

South Carolina Department of Juvenile Justice

REPORT CARD

for 2004



South Carolina
DEPARTMENT OF
JUVENILE JUSTICE



A REPORT CARD TO OUR CITIZENS

The SC Department of Juvenile Justice (DJJ) and the Juvenile Justice System

When Governor Sanford took office, he challenged our agency and many others to hold ourselves accountable to the taxpayers of South Carolina. It is all too easy in our state government to forget that the taxpayer is our ultimate boss, and that we must hold ourselves accountable to the citizens of South Carolina in everything we do.

The enclosed Report Card is intended to hold the juvenile justice system accountable by informing citizens about its ability to further community safety, hold offenders accountable to victims and the community, and to reduce the risk of re-offending through skill development. It will reveal strengths as well as weaknesses in our juvenile justice system. While no one person or group is responsible for the entire juvenile justice system, we must work together to improve it.

This Report Card serves two purposes. First, it provides citizens with information about the South Carolina Department of Juvenile Justice (DJJ) and services it provides. Secondly, it introduces a new set of benchmarks that DJJ implemented in partnership with 14 of South Carolina's Solicitors during a six-month pilot project. The benchmarks reflect "A new way of doing business" in the juvenile justice system based upon the principles of balanced and restorative justice.

We hope you will take time to study this Report Card, to gain a better understanding of how the juvenile justice system works and performs in the state. Please join in our efforts to help make communities safer, to better satisfy victims of crime, and to better prepare offenders so they leave the system better than when they arrived.

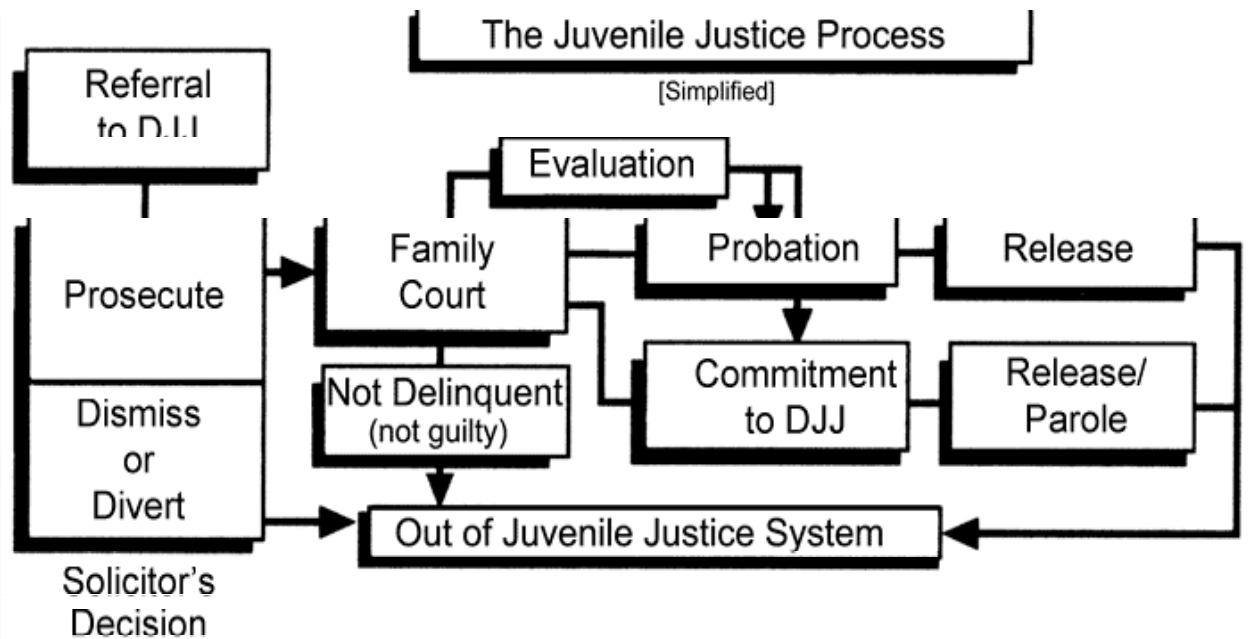


Bill Byars

Director, South Carolina
Department of Juvenile Justice

The
Face
of
Change

JUVENILE JUSTICE



Juveniles usually enter the juvenile justice system in South Carolina when they are taken into custody by law enforcement or when a Solicitor or a school refers them to DJJ. At this stage, personnel at a DJJ county office usually interview the juvenile. DJJ has offices in 43 of South Carolina's 46 counties. Law enforcement also may elect to send the juvenile to a South Carolina juvenile detention center, pending a hearing.

