



FAMILY COURT RECIDIVISM STUDY, CYs 2005 - 2010

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This recidivism study is a follow-up to Chapter 7, Recidivism in Family Court, of the National Center for Juvenile Justice (NCJJ) report, “Delinquency and Status Offense Referrals to the Hawaii Family Court 2005” that was published in 2007. NCJJ examined recidivism (i.e., the return, or re-entry, of juveniles to the juvenile justice system through juvenile court referrals) in delinquency and status offense cases from 1996 through 2004. This study examines recidivism in delinquency and status offense cases from 2005 through 2010.

The Office of Juvenile Justice and Delinquency Prevention defines a referral as, “when a potentially delinquent youth is sent forward for legal processing and received by a juvenile or family court, or juvenile intake agency, either as a result of law enforcement action or upon a complaint by a citizen or school.” For the NCJJ study and for this study, a recidivism event is defined as a subsequent referral to Family Court within one year of a base referral. Recidivism is ideally tracked over a period of three years. Therefore, the limited time period of one year, used in the NCJJ study and this study, is not sufficient to establish the full extent of recidivism among the population studied for these reports.

This study analyzed 31,954 individual (unduplicated) cases referred to Family Court during Calendar Years 2005 through 2010. All juvenile referrals that occurred on a single day was combined into one case. An unduplicated number of cases means that a youth with multiple referrals in one day was counted only once and only the most serious charge in a case was counted. Any subsequent cases occurring within one year of the initial case would then be counted as a recidivism.

The cases were aggregated by the types of acts allegedly committed; of the 31,954 cases analyzed, 15,653 (49.0%) contained delinquency offenses, and 16,301 (51.0%) contained status offenses. A delinquency offense is an act committed by a juvenile for which an adult could be prosecuted in criminal court, while a status offense is defined as an illegal act only because the person committing the act is a juvenile. Status offenses include running away from home, truancy, curfew violation, and behaving in a manner that is beyond parental control (see Appendix A).

STATISTICAL TESTING

This study reports statistical significance, which determines the probability of a relationship existing between two or more variables. A statistically significant test is important because the degree of dependence, or association, between the variables tested is unlikely to have occurred by chance alone and may be worth further investigation.

Chi-squared (χ^2) is a test of relatedness between two or more categorical variables. The chi-squared value is used as a measure of the observed differences in frequency distributions between two or more variables (i.e., the influence of gender on recidivism), where a chi-squared value of zero means there is zero dependence between the two variables and a chi-squared value of greater than zero means there is a degree of dependence between the two variables.

The p-value is the probability that the average difference between two or more variables is statistically significant. For example, the difference in recidivism rates at the $p < .05$ level for males and females indicates that the predicted recidivism rate is due to chance less than 5.0% of the time (it is convention that a p-value less than .05 is considered significant).

This study reports the result of a significant chi-squared test, by first writing χ^2 , which is the symbol for chi-squared, then the sample size in parenthesis, followed by the chi-squared value, and finally, the p-value (e.g., $\chi^2(4,150) = 5.951, p < .05$).

The data for this study were drawn from Hawaii's Juvenile Justice Information System (JJIS). The JJIS is a statewide repository for juvenile offender data that organizes information from all county police departments, offices of the prosecuting attorney, family courts, and the youth correctional facility. The JJIS is administered by the Department of the Attorney General, Crime Prevention and Justice Assistance Division.

EXECUTIVE SUMMARY

This report examines the return, or re-entry, of juveniles into the juvenile justice system through juvenile court referrals. Data in this report cover Calendar Years 2005 through 2010 and present information on the number of subsequent juvenile court referrals to Family Court within one year of its base referral for delinquency cases and status offense cases. This report also presents data on gender, age, race/ethnicity, and offense type.

