

JUVENILE DELINQUENCY CASES WITH OUT-OF-HOME PLACEMENTS

JANUARY 2024

The Working Group gathered data on juvenile delinquency cases with an out-of-home placement following adjudication between January 1, 2019, and June 30, 2023. Orders for detention were excluded from this sample. The sample is comprised of 4,133 cases.¹

DEMOGRAPHICS

Most youths in the sample are male (78%), with a small number of cases missing gender data (2%).

Gender	Number of Youths	Percent
Female	822	20%
Male	3,242	78%
Missing Gender Data	69	2%
Total	4,133	100%

Youths in the sample are primarily between the ages of 15 and 17 at the time the delinquency case was filed. About 30% of cases are for youths under the age of 15.

Age at Filing	Number of Youths	Percent
10-12	198	5%
13	379	9%
14	650	16%
15	889	22%
16	993	24%
17	922	22%
18	99	2%
Over 18	2	0%
Total	4,133	100%

The racial and ethnic composition of youths ordered to out-of-home placements on delinquency cases differs significantly from the Minnesota population ages 10 to 17.² Compared to all Minnesota youths between the ages of 10 and 17, youths ordered to OHP are more likely to be Black, indigenous, and people of color (BIPOC). While Black or African American youths make up only 9% of the Minnesota population, they represent over a quarter of the OHP cohort (27%). Similarly, American Indian, and Alaskan Native youths are 1% of the state's youth population but 8% of the OHP population. White youths are over two thirds of the state population but only one third of the OHP cohort (33%).

¹ "Cases" refers to unique juvenile delinquency court cases. Lower severity cases sentenced on the same day, or tagging cases, are not included in this total. Total number of cases and charges disposed includes all cases with the same disposition date for a juvenile. A juvenile may appear in the sample more than once with separate disposition dates.

² Census data from US Census Bureau American Communities Survey 2021.

Hispanic/Latino youths are 9% of both the Minnesota population and the OHP cohort. Of note, 14% of cases in the delinquency sample are missing race and ethnicity data.

CENSUS BUREAU DATA			OHP SAMPLE DATA		
Race/Ethnicity	Number of Youths 10-17	Percent	Race/Ethnicity	Number of Youths	Percent
Black or African American alone, non-Hispanic	54,645	9%	Black or African American	1,116	27%
American Indian and Alaska Native alone, non-Hispanic	6,126	1%	American Indian or Alaska Native	339	8%
Asian alone, non-Hispanic	35,049	6%	Asian or Pacific Islander	77	2%
Two or More Races alone, non-Hispanic	34,145	6%	Multiracial	253	6%
Some Other Race alone, non-Hispanic	2,506	0%	Other	54	1%
White alone, non-Hispanic	414,473	69%	White	1,358	33%
Hispanic	53,698	9%	Hispanic or Latino	375	9%
			Unknown/Refused	561	14%
Total	600,642	100%	Total	4,133	100%

JUDICIAL DISTRICT

The State of Minnesota is divided into 10 Judicial Districts³. Examining the data reveals large differences in practices between Judicial Districts. Between January 1, 2019, and June 30, 2023, 38,301 juvenile cases received an adjudication, stay, or continuance.⁴ Of these cases, only 11% had an out-of-home placement ordered after disposition. The rate of out-of-home placements ranged from a low of 4% in the 3rd Judicial District to a high of 23% in the 6th Judicial District. While Judicial Districts with large treatment and/or correctional facilities had somewhat higher rates of placements (23% in the 6th Judicial District and 19% in the 10th Judicial District), the 1st Judicial District was below the overall rate despite the presence of a large facility. The 2nd Judicial District (Ramsey County) had a rate of 17% while its neighbor, the 4th Judicial District (Hennepin County), had a rate of only 8%.

Judicial District	Number of Youths – All Cases	Percent of Total – All Cases	Number of Youths – OHP	Percent of Total – OHP
1 st	6,380	17%	524	13%
2 nd	2,045	5%	347	8%
3 rd	3,671	10%	156	4%
4 th	5,857	15%	460	11%
5 th	3,059	8%	191	5%
6 th	1,612	4%	370	9%
7 th	5,105	13%	350	8%
8 th	1,369	4%	175	4%
9 th	3,312	9%	442	11%
10 th	5,891	15%	1,118	27%
Total	38,301	100%	4,133	100%

Judicial District	Percent of Youths in Judicial District with OHP
1 st	8%
2 nd	17%
3 rd	4%
4 th	8%
5 th	6%
6 th	23%
7 th	7%
8 th	13%
9 th	13%
10 th	19%
Total	11%

³ See Judicial District map in appendix.