After county office or detention center personnel have interviewed a juvenile, DJJ makes recommendations to the Solicitor's office regarding the case. The Solicitor has a number of options available when deciding how to pursue a case. A Solicitor may choose to divert a juvenile to a community program (such as a drug court or juvenile arbitration program) or require the juvenile to make restitution for the offense. Solicitors also may choose to proceed with prosecution or to dismiss a case entirely.

If the Solicitor chooses to prosecute, the next stage of the process involves the family court. A family court judge determines the guilt or innocence of the juvenile and sentences those juveniles adjudicated delinquent (found guilty). Often a judge will request a DJJ evaluation of the juvenile before making a final ruling, or prior to commitment. This involves psychological, social, and educational evaluations conducted either in the community or at one of DJJ's three regional evaluation centers. The resulting comprehensive evaluation helps the judge decide how to proceed in the best interests of the juvenile, victim, and community.

JUVENILE JUSTICE

A family court judge may find the juvenile is not delinquent (not guilty). After a finding of delinquency, the judge has several sentencing options. Chief among these is probation, which maintains the juvenile in the community under DJJ supervision. The judge may also commit the juvenile to DJJ custody by imposing a determinate (fixed amount of time) or indeterminate sentence. An indeterminate sentence allows the youth to be confined up to the age of 21.

Indeterminately committed juveniles are subject to the release authority of the Juvenile Parole Board. Upon commitment the juvenile receives parole guidelines that are based on the severity of the juvenile's offense and his or her history of previous offenses. These guidelines range from 1-3 months to 36-54 months. The Board uses these guidelines – along with an evaluation of the juvenile's behavior and progress – to determine the length of incarceration.

The Board may keep children incarcerated beyond their guideline (up to their 21st birthday). They may also parole juveniles prior to their minimum guideline for exceptional behavior and progress.

The Board may grant juveniles conditional or unconditional releases. A conditional release might involve requiring the juvenile to complete a community aftercare or residential program. A conditional release also involves a period of parole supervision. DJJ county officers supervise juveniles on parole, much as they supervise juveniles on probation.

For more detailed information visit DJJ's website at:
www.state.sc.us/djj/process.html

A Report Card to Our Citizens

CUSTOMER SERVICES

Customers = Victims, Offenders, and the Community

Cases Referred to DJJ

2003-2004	27,328
2002-2003	29,031
2001-2002	28,550
2000-2001	29,062

Five Most Frequent Offenses Associated with Referrals to DJJ

- #1 Disturbing Schools
- #2 Simple Assault & Battery
- #3 Shoplifting
- #4 Contempt of Court
- #5 Truancy

Juvenile Offenders Diverted by Juvenile Arbitration Programs

2003 – 2004	4,670
2002 – 2003	4,392
2001 – 2003	4,189
2000 – 2001	4,204

Notification to Victims Regarding Case Status

2003-2004	10,335
2002-2003	11,456
2001-2002	13,805
2000-2001	15,369

JUVENILE REFERRALS TO DJJ: Of the 27,328 cases referred to DJJ during Fiscal Year 2003/04, 68 percent of the total population was male, 56 percent was African-American, and the average age was 14.5 years. Sixty-four percent of the total population came from households with annual incomes less than \$20,000.

FIVE MOST FREQUENT OFFENSES

ASSOCIATED WITH REFERRALS TO DJJ: The #1 charge associated with cases referred to DJJ statewide was **disturbing schools**.

No felony offenses occurred in the top five reasons for referral to DJJ.

OFFENDERS DIVERTED BY JUVENILE

ARBITRATION PROGRAMS: Juvenile Arbitration is a program operated by circuit solicitors to divert juvenile offenders from the court. In the program, trained citizen volunteers work with offenders/parents, victims, and law enforcement to determine appropriate sanctions.

NOTIFICATION TO VICTIMS: DJJ strives to serve crime victims. Upon request, victims of juvenile crime are notified regarding the status of the offender(s) related to their individual cases through the Internet Victim Information System (IVIS) provided by DJJ. In Fiscal Year 2003/04 DJJ notified 10,335 victims regarding their case status. The recent decline in victim notifications likely reflects budget constraints that resulted in a reduction of personnel.

