Misdemeanor Diversion Program

Durham County started the Misdemeanor Diversion Program in April 2014. This program allows some first-time offenders the opportunity to keep certain crimes off their records. It is offered to 16 and 17 year-olds facing charges for misdemeanor crimes for the first time. Teens charged with crimes related to firearms, traffic or sex offenses are not eligible to participate.

As of May 4 2015, the program had enrolled approximately 105 juveniles, with 78 completions. It is difficult to document whether this program impacted the 2014 numbers in this report, however, if the program continues to grow it may have a noticeable impact on juvenile arrests/petitions in the future.

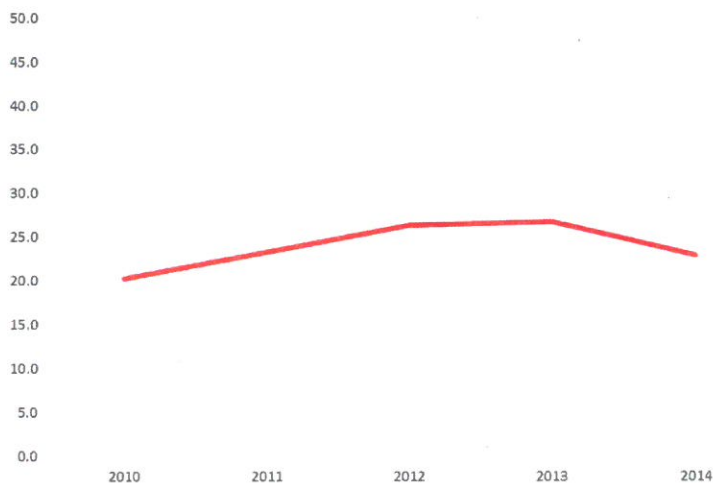
## Arrests/Petitions 2010 – 2014

The number of charges/petitions increased yearly from 2010 to 2013, but a significant drop occurred in 2014.<sup>4</sup>

It is important to note that the numbers below are not *distinct juvenile* numbers – in other words it can be assumed that a juvenile may have more than one arrest/petition.

Year	Arrests/Petitions	DCO Juveniles Ages 6-17 <sup>5</sup>	Arrests/Petitions per 1,000 Juveniles
2010	746	36,943	20.2
2011	875	37,539	23.3
2012	993	37,724	26.3
2013	1,036	38,751	26.7
2014	916	40,043	22.9

Arrests/Petitions per 1,000 Juveniles  
2010 - 2014



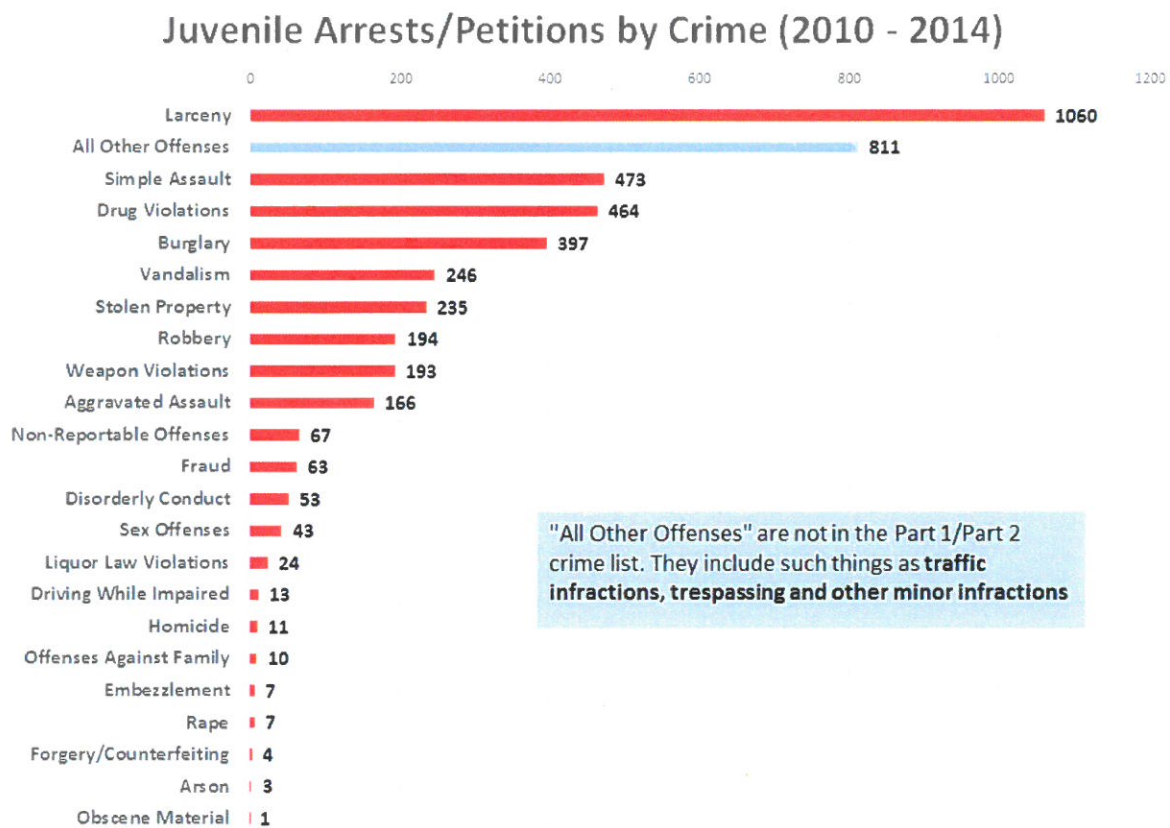
<sup>4</sup> Durham Police Department data only; DCSO data is incomplete and not included

