

Youthful Offenders: Their Impact on Florida's Department of Corrections

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Abstract

The increase in violent crimes by youthful offenders is reflected in the number of violent youthful offenders in Florida's prisons and under the supervision of Probation and Parole. This is a study of youthful offenders under supervision in Escambia, Santa Rosa, and Okaloosa Counties, and admitted to prison between 1982 and 1992. It provides insight into the ages, the offenses committed, and the rate of recidivism of these offenders. Additionally, it compares local and state statistics pertaining to probation population and prison admissions during the same time frame, based on data retrieved from the Justice Data Center (JDC). This study reveals an increase in the number of violent youthful offenders, and the number of juveniles in the prison system and under supervision. These factors indicate a need for further investigation and research into courses of action that can be taken by Florida's Department of Corrections in order to reverse this trend.

Introduction

In 1978, the Columbus, Ohio study of juvenile delinquents concluded that "the seriously violent juvenile offender is a rare species" (Hamparian, et al., 1978, p. 101). Today, the increase in gang activity, the accessibility of firearms, drug and alcohol abuse, and other changes in society have rendered this conclusion invalid.

Today, violence is a national issue of major concern. Statistics reveal that between 1980 and 1989 arrests for violent crimes increased by almost 73 percent (Dillingham, 1991). The increase in violence is an "epidemic" that is viewed by leading research institutions to be a "disease" (FBI Law Enforcement Bulletin, 1992), a "disease" that former Surgeon General, C. Everett Koop, says "is as much a public health issue for physicians today as smallpox, tuberculosis, and syphilis were for my predecessors in the last centuries" (Prothrow-Stith & Weissman, 1991, p. XVII).

Like smallpox, tuberculosis, and syphilis, violence is a disease that does not discriminate. It affects young and old. As a result, instead of being a "rare species," the violent juvenile (youthful) offender is an increasing factor in the spread of this disease.

Juvenile arrests have increased since 1980, and more juveniles have formally appeared before the juvenile courts (Visher et al., 1991). In 1989, the juvenile court system experienced an increase of 7 percent more cases than in 1985. Of these cases, there was a substantial increase in violent crimes/crimes against persons (Butts & Sickmund, 1992).

Not all juveniles are prosecuted in juvenile court. Some offenders are transferred or direct filed to criminal court. This legal procedure allows selected juveniles to be sentenced under adult sanctions. These offenders are rarely singled out in research studies. Generally, in past studies, emphasis was placed on juveniles in the juvenile justice system. Very little information is available to address the issues surrounding offenders that are under the age of 18 and in the adult criminal justice system. The

same is true for offenders over 18, but under 22. This group of offenders, classified in Florida's Department of Corrections as youthful offenders, appears to be overlooked as a unique group for research. The lack of available research data on youthful offenders in the adult criminal justice system, and the increase in violent crimes by youth has prompted two questions:

1. Has Florida's Department of Corrections experienced a significant increase in its youthful offender population?
2. Are the offenders younger, in addition to committing more violent crimes?

Table 1
Total Youthful Offender Cases Reviewed, By County, 1982, 1987 and 1992

County	1982	1987	1992
Escambia	244	489	472
Okaloosa	73	160	127
Santa Rosa	21	95	78
Total	338	744	677

these questions are answered in this report. This report is submitted to provide evidence that Florida's Department of Corrections is not exempt from the impact of youthful offenders. They are an increasing part of the inmate population, as well as the community supervision population. The increase may not be considered to be at crisis level; however it is a problem or trend that requires evaluation and action.

The data in this report are not submitted to provide explanations for youth violence, but to provoke thought and questions as to how to address this dangerous trend.

Methods

Data for this project was retrieved from the Justice Data Center (JDC). Department of Corrections officers and prison personnel have access and input into this data base.

The input of information on each offender under community supervision and/or incarcerated in prison is the responsibility of Corrections data entry operators. The information is provided by Probation/Community Control Officers and Classification Specialists.

To obtain statistical data from information in JDC, the Bureau of Planning, Research and Statistics of the Department of Corrections was contacted for assistance. Computer printouts listing the names of offenders under the age of 22, supervised under specific Officer position numbers were requested, along with data on inmates

under 22. However, it was discovered that due to the changing nature of cases assigned to specific position numbers, complete data could not be retrieved.

To retrieve accurate data, the request was revised. A complete listing of offenders meeting the following criteria was requested:

- (1) Under the age of 22
- (2) Under community supervision in Escambia, Okaloosa, and Santa Rosa Counties, in 1982, 1987, and 1992, as of June 30th of each year.

Additionally, data on the type of offenses committed by youthful offenders during the same time period was requested.