CUSTOMER SERVICES

A Report Card to Our Citizens

CUSTOMER SERVICES

Customers = Victims, Offenders, and the Community

Juvenile Parole & Probation Caseloads in Communities

2003-2004	5,342
2002-2003	5,693
2001-2002	5,434
2000-2001	5,568

JUVENILE PROBATION & PAROLE

CASELOADS IN COMMUNITIES:

The supervision of offenders in their communities enhances community safety. DJJ's community staff supervised 5,342 juvenile offenders both on Probation or Parole at the close of Fiscal Year 2003/04.

Daily Population Close of FY 2003-04

Hardware Secure Custody	795
Staff Secure Custody (community placements)	657
Marine Programs	93

DAILY POPULATION AT DJJ:

At the close of Fiscal Year 2003/04, a daily population of 795 juveniles was held in hardware secure facilities at DJJ. A daily population of 657 juveniles was located in staff secure placements in the community such as group homes or community residence placements. Ninety-three juveniles were placed in staff secure Marine Programs.

DJJ School District Diploma Graduates

2003-2004	12
2002-2003	6
2001-2002	3
2000-2001	2

SCDJJ SCHOOL DISTRICT GRADUATION

RATE: DJJ runs its own school district for incarcerated offenders, currently with high school and middle school programs accredited by the South Carolina Department of Education, serving juveniles within the Broad River Road Complex. Satellite community schools are located around the state. This year, 12 students earned their high school diplomas prior to their release. One hundred fifty-five graduated early, at the age of 16, with General Equivalency Diploma (GED) certificates. This represents a significant improvement from previous years.

DJJ School District GED Graduates

2003-2004	155
2002-2003	104
2001-2002	65
2000-2001	54

CUSTOMER SERVICES

A Report Card to Our Citizens

ACCOUNTABILITY – A Restorative Benchmark (Repairing the harm to victims and community)

Restitution to Victims

Ordered:	\$ 91,283
Paid:	\$ 70,450

RESTITUTION: Offenders should be expected to pay back for the harm they have caused. Of 2,145 cases closed by DJJ and Solicitors' Arbitration Programs (early intervention) from January 2004 – June 2004 where restitution was ordered, 89 percent of offenders paid in full. The total amount of restitution collected was \$ 70,450.

Restorative Community Work Service Hours

Ordered:	27,590
Worked:	24,972
Fulfilled:	91%
\$ Value:	\$128,606 (calculated at minimum wage)

WORK SERVICE: Offenders also are expected to perform work service to repay the community for the harm suffered by the community. In 2,145 cases closed by DJJ and Solicitors' Arbitration Programs (early intervention) from January 2004 – June 2004 27,590 hours of community work service were ordered. The number of work service hours completed was 24,972, which is 91% percent of the work service ordered.

Victim Satisfaction

How would you rate your overall experience with the system? (Rated 1 to 5 with 1 being "most negative" and 5 being "most positive.")

Rated "5"	51.7%
Rated "4"	27.6%
Rated "3"	13.8%
Rated "2"	0%
Rated "1"	6.9%

MEASURING SYSTEM ACCOUNTABILITY:

The justice system has a responsibility to serve crime victims. In April 2004, crime victims across South Carolina were surveyed to determine their level of satisfaction with the juvenile justice system. Victims were asked to rate their overall experience with the juvenile justice system. Surveys were distributed to 496 victims of crime. The average satisfaction rating by victims (on a scale of 1 – most negative to 5 – most positive) was 3.96.

ACCOUNTABILITY

A Report Card to Our Citizens

COMPETENCY – A Restorative Benchmark

(Offenders developing skills needed to live crime free)

Drug & Alcohol Abuse Offenders Testing Negative

Number Tested 245

Percent Tested Negative 72%

RESISTANCE TO DRUG & ALCOHOL USE: The illegal use of drugs and alcohol by juveniles is widely known to correlate with additional delinquent behavior. Of 2,145 cases closed by DJJ and Solicitors' Arbitration Programs (early intervention) from January 2004 – June 2004, 11 percent of youth were tested while under supervision of DJJ or Solicitors' Arbitration Programs. Of those youth tested, 72 percent tested negative for not using drugs.

School Participation

Youth Enrolled in Educational Program or Vocational Training at Case Closure:

1,925 Youth
(90%)

SCHOOL PARTICIPATION: Ninety percent of the 2,145 youth completing court orders or Solicitors' Arbitration Program sanctions from January 2004 – June 2004, are enrolled in school, an alternative education program, or vocational training. Further, 76 percent of those youth are attending school regularly.

Employment

Youth Employed at Case Closure:

8 Youth
(4%)

EMPLOYMENT: Of the 220 youth not involved in an educational or vocational program, and who are age-eligible (16 years old) to work, 8 are employed.

