

ANALYSIS OF FELONY DELINQUENCY CASES

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Purpose of the Study

- Analyze **ALL** felonies filed in Hennepin County by race, gender, ethnicity, and arresting police location and whether they were charged in or out of custody.
- Further discriminate by seriousness of felony (mandatory hold, serious felony, other felony) the likelihood of being charged in custody.

Classification of Charged Offenses

Most Serious Felonies (15 points) Mandatory Hold	Serious Felonies (10 points) Releasable (depending on total score)	Other Felonies (6 points or 3 points) Releasable (depending on total score)
Murder/Manslaughter	Assault 2 nd -5 th (no gun)	Non-felony person offenses (domestic and domestic related) 6 pts
Assault 1 st /2 nd degree (use of gun)	Terroristic Threats	All other Felony offenses Theft, Drugs, lower level Assaults 6 pts
Aggravated Robbery (gun)	Simple Robbery	All other non-felony non-person offenses 3pts
Kidnapping	Criminal Sexual Conduct 3 rd -5 th	
Criminal Sexual Conduct 1 st /2 nd	Burglary 2 nd	
Felony Solicitation of children	Escape/Fugitive from Justice	
Arson 1 st degree/Burglary 1 st	Aiding an Offender on 15 point offense	
Dangerous Weapons	Failure to register	

Why is this Important?

- Hypothesis: test whether the most serious offenses would be charged while in custody and there would be no difference by race, geographic location, or gender.
- Hennepin County's Juvenile Detention Center (JDC) has an all-time low in the number of youths detained; however, the JDC populations continues to be predominately non-white, why?

Data

- Data extracted from two sources and merged:
 - JDC RAI extracts
 - Minnesota Court Information System Data (MNCIS)
- Period of Time:
 - January of 2008 through April of 2009
- Variables
 - Race, Gender, Location of Arresting Police Agency, Custody Status, Continued Detention, and Offense
- Total Sample Size: 1,199

Important Caveats

- Includes only felony-level offenses filed in Hennepin County (even if youth was brought to detention).
- Custody status created using best available data:
 - ▣ In-custody status determined by codes entered in MNCIS at first appearance.
 - ▣ If “continue detention” or “release ordered” was entered at first appearance-case was flagged as charged in-custody.

Seriousness of Felony Charge by Location of Arresting Police Agency

Table 1. Number and Percent of Charged Felonies in Hennepin County by Location

			Location of Police Agency			Total
			Downtown	Suburban	All County/ State Agencies	
Classification of Delinquency Felony Cases	Other Felonies (6 pts)	Count	174	257	14	445
		Column %	28.2%	47.2%	38.9%	37.1%
	Serious Felonies (10 pts)	Count	159	146	18	323
		Column %	25.7%	26.8%	50.0%	26.9%
	Most Serious Felonies (15 pts)	Count	285	142	4	431
		Column %	46.1%	26.1%	11.1%	35.9%
Total	Count	618	545	36	1,199	
	Column %	100.0%	100.0%	100.0%	100.0%	

Seriousness of Felony by Race

Table 2. Of Each Type of Felony Charge, What Percentage is Charged to White versus Minority Offenders?

			Racial Group of Child Charged			Total
			White	Minority	Unknown, Refused, or Unavailable	
Classification of Delinquency Felony Cases	Other Felonies (6 pts)	Count	117	297	31	445
		Row %	26.3%	66.7%	7.0%	100.0%
	Serious Felonies (10 pts)	Count	52	256	15	323
		Row %	16.1%	79.3%	4.6%	100.0%
	Most Serious Felonies (15 pts)	Count	52	327	52	431
		Row %	12.1%	75.9%	12.1%	100.0%
Total	Count	221	880	98	1,199	
	Row %	18.4%	73.4%	8.2%	100.0%	

Seriousness of Felony by Gender

Table 3. Within each Gender, What Percentage is Charged with Each of the Felony Classifications?