⁴ The same criteria apply to these cases. Only one case per party person ID and disposition date is included. Only misdemeanor, gross misdemeanor, and felony charges at disposition are included. The dispositions included are the same disposition types as appear in the OHP sample.

DISPOSITION

Most youths in the sample had been adjudicated delinquent prior to their out-of-home placement (58%).⁵ 37% of the youth were ordered to out-of-home placement while their case was continued (including continued for dismissal, continued without adjudication, continued without findings).⁶ 5% of youth were ordered to out-of-home placement on cases where adjudication was stayed (stayed, statutory stay of adjudication).

Disposition Type	Count of Youths	Percent
Adjudicated Delinquent	2,411	58%
Continued	1,523	37%
Stayed	199	5%
Total	4,133	100%

EXTENDED JURISDICTION JUVENILE

308 cases were extended jurisdiction juvenile cases (7%). These are cases where the youths are given both a juvenile and adult disposition. If the youth is successful following the terms of their juvenile disposition, the adult sentence is not imposed. If the youth is unsuccessful, the case can be moved to adult court and the youth's adult disposition and sentence can be imposed.

⁵ Three cases had a disposition of convicted. Due to the small number, they are included in adjudications. They were not Extended Jurisdiction Juvenile cases.

⁶ Fifteen cases had a disposition of dismissed, conditions met or expired. These are included in continued dispositions.

CURRENT OFFENSE

The current offense is based on the most serious level at the time of disposition, not the most serious level charged. When a youth had multiple charges or multiple cases, the most serious offense level was selected. Among the same offense level, the most serious type of offense was selected. For most youths with an out-of-home placement, the highest offense level was felony (48%). Gross misdemeanor cases account for 16% of cases and misdemeanor cases account for 35%. Of note, 1% of cases were cases where the highest charge was a petty misdemeanor.

The most common offense type was person offense at 34% (including robbery, assault, burglary 1st and 2nd degree) followed by property offenses (theft, receiving stolen property, property damage, other burglaries) at 26%. Other offenses were 16% of the sample (including fleeing police, giving false information to police, obstruction of justice, disorderly conduct, DWI, and all alcohol offenses).

Offense Level	Number of Youths	Percent
Felony	1986	48%
Gross Misdemeanor	674	16%
Misdemeanor	1449	35%
Petty Misdemeanor	24	1%
Total	4,133	100%

Offense Type	Count of Youths	Percent
Homicide	17	0%
Sex Crimes	249	6%
Person	1,385	34%
Weapons	214	5%
Domestic	347	8%
Drug	206	5%
Property	1,060	26%
Other	655	16%
Total	4,133	100%

Prior Adjudications of Delinquency

Most youths who have an out-of-home placement ordered had a prior adjudication of delinquency. Youths were evenly distributed with roughly one quarter having no prior adjudication, one quarter having one to two prior adjudications, one quarter having three to five adjudications, and the final quarter having six or more prior adjudications.

Looking at the types of prior offenses, one quarter had at least one prior person felony.⁷ Similarly one quarter had at least one prior non-person felony level offense. Just over a quarter had at least one prior person gross misdemeanor or misdemeanor offense. Over half of youths had at least one prior non-person gross misdemeanor or misdemeanor, the most common prior offense type.

Prior Offenses	Number of Youths	Percent
No Prior Adjudications	954	23%
1 to 2	1,040	25%
3 to 5	989	24%
6 or More	1,150	28%
Total	4,133	100%

Prior Offenses	Number of Youths	Percent
Prior Person Felony	1,014	25%
Prior Non-Person Felony	1,071	26%
Prior Person Gross Misdemeanor or Misdemeanor	1,179	29%
Prior Non-Person Gross Misdemeanor or Misdemeanor	2,132	52%

⁷ Person offenses are based on the same categories used for the current offense. Homicide, sex crimes, person, and sex crimes are included as person offenses. All other offenses are considered non-person offenses.

RECIDIVISM

Recidivism includes new adjudications of delinquency, convictions, and stays of adjudication for a new offense with an offense date within three years of the disposition date on their prior case. Just over half of youths in the sample had no new offenses (53%). Another 30% had one to two new offenses. 17% of youths had more than two new offenses.

Recidivism	Number of Youths	Percent
No Recidivism	2185	53%
1 to 2	1,225	30%
3 to 5	539	13%
More than 5	184	4%
Total	4133	100%

The most common offense type for recidivism is non-person gross misdemeanors and misdemeanors, with 31% of youths having a new offense in this category.

Recidivism	Number of Youths	Percent
Person Felony	573	14%
Non-person Felony	723	17%
Person Gross Misdemeanor or Misdemeanor	472	11%
Non-person Gross Misdemeanor or Misdemeanor	1,294	31%

Appendix

Minnesota Judicial Districts Map