As shown in Table 1, the lists revealed a total of 1,759 youthful offenders. Using the lists of offenders provided by the Bureau of Planning, Research and Statistics, each offender's supervision history was retrieved from the Probation and Parole database in JDC. The same process was used to obtain prison history data.

The printouts were manually reviewed to determine the following information on each offender:

- (1) Age of offender as of status date (June 30th of each year reviewed).
- (2) Offense as of status date.
- (3) Prior terms of supervision, with emphasis on whether supervision was for a violent offense.
- (4) Subsequent terms of supervision and the type of offense.
- (5) Outcome of the case for which offender was on supervision, as of status date:
 - (a) Court ordered term of supervision completed with no new offenses
 - (b) term of supervision completed, followed by supervision on subsequent charges
 - (c) case revoked due to new law violation(s)
 - (d) case revoked due to technical violations (failing to comply with the standard conditions of probation/community control, including failure to report, failure to comply with monetary obligations, absconding from supervision, drug use, etc.).
- (6) Type of supervision. Special attention was given to whether the offender was on Community Control (House Arrest).
- (7) Prison terms, both prior and subsequent commitments.

Data based on the printout information and statistical data from Department of Corrections' Annual Reports were used to compare the impact of youthful offenders on the three county area, the prison population, and the State's community supervision

population.

Limitations

The data in this report are not meant to represent all offenses committed by youthful offenders. It only represents criminal cases for which an offender was placed on adult community supervision or incarcerated in Florida's prison system. The review did not include:

- (1) offenses, including violent offenses, for which offenders were sentenced to county jail or time served
- (2) offenses committed in another state
- (3) violent offenses that were plea bargained to other charges or nolle prosequi, or where an offender was sentenced to time served on charge(s) of a violent offense. Therefore, an offender may not be counted as a violent offender, even though he has a history of arrests for violent offenses.

Data entered in JDC were discovered to be incomplete. Many older entries only reflect the primary offense (the offense with the highest felony degree). For example, an offender sentenced to Burglary of a Dwelling, Grand Theft, and Resisting Arrest with Violence, may only have information entered on the Burglary charge. The offense of Resisting Arrest with Violence, a third degree felony, could be omitted. Therefore, an offender may have been supervised for a violent offense, or other serious offenses, which were not included in the supervision data. This problem should no longer occur due to new procedures required for data entry.

Errors in the entry of offense codes were also discovered. The most frequent error was the entry of burglary offenses. The majority of the burglary offenses were entered as Burglary of an Occupied Dwelling. The feasibility of so many offenders being placed on probation for this one offense appeared to be unlikely. Therefore, a random check of case files was conducted, revealing actual charges of burglary of schools, stores, sheds, etc.

Furthermore, retrieval of consistent statistical data from JDC by Department of Corrections' research department proved to be difficult. This problem of retrieval resulted in incomplete printout listings of offenders under supervision in the three county area. Therefore, the data for the 1,759 cases that were individually reviewed are a majority representation of the youthful offender population for the three counties.

It was determined by this writer that the cases reviewed were sufficient to provide a foundation for additional study, by qualified researchers, if additional data is needed to develop a course of action. It was not felt that the number of missing cases was substantial. Therefore, the exclusion of these cases will not alter the results in an adverse manner. The only effect could be to provide further evidence that the youthful offender population is increasing.

Results

Age. The legal system enables juvenile court judges to transfer (waive), or direct file a case to criminal court. For the minority of Juvenile offenders, this procedure is used to remove them from the Juvenile system, due to past offenses and/or the seriousness of

the case before the Court.

Over the past 10 years, the number of cases waived from juvenile court to adult criminal court has continued to increase. In the U.S. between 1985 and 1989, the adult criminal court system experienced a 78 percent increase in cases waived from juvenile court. During that same time period, the number of drug cases waived increased 469 percent (Butts & Sickmund, 1992).

In 1984, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) sponsored the analysis of 340,254 case records. The analysis was conducted by the National Center for Juvenile Justice. The case records were submitted to National Juvenile Court Data Archives by courts from Arizona, California, Florida, Hawaii, Iowa, Maryland, Mississippi, Nebraska, Ohio, Pennsylvania, South Dakota, and Virginia.

The analysis revealed that five percent of all violent offense cases were transferred (waived) to criminal court. The report further noted that in some states the rate was nearly 15 percent (Sweet, 1989).

The number of juvenile cases transferred to adult court depends on many variables. The primary variable is the predisposition of the juvenile court judge, presiding over the case, to utilize this procedure. Referrals are not limited to violent offenders, or drug offenders, and judges use various means to justify waiver to adult court.



Florida Department of Corrections Annual Reports provide data as to the number and age of offenders in prison and under community supervision. In 1982, 393 juvenile offenders (under 18) were in community supervision, and 652 juveniles were in prison. While these figures had decreased by 1987, they more than doubled by 1992, as shown in Figure 1. All other age groups steadily increased during that

period.



