

## Juvenile Delinquent Probation Intakes Opened and Closed

### Data Notes

Probation departments are responsible for screening juvenile delinquent (JD) cases for Family Courts to determine whether JD petitions should be filed, or cases can be adjusted (also known as diverted). This process is referred to as probation intake. The JD classification is assigned at arrest to cases involving youth who are 12 through 15<sup>1</sup> years old and charged with committing misdemeanor offenses and nearly all felony offenses.<sup>2</sup> JD cases also include 16- and 17-year-olds who are charged with misdemeanors, and 16- and 17-year-olds who are charged with felonies (adolescent offenders) and whose cases are removed from the Youth Part of Criminal Court.

Counts represent the number of probation intake cases opened and closed, not unique individuals. Intakes are presented by the county and region where the intake occurred<sup>3</sup>.

### Intakes Opened

Intakes opened show the number of JD cases screened by Probation Departments. The offense charge represents the category – felony or misdemeanor – of the most serious charge in the case. For a small number of cases, the charge category is missing or is not a felony or misdemeanor (e.g., PL 265.05). These cases are shown in the not reported category. Intakes are shown for the year in which the intake was conducted.

Intakes are shown by three age categories (7 through 11, 12 through 15, 16 and 17), which reflect age at the time of the delinquent act or crime, and by sex and race/ethnicity. For race/ethnicity, four categories are displayed: White, Black, Hispanic, and Other. All intakes involving youth of Hispanic ethnicity are reported in the Hispanic category, regardless of race. The Other category includes arrests of youth who are Asian/Pacific Islander, American Indian/Alaskan Native, Other, and those who do not have a race/ethnicity category reported.

### Intakes Closed

Intakes closed show the number of JD cases closed for the year in which the closure occurred, which may be different from the year the intake was opened. Cases are shown by race/ethnicity and closure type:

- 1) Successfully Adjusted:** Cases resolved at the initial probation conference, after a period of adjustment services or after being returned to probation intake either by the presentment agency or Family Court.

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<sup>1</sup> Due to the state's Raise the Lower Age (RTLTA) law and effective Dec. 29, 2022, 7- to 11-year-olds are no longer considered juvenile delinquents, unless those youth are charged with homicide offenses detailed in Family Court Act §301.2. There are a small number of cases in 2023 that involve 7- to 11-year-olds with offenses committed prior to Dec. 29, 2022.

<sup>2</sup> Youth ranging in age from 13 to 15 who commit designated serious offenses are classified as Juvenile Offenders. Those cases proceed in the Youth Part of Criminal Court or may be removed to Family Court. See Penal Law §10.00(18) and Criminal Procedure Law §725 for more information.

<sup>3</sup> Data are reported through a case management system used by probation departments in New York State. Washington County recently began using this case management system and as a result, 2024 Washington County data will be available in 2025.

**2) Referred to Presentment Agency:** Cases that are not successfully adjusted are referred to the presentment agency, which makes final determinations on whether petitions will be filed in Family Court. These referrals occur in one of two ways:

- **Immediately:** Cases referred after Probation determined the youth was either unsuitable or ineligible for adjustment services.
- **Adjustment Terminated:** Cases referred after Probation initiated but subsequently terminated the adjustment process.