

Court-Involved Youth

DEFINITION

This indicator reports the number of founded delinquent and Children in Need of Services (CHINS) cases per 1,000 children ages 7 to 17. A case is considered “founded” when the court determines a CHINS or juvenile delinquency petition to be true. State law defines a delinquent youth as a child younger than 17 years of age who has committed an offense that would be classified as a misdemeanor or a felony for an adult. A Child in Need of Services (CHINS) is a youth under age 18 who is truant, a runaway or who is considered uncontrollable. In rare cases, the juvenile justice system may retain jurisdiction over a child until he or she is 18 years of age (for delinquency) or 21 years (for CHINS) (NH DJJS and NAMI 2009).

CONTEXT

District courts preside over juvenile cases in most counties; Family courts have jurisdiction in Grafton and Rockingham counties. New Hampshire children can become involved with the courts in two ways: a juvenile petition for a felony or misdemeanor; or a CHINS petition. Any private citizen can file a juvenile petition against a child who is alleged to have committed a felony or misdemeanor. A CHINS petition can only be initiated by a law enforcement officer, a school official, or a parent/guardian/custodian and only when the parent or school has unsuccessfully attempted to resolve the matter without court intervention. In most cases, law enforcement officers initiate CHINS petitions. New Hampshire does not set a minimum age for juvenile or CHINS petitions except in the case of truancy for which the minimum age is six (NH DHHS 2010).

Most petitions receive a court hearing although some CHINS and juvenile delinquency cases are referred by the courts directly to a diversion program. Diversion programs are run by public agencies such as police departments or private nonprofit community-based programs and are designed to help children avoid court involvement. A youth offender may be eligible for diversion if he or she has committed a minor offense, is a first-time offender, or is very young. In order to avoid court and go directly to diversion, the child must admit guilt and agree to comply with the requirements of the diversion program. Diversion programs enable young offenders and their parents to develop a resolution that often includes restitution to the victim, community service and education programs (NH DHHS 2011).

All children who go to court have the right to legal representation. A child's family may hire an attorney or the state may appoint an attorney. If, after a hearing and

Court-Involved Youth, 3-year average

By County, 2007-2009

	Population Ages 7-17	Founded CHINS and delinquency cases	Court-Involved youth per 1,000 children age 7 to 17
STATE TOTAL	187,679	1,835	9.8
Belknap County	8,079	58	7.2
Carroll County	5,890	70	11.8
Cheshire County	9,864	102	10.3
Coos County	4,043	43	10.6
Grafton County	10,202	94	9.2
Hillsborough County	61,817	672	10.9
Merrimack County	20,752	194	9.3
Rockingham County	44,854	358	8
Stafford County	16,480	170	10.3
Sullivan County	5,707	57	10

adjudication, a court rules the petition is “true,” the court may require the offending juvenile to pay a fine, make restitution, perform community service, complete a treatment program, or the child may be removed from his or her home. Only delinquent youth may be committed to the state’s juvenile detention facility, the Sununu Youth Services Center, which is located in Manchester (NH DHHS 2010).

NEW HAMPSHIRE FINDINGS

Between 2007 and 2009, the average number of new, founded CHINS and delinquency cases each year was 1,835 for a rate of 9.8 cases per 1,000 children ages 7 to 17. Rates across the state vary somewhat from a low of 7.2 CHINS and delinquency cases per 1,000 children age 7 to 17 in Belknap County, to a high of 11.8 cases per 1,000 in Carroll County. (see chart on previous page)

SOURCE OF DATA FOR ILLUSTRATION/METHODOLOGY

New Hampshire Division for Juvenile Justice Services (NH DJJS). 2010. Department of Health and Human Services.

Puzzanchera, C., Sladky, A. and Kang, W. (2009). *Easy Access to Juvenile Populations: 1990-2008*. Online. Available: www.ojjdp.ncjrs.gov/ojstatbb/ezapop

REFERENCES

New Hampshire Department of Health and Human Services (NH DHHS). 2011. *Diversion Programs*. www.dhhs.state.nh.us/djjs/probation/diversion.htm

New Hampshire Department of Health and Human Services (NH DHHS). 2010. *Juvenile Court*. <http://www.dhhs.nh.gov/djjs/probation/court.htm>

New Hampshire Division of Juvenile Justice Services and New Hampshire Alliance on Mental Illness (NH DJJS and NAMI). 2009. *ABCs of the CHINS Process: A Parent's Guide*. July.