Citizen Participation

of Volunteers 1,562

Hrs. Contributed 97,703

Value of Hrs: \$503,170
(calculated at minimum wage)

**BUILDING COMMUNITY COMPETENCY/
CITIZEN PARTICIPATION:** During Fiscal Year 2003/04, 1,562 community volunteers stepped forward to assist DJJ and the Solicitors' Arbitration Programs as mentors, arbitrators, tutors, auxiliary probation officers, in other capacities in the community, and in DJJ facilities. Citizen volunteers helped to make South Carolina's communities safer by contributing approximately 97,703 hours of services.

COMPETENCY

A Report Card to Our Citizens

COMMUNITY SAFETY – A Restorative Benchmark **(Protecting the public)**

10-Year Comparison of Violent & Serious Juvenile Cases in South Carolina

Year	# of Cases
2003-04	2,397
1994-95	3,589

Table A Commitments to the Custody of DJJ

Year	Number
2003-04	1,977
2002-03	2,109
2001-02	1,999
2000-01	1,922

Table B Juvenile Offenders Transferred to the Adult Department of Corrections

Year	Number
2003-04	70
2002-03	85
2001-02	72
2000-01	96

Recidivism Rate for Juvenile Offenders Following Incarceration

Tracking Period	Rate
12 Months	46.6%
24 Months	68.1%

VIOLENT & SERIOUS JUVENILE CASES:

Over the 10-year period (1994 – 2005) violent and serious juvenile cases in South Carolina decreased 33 percent. The number of cases includes juveniles charged in more than one case.

TRENDS IN JUVENILE JUSTICE: One indicator of trends in South Carolina's juvenile justice system is the number of offenders committed into the custody of DJJ. Table A shows a comparison of the number of offenders sentenced into the custody of DJJ over the past four years.

Another indicator of trends is the number of juveniles serving adult sentences at DJJ, and those determined by state statute to be violent offenders, transferred to the custody of adult corrections on their 17th birthday. These are the most serious offenders ordered into DJJ facilities. Table B shows a comparison of the number of serious and violent juvenile offenders transferred to the adult Department of Corrections over the past four years.

LAW-ABIDING BEHAVIOR: Recidivism is the rate at which juveniles re-offend (commit new crimes). Data evaluated from Fiscal Year 1999/00 indicates that 12 months after release (parole) into the community following incarceration, 46.6 percent of juveniles re-offended. By 24 months following release the rate of re-offending increased to 68.1 percent. New methods of tracking recidivism data have been implemented by DJJ. Initial findings will be available in 2005.

SAFETY

**Special Thanks to DJJ's Performance
Measurements Project Partners**

The Honorable Timothy L. Brown
Family Court Judge, Greenville County

The Honorable Robert D. Robbins
Solicitor, 1st Judicial Circuit

The Honorable Barbara R. Morgan
Solicitor, 2nd Judicial Circuit

The Honorable C. Kelly Jackson
Solicitor, 3rd Judicial Circuit

The Honorable Jay E. Hodge, Jr.
Solicitor, 4th Judicial Circuit

The Honorable John R. Justice
Solicitor, 6th Judicial Circuit

The Honorable Harold W. Gowdy, III
Solicitor, 7th Judicial Circuit

The Honorable W. Townes Jones, IV
Solicitor, 8th Judicial Circuit

The Honorable Ralph E. Hoisington
Solicitor, 9th Judicial Circuit

The Honorable Druanne D. White
Solicitor, 10th Judicial Circuit

The Honorable Donald V. Myers
Solicitor, 11th Judicial Circuit

The Honorable E. L. Clements, III
Solicitor, 12th Judicial Circuit

The Honorable Robert M. Ariail
Solicitor, 13th Judicial Circuit

The Honorable Randolph Murdaugh, III
Solicitor, 14th Judicial Circuit

The Honorable Thomas E. Pope
Solicitor, 16th Judicial Circuit

William D. Bilton, Executive Director
SC Commission on Prosecution Coordination

DJJ's Mission

The Governor's mission is to raise personal incomes of South Carolinians by creating a better environment for economic growth, delivering government services more openly and efficiently, improving quality of life, and improving our state's education.

The South Carolina Department of Juvenile Justice supports the Governor's mission by protecting the public and reclaiming juveniles through prevention, community programs, education and rehabilitative services in the least restrictive environment.

For more information contact:
The South Carolina Department of Juvenile
Justice
Office of Community Justice
(803) 896-9766