<sup>5</sup> Population figures obtained from NC Department of Public Safety Annual Databooks

## Charges – All Juveniles

The following chart illustrates the charges for juveniles of all ages for the time period 2010 to 2014. Larceny is the most common charge followed by the category of “All Other Offenses” which include traffic infractions, trespassing and other offenses that are not part of the Part 1/Part 2 crime list. Simple Assault, Drug Violations and Burglary round out the top 5 types of charges.

The number of homicides (11) committed by juveniles during the time period is an area of great concern to the Durham community.



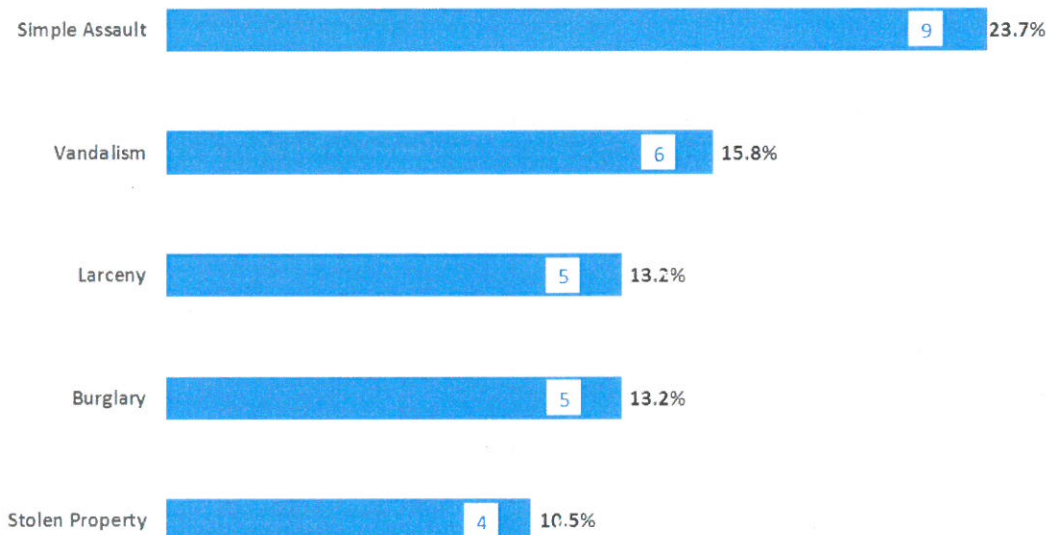
## Top 5 Charges – Ages 6 to 9

The following chart illustrates the most prevalent charges for juveniles age 6 to 9 from 2010 to 2014. Simple Assault is the most common charge. The remaining four are property-type crimes including Vandalism, Larceny, Burglary and Stolen Property.

Simple assault is the least serious form of assault. It involves minor injury or a limited threat of violence, and usually is charged as a misdemeanor.

An item for further study of this age group would be the circumstances surrounding the Assault charges, and whether these originate in the home, in the neighborhood or in the school.