			Gender		Total
			Female	Male	
Classification of Delinquency Felony Cases	Other Felonies (6 pts)	Count	80	365	445
		Column %	48.5%	35.3%	37.1%
	Serious Felonies (10 pts)	Count	42	281	323
		Column %	25.5%	27.2%	26.9%
	Most Serious Felonies (15 pts)	Count	43	388	431
		Column %	26.1%	37.5%	35.9%
Total	Count	165	1034	1199	
	Column %	100.0%	100.0%	100.0%	

Seriousness of Felony by Custody Status

Table 4. Number and Percent of Cases Charged and Custody Status

			Charged In Custody?		Total
			No	Yes	
Classification of Delinquency Felony Cases	Other Felonies (6 pts)	Count	325	120	445
		Row %	73.0%	27.0%	100.0%
	Serious Felonies (10 pts)	Count	141	182	323
		Row %	43.7%	56.3%	100.0%
	Most Serious Felonies (15 pts)	Count	88	343	431
		Row %	20.4%	79.6%	100.0%
Total	Count	554	645	1,199	
	Row %	46.2%	53.8%	100.0%	

Table 5. Number and Percent of Cases Charged, Custody Status and Racial Group

Classification of Delinquency Felony Cases				Child Charged while In Custody?		Total
				No	Yes	
Other Felonies (6 pts)	Racial Group of Child Charged	White	Count	107	10	117
			Row %	91.5%	8.5%	100.0%
		Minority	Count	195	102	297
			Row %	65.7%	34.3%	100.0%
		Unknown, Refused, or Unavailable	Count	23	8	31
			Row %	74.2%	25.8%	100.0%
		Total	Count	325	120	445
		Row %	73.0%	27.0%	100.0%	
Serious Felonies (10 pts)	Racial Group of Child Charged	White	Count	26	26	52
			Row %	50.0%	50.0%	100.0%
		Minority	Count	111	145	256
		Row %	43.4%	56.6%	100.0%	
		Unknown, Refused, or Unavailable	Count	4	11	15
		Row %	26.7%	73.3%	100.0%	
	Total	Count	141	182	323	
		Row %	43.7%	56.3%	100.0%	
Most Serious Felonies (15 pts)	Racial Group of Child Charged	White	Count	25	27	52
			Row %	48.1%	51.9%	100.0%
		Minority	Count	57	270	327
		Row %	17.4%	82.6%	100.0%	
		Unknown, Refused, or Unavailable	Count	6	46	52
			Row %	11.5%	88.5%	100.0%
	Total	Count	88	343	431	
		Row %	20.4%	79.6%	100.0%	

Custody Status by Race and Seriousness of Felony Offense

-Statistically significant findings are highlighted in **RED**.

-More minority youth are charged in custody for other felony (34% vs. 9%); and most serious felonies (83% vs. 52%) compared to white youths.

Table 6. Number and Percent of Cases Charged, Custody Status and Racial Group

**** SUBURBAN Communities ONLY ****

Classification of Delinquency Felony Cases				Charged while In Custody?		Total
				No	Yes	
Other Felonies (6 pts)	Racial	White	Count	99	1	100
	Group of		Row %	99.0%	1.0%	100.0%
	Child	Minority	Count	122	18	140
	Charged		Row %	87.1%	12.9%	100.0%
		Unknown, Refused, or	Count	16	1	17
		Unavailable	Row %	94.1%	5.9%	100.0%
	Total		Count	237	20	257
			Row %	92.2%	7.8%	100.0%
Serious Felonies (10 pts)	Racial	White	Count	16	14	30
	Group of		Row %	53.3%	46.7%	100.0%
	Child	Minority	Count	64	45	109
	Charged		Row %	58.7%	41.3%	100.0%
		Unknown, Refused, or	Count	3	4	7
		Unavailable	Row %	42.9%	57.1%	100.0%
	Total		Count	83	63	146
			Row %	56.8%	43.2%	100.0%
Most Serious Felonies (15 pts)	Racial	White	Count	14	13	27
	Group of		Row %	51.9%	48.1%	100.0%
	Child	Minority	Count	29	69	98
	Charged		Row %	29.6%	70.4%	100.0%
		Unknown, Refused, or	Count	3	14	17
		Unavailable	Row %	17.6%	82.4%	100.0%
	Total		Count	46	96	142
			Row %	32.4%	67.6%	100.0%

