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TO: Crime Reporting Agencies

FROM: Adam Dean, Crime Reporting Unit

DATE: August 27, 2009

SUBJECT: Reporting Alert – Juvenile Arrest Reporting

**REPORTING ALERT:
COUNTING JUVENILE ARRESTS FOR THE UCR REPORTING PROGRAMS**

All police agencies submit information on the arrests of juveniles (under 16 years old) through the Uniform Crime Reporting (UCR) and Incident-Based Reporting (IBR) systems. These data are widely distributed and used for policy and funding decisions.

A recent review of the juvenile arrest data submitted through the crime reporting program has identified some data quality issues with regard to what agencies are reporting as a juvenile arrest. As you know, New York State follows the guidance in the Uniform Crime Reporting handbook issued by the Federal Bureau of Investigation (FBI). The purpose of this memo is to review the official UCR definition and provide further clarification on what should be reported to DCJS.

FBI UCR Handbook Definition (2004)

“An agency must score a juvenile arrest when the circumstances are such that if the individual were an adult, an arrest would have been counted for UCR purposes. The reporting agency must score a juvenile arrest opposite the classification of the offense for which the juvenile was taken into custody. Agencies must not score, as an arrest, those incidents in which police contact a juvenile who has committed no offense or those situations in which police take a juvenile into custody for his or her own protection. Agencies must include on the form only violations by young persons where some police or official action is taken beyond a mere interview, warning, or admonishment.”

The reporting criteria defined by the FBI are designed to capture the criminal activity of juveniles, and are not intended to track court or formal arrest actions. Similar to adult arrests, juvenile arrests are collected to identify the types of reportable offenses being committed by age, race, and gender, and should only be counted when a UCR reportable offense has been recorded. The complete Federal reporting guidelines can be found in the *FBI UCR Handbook* on the DCJS public website at: http://www.criminaljustice.state.ny.us/crimnet/ojsa/crimereporting/ucr_refmanuals.htm

Additional Clarification on Reporting UCR Juvenile Arrests

The additional guidance provided below should clarify and reinforce what information should be captured. These guidelines are also published on page 15 of the *NYS Supplement to the FBI UCR Handbook*. This handbook can be found at:

http://www.criminaljustice.state.ny.us/crimnet/ojsa/crimereporting/ucr_refmanuals.htm

For UCR reporting purposes a juvenile “arrest” must be counted when a police officer has probable cause to believe that a youth more than 7 and less than 18 years of age has committed a UCR offense and is either

- taken into custody, or
- issued an appearance ticket.

The term “taken into custody” means that the juvenile is no longer free to leave, regardless of whether he or she is handcuffed, placed in a police vehicle, or brought to a police station. By extension this would include cases in which a juvenile is a) taken directly to Family Court or secure detention, b) given an appearance ticket, or c) warned and released without further action.

The key factor for counting an arrest is police intervention where there is probable cause to believe that the juvenile has engaged in behavior that constitutes a UCR offense. All instances where a UCR offense was believed to have been committed should be counted as an “arrest” if the juvenile was taken into custody, issued an appearance ticket, or warned and released without further action for that crime. Police contact with a juvenile where no UCR offense was believed to be committed should not be counted as an “arrest.”

Reporting Police Dispositions of Juvenile’s Under 16 Years of Age

Since law enforcement has an increased level of discretion when dealing with juveniles, the police disposition information is used to identify how the juvenile was handled by the reporting agency immediately after the “arrest”. **This information is not meant to track court dispositions.**

To ensure comparable disposition statistics, The National Crime Reporting program requires states to apply their age definition of juvenile when reporting the police disposition of UCR juvenile arrests. Therefore, In New York State reporting agencies must provide the police disposition of **only those juvenile arrests where the offender was less than 16 years of age.**

Depending on the seriousness of the offense and the offender’s prior criminal record, a juvenile may be:

- Warned by the police and released to parents, relatives, friends, or guardians;
- Referred to the probation department or some other branch of the juvenile court;
- Referred to welfare agencies;
- Referred to other police agency; or
- Referred to criminal or adult court.

This information must be captured on the “Police Disposition of Juveniles” table found at the end of the UCR “Arrest of Persons Under 18” form. The table is used to record the police disposition of **ONLY** those juveniles **under 16 years of age** that were reported as an “arrest” for committing a UCR offense. Agencies must not account for the police disposition of those 16 and 17 year olds that have been reported as “arrests”. **The total number of police dispositions for that reporting month must equal the total number of under 16 “arrests” for the reporting month.**

The New York State “Arrest of Persons Under 18” form can be found on the DCJS public website at:
<http://www.criminaljustice.state.ny.us/crimnet/ojsa/crimereporting/ucr.htm#ucrforms>

Please make sure staff responsible for classifying and scoring UCR crime and arrest data receive copies of this memorandum and make appropriate adjustments for future reporting as needed.

Please call the Crime Reporting Unit at (518) 457-8381 or email to infonysucr@dcjs.state.ny.us if you have any questions or need assistance.