### Top 5 Charges (2010-2014) (n=38) Juveniles Ages 6-9



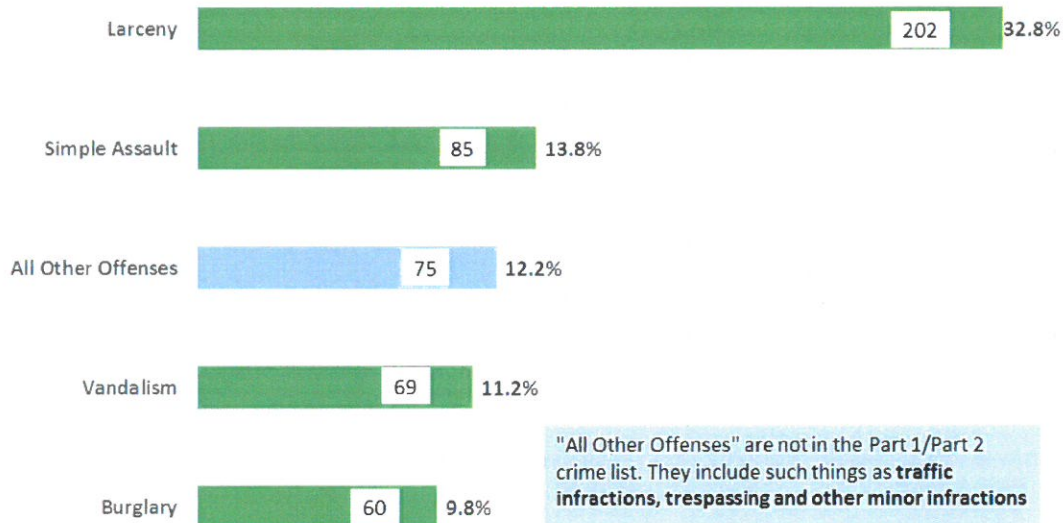
## Top 5 Charges – Ages 10 to 13

The following chart illustrates the most prevalent charges for juveniles age 10 to 13 from 2010 to 2014. Larceny is the most common charge. The remaining four are Simple Assault, a category called All Other Offenses, Vandalism and Burglary.

Larceny charges appear at a rate more than any other charge for this age cohort. Larceny is defined as *“illegal taking and carrying away of personal property belonging to another with the purpose of depriving the owner of its possession”*. It includes infractions such as shoplifting, or stealing an item like a cell phone or a bicycle.

An item for further study of this age group would be identifying the most prevalent locations where Larceny occurs, such as neighborhoods, shopping centers or schools.

### Top 5 Charges (2010-2014) (n=615) Juveniles Ages 10 - 13



## Top 5 Charges – Ages 14 to 17

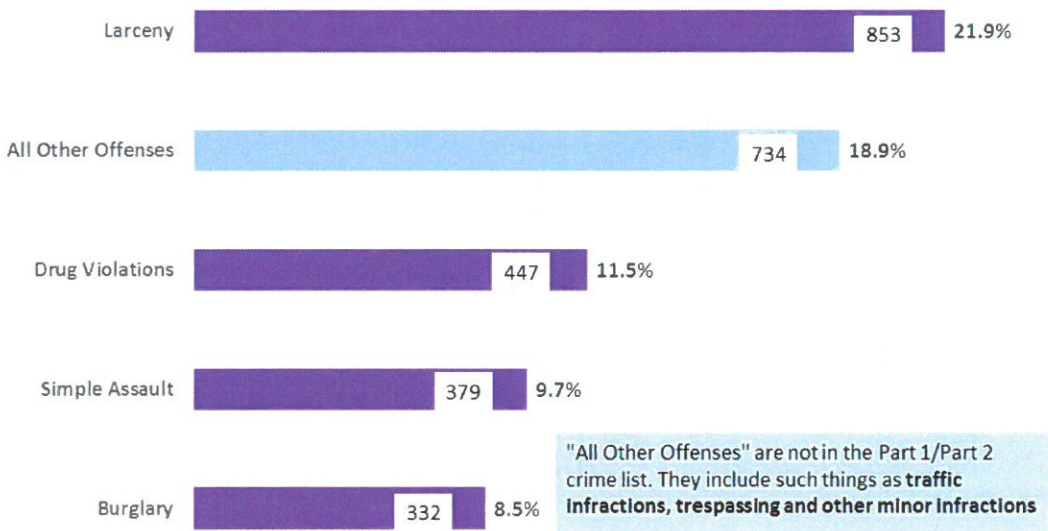
The following chart illustrates the most prevalent charges for juveniles age 14 to 17 from 2010 to 2014. Larceny is the most common charge. The remaining four are a category called All Other Offenses, Drug Violations, Simple Assault and Burglary.

Larceny charges appear at a rate more than any other charge for this age cohort. Larceny is defined as *“illegal taking and carrying away of personal property belonging to another with the purpose of depriving the owner of its possession”*. It includes infractions such as shoplifting, or stealing an item like a cell phone or a bicycle.

The category “All Other Offenses” includes traffic infractions, and the fact that many in this age cohort are eligible to drive, and perhaps have picked up traffic charges, may explain the high percentage of these types of offenses.

Drug violations are the third most prevalent type of crime for juveniles ages 14 to 17 in Durham. Of the total number of drug violations (464) for the time period (2010 – 2014) only 17 violations were issued to juveniles under the age of 14.

Top 5 Charges (2010-2014) (n=3,892)  
Juveniles Ages 14-17





## Summary

Juvenile become involved in the justice system by having a formal complaint lodged by a law enforcement officer or private citizen. Criminal offenses often have immediate consequences in the areas of education, driving privileges and housing in addition to the financial impacts.

Charges and petitions against juveniles increased annually between 2010 and 2013, but decreased in the last full year that data was available (2014).

The most common overall charge is larceny. The most common recurring charges vary with the ages of the juveniles.

Report compiled by:  
Jim Stuit – Gang Reduction Strategy Manager  
May 2015