In comparison, Figure 2 reflects a major increase of inmates 17 and under during 1987. This age group then decreased drastically in 1992. This data indicates an increase in the number of juveniles prosecuted as adults. The only difference in the cases is whether they are placed on community supervision or sentenced to prison.

In comparing the statewide statistics for each of the three years, it was discovered that at no time was

Table 3 Offenders Admitted for Supervision by Probation and Parole Services FY 1982-1983, FY 1987-1988 and FY 1991-1992			
	FY 1982-1983	FY 1987-1988	FY 1991-1992
Total Admissions	11,686	17,273	22,572
Violent Offenses	1,859	2,779	4,632
Burglary	3,024	3,969	5,111
Grand Theft	1,780	2,407	3,356
Drug Offenses	1,412	3,659	4,604

1987, the total number of youthful offenders increased to 694 for the three county area. Of these offenders, 38% were supervised for burglary, 47% for grand theft, and 12.8% for drug offenses. In 1992, the total number of offenders under supervision decreased to 677. Of this total, the number of offenders

supervised for burglary and grand theft charges decreased to 36% and 34%, respectively. During the same time, offenders on supervision for drug charges increased to 23%.

Over the 10 year time span, the number of offenders on supervision for violent offenses steadily increased. In 1982, violent offenders represented 20% of the total youthful offender population for the three county area. In 1987, this was 25%, and in 1992, increased to 30%.

Figure 3 illustrates the increase of offenders for each of the counties, for each of the status years. Figure 4 illustrates the increase in youthful offenders supervised for drug offenses. The correlation between these two groups of offenders can not be drawn from this study. However, we can not overlook the increase in drug offenders, at a time when violent offenses are also increasing.

Statewide, youthful offenders admitted to supervision increased from 11,686 for fiscal year 1982-83, to 22,572 for fiscal year 1991-92. There were 1,859 violent offenders in supervision during 1982-83; 2,779 in 1987-88; and 4,632 in 1991-92. Since 1982, the number of violent offenders has doubled (See Table 3).

Contrary to the statistics for the study group, statewide there has been a steady increase in burglary and grand theft offenses. Burglary increased from 3,024 in 1982-83, to 5,111 in 1991-92. Grand theft almost doubled from 1,780 in 1982-83, to 3,356 in 1991-92.

Supervision admissions for drug offenses also increased. During fiscal year 1982-83, there were 1,412 drug offenders. During fiscal year 1991-92, the number of drug

offenders more than doubled to 4,604. Of these offenses, sale and manufacture of drugs increased more than 8 times. In 1982-83 there were 211 offenders on supervision for

Table 4 Offenders Admitted to Supervision for Drug Offenses, FY 1982-1983, FY 1987-1988 and FY 1991-1992			
	FY 1982-1983	FY 1987-1988	FY 1991-1992
Sale/Manufacture	211	853	1,788
Trafficking	41	116	117
Possession	1,160	2,690	2,699

sale and/or manufacture of drugs. This number increased to 1,788 in 1991-92.

The number of trafficking and possession admissions to supervision has increased since 1982. However, the increase was less dramatic. The major increase was between 1982-83 and 1987-88, when admissions rose from 41 to 116, for trafficking, and 1,160 to 2,690 for possession. The increase in the totals for 1987-88 and 1991-92 is insignificant. The totals differ by less than 10 offenders.

Prison admissions, like supervision admissions for youthful offenders, are on the rise. Between the fiscal year 1982-83 and 1987-88 the increase was significant.

Table 5 Admissions to Prison, Offenders <22 Years Old FY 1982-1983, 1987-1988 and 1991-1992			
	FY 1982-1983	FY 1987-1988	FY 1991-1992
Total Admissions	4,051	6,166	6,761
Violent Offenses	1,595	2,141	2,764
Burglary	1,414	1,575	1,261
Grand Theft	490	603	620
Drug Offenses	168	1,116	1,475

Admissions rose from 4,051 to 6,166. Between 1987-88 and 1991-92, total admissions differed only slightly, from 6,166 to 6,761.

In fiscal year 1982-83, there were 1,595 admissions for violent offenses; 1,414 for burglary; 490 for grand theft; and 168 for drugs. As indicated in Table 5, with the exception of burglary, admissions for these charges increased steadily.

Significant increase is also noted for drug offenses.

Recidivism. Not all youthful offenders commit violent offenses, as indicated above. Furthermore, not all youthful offenders are repeat offenders. The youth who made poor choices, resulting in a criminal record, and then refrained from making the same mistakes again, are not the ones that provoke discussions and demand community attention.

The group of offenders that behave in a manner contrary to society's rules, and continue to make criminal activity a way of life, are the youth who prompt law makers to examine ways to control them and protect society from them. They are the ones that cast a negative reflection on young people in our country. They are the minority, but they are growing in numbers.