**Suburban Communities:
Custody Status by
Racial Group and
Seriousness of Felony
Charge**

-Minority youth are more likely to be charged for other felonies (13%) compared to white youth (1%) and youth of unknown races (6%)

Table 7. Number and Percent of Cases Charged, Custody Status and Racial Group

**** Minneapolis ONLY ****

Classification of Delinquency Felony Cases				Charged while In Custody?		Total
				No	Yes	
Other Felonies (6 pts)	Racial Group of Child Charged	White	Count	6	7	13
			Row %	46.2%	53.8%	100.0%
	Minority	Count	67	82	149	
		Row %	45.0%	55.0%	100.0%	
		Unknown, Refused, or Unavailable	Count	5	7	12
		Row %	41.7%	58.3%	100.0%	
	Total	Count	78	96	174	
	Row %	44.8%	55.2%	100.0%		
Serious Felonies (10 pts)	Racial Group of Child Charged	White	Count	1	12	13
			Row %	7.7%	92.3%	100.0%
	Minority	Count	45	95	140	
		Row %	32.1%	67.9%	100.0%	
		Unknown, Refused, or Unavailable	Count	0	6	6
		Row %	.0%	100.0%	100.0%	
	Total	Count	46	113	159	
	Row %	28.9%	71.1%	100.0%		
Most Serious Felonies (15 pts)	Racial Group of Child Charged	White	Count	11	12	23
			Row %	47.8%	52.2%	100.0%
	Minority	Count	27	200	227	
		Row %	11.9%	88.1%	100.0%	
		Unknown, Refused, or Unavailable	Count	3	32	35
		Row %	8.6%	91.4%	100.0%	
	Total	Count	41	244	285	
	Row %	14.4%	85.6%	100.0%		

**Minneapolis Communities:
Custody Status by Race
and Seriousness of
Offense**

-In Minneapolis, more white youth are charged in custody for serious felonies than minority youth (92% vs. 68%) but more minority youth are charged in custody for most serious felonies compared to white youth (88% vs. 52%).

Table 8. Number and Percent of Cases Charged, Custody Status and Gender

Classification of Delinquency Felony Cases				Child Charged while In Custody?		Total
				No	Yes	
Other Felonies (6 pts)	Gender	Female	Count	70	10	80
		Row%		87.5%	12.5%	100.0%
	Male	Count	255	110	365	
		Row%	69.9%	30.1%	100.0%	
	Total	Count	325	120	445	
		Row%	73.0%	27.0%	100.0%	
Serious Felonies (10 pts)	Gender	Female	Count	24	18	42
		Row%		57.1%	42.9%	100.0%
	Male	Count	117	164	281	
		Row%	41.6%	58.4%	100.0%	
	Total	Count	141	182	323	
		Row%	43.7%	56.3%	100.0%	
Most Serious Felonies (15 pts)	Gender	Female	Count	12	31	43
		Row%		27.9%	72.1%	100.0%
	Male	Count	76	312	388	
		Row%	19.6%	80.4%	100.0%	
	Total	Count	88	343	431	
		Row%	20.4%	79.6%	100.0%	

Custody Status by Gender and Seriousness of Felony Charge

-For the most serious offenses, girls and boys are treated similarly.

-For other felonies and serious felonies-boys are more likely to be kept in custody through charging than girls.

Table 9. Number and Percent of Cases Charged, Custody Status and Gender

**** SUBURBAN Communities ONLY ****

Classification of Delinquency Felony Cases				Child Charged while In Custody?		Total
				No	Yes	
Other Felonies (6 pts)	Gender	Female	Count	65	1	66
		Row %		98.5%	1.5%	100.0%
	Male	Count	172	19	191	
		Row %	90.1%	9.9%	100.0%	
	Total	Count	237	20	257	
		Row %	92.2%	7.8%	100.0%	
Serious Felonies (10 pts)	Gender	Female	Count	13	6	19
		Row %		68.4%	31.6%	100.0%
	Male	Count	70	57	127	
		Row %	55.1%	44.9%	100.0%	
	Total	Count	83	63	146	
		Row %	56.8%	43.2%	100.0%	
Most Serious Felonies (15 pts)	Gender	Female	Count	5	6	11
		Row %		45.5%	54.5%	100.0%
	Male	Count	41	90	131	
		Row %	31.3%	68.7%	100.0%	
	Total	Count	46	96	142	
		Row %	32.4%	67.6%	100.0%	