KEY FINDINGS:

Delinquency Cases

- From 2005 through 2010, 41.6% of delinquency cases in the State of Hawaii recidivated (incurred a new referral to Family Court) within one year of its base referral (Table 1, page 6). Over the same study period, the State of Hawaii saw a decrease of 8.1% in the recidivism rate of delinquency cases, from 41.9% in 2005 to 38.5% in 2010.
- The recidivism rate for delinquency cases peaked in 2007 (42.9%) while the lowest rate was in 2010 (38.5%), (Figure 1, page 7).
- Over the study period, 42.1% of all male delinquency cases and 40.4% of all female delinquency cases recidivated (Table 1, page 6); showing decreases of 8.8% and 6.1%, respectively.
- Although females had more than one-third (1,732, or 37.0%) of their delinquency cases initially referred to Family Court due to property offenses (Table 2, page 10), only 17.3% (328) returned to the juvenile justice system for the same offense (Figure 7, page 12). Most female delinquency cases received a new referral primarily due to the alleged commission of status offenses (677, or 35.8%), (Figure 7, page 12).
- The overall delinquency recidivism rates across all counties decreased during the study period, with the exception of Hawaii County, where the recidivism rate in 2010 (47.8%) was greater than it was in 2005 (46.6%), (Table 4, page 13).

Status Offense Cases

- Half (50.0%) of status offense cases in the State of Hawaii recidivated within one year of its base referral from 2005 through 2010 (Table 6, page 18). Over the same study period, the State of Hawaii saw a decrease of 9.9% in the recidivism rate of status offense cases, from 49.7% in 2005 to 44.8% in 2010.
- The recidivism rate for status offense cases peaked in 2007 (53.7%) and then decreased in 2008 (50.5%), 2009 (48.0%), and 2010 (44.8%), (Table 6, page 18).
- From 2005 through 2010, 50.4% of all male status offense cases and 49.7% of all female status offense cases recidivated (Table 6, page 18).

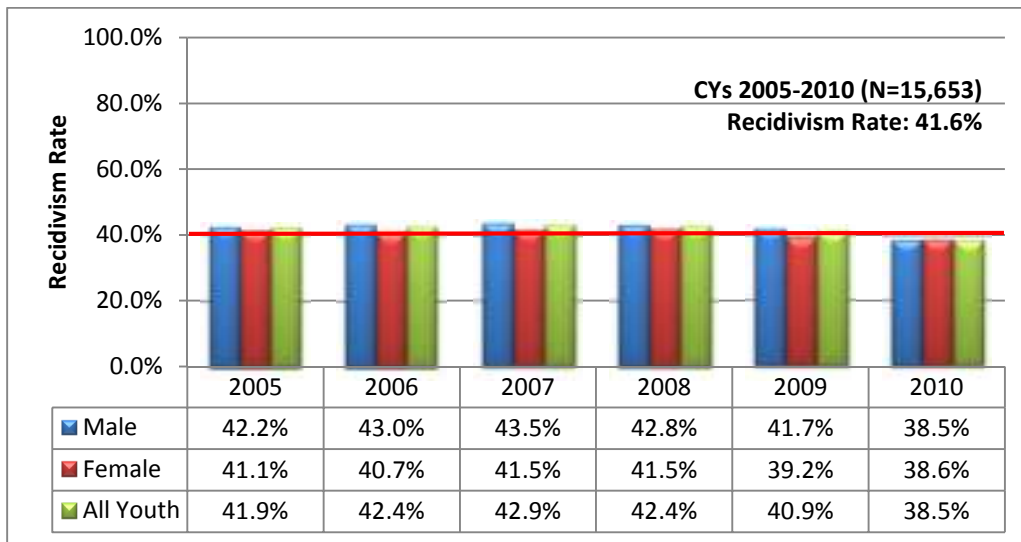
- The three primary status offense types were runaway with a recidivism rate of 56.9%, followed by a 39.8% recidivism rate for truancy, and a 37.3% recidivism rate for those who violated curfew (Table 7, page 21).
- The overall recidivism rates for all status offense cases decreased across all counties, except Kauai County, where the recidivism rate increased 15.9%, from 47.7% in 2005 to 55.3% in 2010 (Table 10, page 24).