This study did not inquire as the causes of recidivism, or how to prevent it. The main emphasis, in regards to recidivism, was to determine if more youthful offenders in Florida are returning to community supervision and/or prison.

Data for the study group were reviewed to determine the number of offenders who completed their term of supervision and did not re-enter prison or community

supervision. This does not mean that the offenders were not rearrested. It simply indicates that their actions did not result in community supervision or a prison commitment.

Of the study group for 1982, 183 offenders have avoided subsequent admission to the Department of Corrections. This group represented 54 percent of the study group. The group for 1987 consisted of 744 offenders. Of this group, 343 offenders, or 46%, have remained outside of the Department of Corrections.

In the 1982 group, 151 offenders had at least one new commitment. The 1987 group consisted of 324 offenders with at least one new commitment; 75 of the 1982 group, and 203 of the 1987 group, have been committed to at least one prison term.

The data for the 1992 group can not be considered, due to the short time between the status date and this study. Not enough time has elapsed to provide conclusive or valid results. However, it can not be ignored that 116 of the 557 offenders (20%) have returned to the Department of Corrections on new charges; 68 (60%) of these offenders for a new prison commitment.

One area of concern was the status of youthful offenders that were placed on community control (house arrest). The failure to complete a term of community control

does not always mean that the offender committed new law violations. However, it does indicate the suitability of youthful offenders for placement on community control.

The completion of community control requires an individual to treat his/her home as a jail. It requires self discipline. The offender must be able to remain at home, unless allowed to leave by an officer, who is not there to watch the offender every moment. This is a lot to ask of a young person, who in many cases acts on the spur of the moment.



The cases reviewed for 1987 revealed 72 community control cases in Escambia

County, 14 in Okaloosa, and 7 in Santa Rosa. Of these offenders, 15 in Escambia, 7 in Okaloosa, and 1 in Santa Rosa, successfully completed community control supervision. The remaining offenders violated their terms of community control by commission of new law violations, or by failing to comply with the standard conditions of community control. The majority of the offenders violated by failing to comply with standard conditions, such as failure to remain



confined to their residence and drug use.

There are no data for 1982 cases, because community control did not begin until 1983. The data for 1992 cases was not considered for reasons stated above.

Additional data retrieved from JDC revealed that the number of offenders with supervision prior to the status dates increased more than 8 times from 1982 to 1992 (See Figure 5). There was a similar increase in the number of offenders with prior prison terms (See Figure 6). Similar data was not retrieved for prison inmates, therefore a comparison was not conducted.

At a time when prison terms in Florida are far shorter than the sentences ordered by the court, the question arises as to whether the short time in prison contributes to recidivism. The Bureau of Justice Statistics traced the criminal activities of 11,347 parolees between the ages of 17 and 22, in 22 states. Analysis of the data revealed that the length of time served in prison did not have a consistent impact on the rated of recidivism (Beck, 1987). If this is the case, what are our options?

Conclusion

Currently, the media and public attention is focused on the violent juvenile offender. The discussions emphasize what can be done within the juvenile justice system. What happens to the group of offenders that either go through the juvenile system without a change in behavior, or evade the juvenile system, only to be caught up in the adult system?

The statistics contained in this report illustrate the increase in the youthful offender population within the Florida Department of Corrections. More juveniles are being sentenced as adults, and the number of violent offenders is increasing. It is a trend that will continue unless preventive action is taken within the communities and the criminal justice system.

Department of Corrections staff are not in a position to directly affect change prior to the offender's sentence on criminal charges. However, the offender's first placement in the criminal justice system provides an opportunity for them to influence behavior changes. This can not be done without programs, resources, policies, and procedures that focus on the clients, and at the same time protect society. This is particularly true for youthful offenders.

Between 1978 and 1980 the focus was on the needs of youthful offenders. Prison programs were developed. Specialized officers were assigned to supervise youths under community supervision. To enhance the skill of the officers, a 40 hour youthful offender training class was developed. The Youthful Offender Program Office was designed to provide operational guidelines focused on helping youths help themselves.

Emphasis on youthful offenders appears to have ceased with the implementation of community control in 1983. Programs since that time have focused on community control and early prison release programs. Recommendations by the Youthful Offender Program Office, focusing on community supervision, have remained just that -- recommendations.

It is time for the Florida Department of Corrections to thoroughly evaluate the current policies and programs pertaining to the youthful offender population, especially those under community supervision. At a time when our cities, counties and nation have placed juvenile violence and criminal activity as a priority issue, the Department of

Corrections must also acknowledge that this is not just a juvenile system problem. The adult criminal justice system is also effected. The Department of Corrections must become a part of the solution.

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