**Suburban Communities:
Custody Status by
Gender and
Seriousness of Felony**

-Only significant difference by gender for suburban communities by seriousness of felony charge is for other felonies.

-Girls remain less likely (2% vs. 10%) to be in custody at charging.

Table 10. Number and Percent of Cases Charged, Custody Status and Gender

**** MINNEAPOLIS ONLY ****

Classification of Delinquency Felony Cases				Child Charged while In Custody?		Total
				No	Yes	
Other Felonies (6 pts)	Gender	Female	Count	5	9	14
		Row %		35.7%	64.3%	100.0%
	Male	Count	73	87	160	
		Row %	45.6%	54.4%	100.0%	
	Total	Count	78	96	174	
		Row %	44.8%	55.2%	100.0%	
Serious Felonies (10 pts)	Gender	Female	Count	6	9	15
		Row %		40.0%	60.0%	100.0%
	Male	Count	40	104	144	
		Row %	27.8%	72.2%	100.0%	
	Total	Count	46	113	159	
		Row %	28.9%	71.1%	100.0%	
Most Serious Felonies (15 pts)	Gender	Female	Count	7	24	31
		Row %		22.6%	77.4%	100.0%
	Male	Count	34	220	254	
		Row %	13.4%	86.6%	100.0%	
	Total	Count	41	244	285	
		Row %	14.4%	85.6%	100.0%	

**Minneapolis Communities:
Custody Status by
Gender and Seriousness
of Felony**

-No statistically significant differences between girls and boys regardless of offense.

-Interesting findings: Girls are actually charged in custody at a higher rate for the least serious felonies compared to boys.

Continued Detention

- Following analyses examine whether youth ***charged in custody remain in detention*** by race, gender, and arresting law enforcement agency.

Table 11. Continued Detention after the Detention Hearing by Location

**** Charged In Custody Only ****

Classification of Delinquency Felony Cases			Continued Detention?		Total
			No	Yes	
Other Felonies (6 pts)	Downtown	Count	30	66	96
		Row %	31.3%	68.8%	100.0%
	Suburban	Count	4	16	20
		Row %	20.0%	80.0%	100.0%
	All County/State Agencies	Count	1	3	4
		Row %	25.0%	75.0%	100.0%
Total	Count	35	85	120	
	Row %	29.2%	70.8%	100.0%	
Serious Felonies (10 pts)	Downtown	Count	24	89	113
		Row %	21.2%	78.8%	100.0%
	Suburban	Count	25	38	63
		Row %	39.7%	60.3%	100.0%
	All County/State Agencies	Count	1	5	6
		Row %	16.7%	83.3%	100.0%
Total	Count	50	132	182	
	Row %	27.5%	72.5%	100.0%	
Most Serious Felonies (15 pts)	Downtown	Count	24	220	244
		Row %	9.8%	90.2%	100.0%
	Suburban	Count	21	75	96
		Row %	21.9%	78.1%	100.0%
	All County/State Agencies	Count	0	3	3
		Row %	.0%	100.0%	100.0%
Total	Count	45	298	343	
	Row %	13.1%	86.9%	100.0%	

Continued Detention by Location of Police and Seriousness of Felony Charge

-Significant differences by police location for serious and most serious felonies.

-Suburban locations continue to detain at a lower rate than downtown or state/county agencies for serious and most serious felonies.

Table 12. Continued Detention after the Detention Hearing by Race
**** Charged In Custody Only ****

Classification of Delinquency Felony Cases				Continued Detention?		Total
				No	Yes	
Other Felonies (6 pts)	Racial Group of Child Charged	White	Count	6	4	10
			Row %	60.0%	40.0%	100.0%
	Minority	Count	23	79	102	
		Row %	22.5%	77.5%	100.0%	
		Unknown, Refused, or Unavailable	Count	6	2	8
		Row %	75.0%	25.0%	100.0%	
	Total	Count	35	85	120	
	Row %	29.2%	70.8%	100.0%		
Serious Felonies (10 pts)	Racial Group of Child Charged	White	Count	9	17	26
			Row %	34.6%	65.4%	100.0%
	Minority	Count	36	109	145	
		Row %	24.8%	75.2%	100.0%	
		Unknown, Refused, or Unavailable	Count	5	6	11
		Row %	45.5%	54.5%	100.0%	
	Total	Count	50	132	182	
	Row %	27.5%	72.5%	100.0%		
Most Serious Felonies (15 pts)	Racial Group of Child Charged	White	Count	5	22	27
			Row %	18.5%	81.5%	100.0%
	Minority	Count	29	241	270	
		Row %	10.7%	89.3%	100.0%	
		Unknown, Refused, or Unavailable	Count	11	35	46
		Row %	23.9%	76.1%	100.0%	
	Total	Count	45	298	343	
	Row %	13.1%	86.9%	100.0%		

Continued Detention by Race and Seriousness of Felony

-For youths charged in custody-significantly more minority youth remain in detention for other felonies.

-For the most serious felonies, no significant differences exist between white and minority youth, but significantly more minority youth compared youth of unknown race remain in detention.

Continued Detention by Race, Location of Police Agency and Seriousness of Felony

Suburban In Custody Cases

- Minority youth charged in custody for other felonies are detained by judges more often (89%) than white youth or youth whose race is unknown.

Minneapolis In-Custody Cases

- Same pattern exists for Minneapolis for other felonies:
- 74% of minorities charged in custody remain in detention compared to 43% of white youth and 29% of youth from unknown races.

Table 17. Continued Detention after the Detention Hearing by Gender
**** Charged In Custody Cases Only ****

Classification of Delinquency Felony Cases				Continued Detention?		Total
				No	Yes	
Other Felonies (6 pts)	Gender	Female	Count	4	6	10
			Row %	40.0%	60.0%	100.0%
		Male	Count	31	79	110
			Row %	28.2%	71.8%	100.0%
	Total	Count	35	85	120	
		Row %	29.2%	70.8%	100.0%	
Serious Felonies (10 pts)	Gender	Female	Count	7	11	18
			Row %	38.9%	61.1%	100.0%
		Male	Count	43	121	164
			Row %	26.2%	73.8%	100.0%
	Total	Count	50	132	182	
		Row %	27.5%	72.5%	100.0%	
Most Serious Felonies (15 pts)	Gender	Female	Count	3	28	31
			Row %	9.7%	90.3%	100.0%
		Male	Count	42	270	312
			Row %	13.5%	86.5%	100.0%
	Total	Count	45	298	343	
		Row %	13.1%	86.9%	100.0%	

**Continued Detention
by Gender and
Seriousness of Felony**

-No significant differences exist by gender and seriousness of the felony.

-No significant differences exist by gender, seriousness of felony and police location.

Summary: Big Picture Findings

- Controlling for seriousness of offense, minorities are **significantly** more likely to be detained (34%) while the charging decision was being made for least serious felonies compared to whites (9%) and the most serious felonies (83% minorities compared to 52% whites).
- Examining whether or not a youth continues to be detained during the course of a case, minorities continued to be detained more often than whites (78% compared to 40%) for the least serious felonies and the most serious felonies (89% for minorities compared to 82% for whites).
- For youths *charged in custody*-**significantly** more minority youth remain in detention for other felonies.

Recommendations

- Enhance communications between the Minneapolis and Suburban communities to discuss coordinating booking policies.
- The Juvenile Court bench should continue to monitor youth at the detention hearing for the possibility of finding a safe alternative to detention.
- Next steps-similar examination using more current data.
 - ▣ Integrate new approaches and initiatives being used in Hennepin County to the analysis (i.e. the Bridge and EHM).