PART 1:
RECIDIVISM IN DELINQUENCY CASES

TABLE 1: Percentage of Delinquency Cases that had a Subsequent Referral within 365 Days, by Year, County, Age, and Race/Ethnicity, CYs 2005-2010

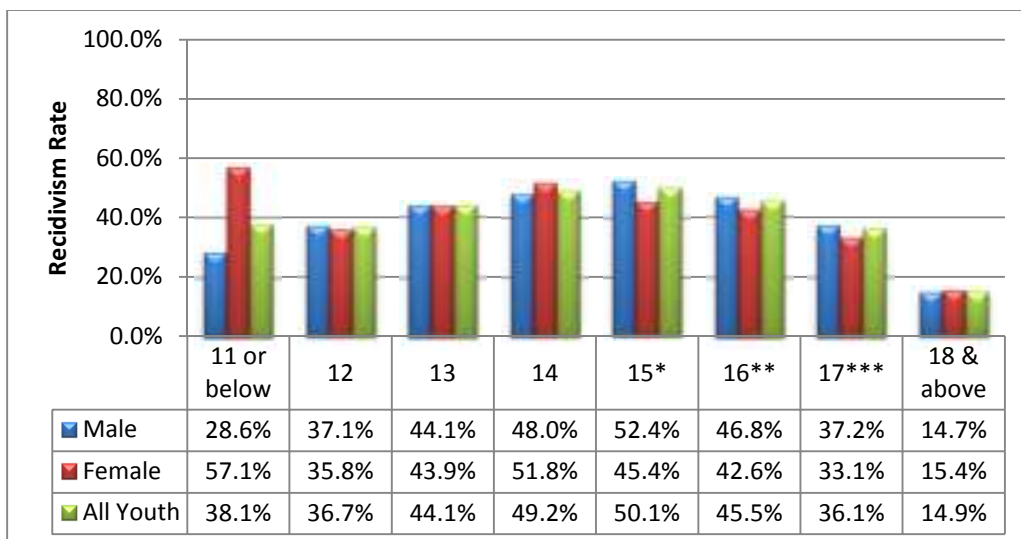
	Male			Female			All Youth		
	Base Referral	Subsequent Referral	Recidivism Rate	Base Referral	Subsequent Referral	Recidivism Rate	Base Referral	Subsequent Referral	Recidivism Rate
Total	10,973	4,616	42.1%	4,680	1,891	40.4%	15,653	6,507	41.6%
Year (CY)									
2005	1,563	659	42.2%	591	243	41.1%	2,154	902	41.9%
2006	1,753	754	43.0%	674	274	40.7%	2,427	1,028	42.4%
2007	2,073	902	43.5%	850	353	41.5%	2,923	1,255	42.9%
2008	2,142	916	42.8%	909	377	41.5%	3,051	1,293	42.4%
2009	1,887	787	41.7%	853	334	39.2%	2,740	1,121	40.9%
2010	1,555	598	38.5%	803	310	38.6%	2,358	908	38.5%
County									
Honolulu	4,033	1,605	39.8%	1,571	599	38.1%	5,604	2,204	39.3%
Maui	2,300	805	35.0%	1,016	328	32.3%	3,316	1,133	34.2%
Hawaii	3,454	1,706	49.4%	1,594	773	48.5%	5,048	2,479	49.1%
Kauai	1,186	500	42.2%	499	191	38.3%	1,685	691	41.0%
Statewide	10,973	4,616	42.1%	4,680	1,891	40.4%	15,653	6,507	41.6%
Age at Time of Base Referral									
11 or below	28	8	28.6%	14	8	57.1%	42	16	38.1%
12	313	116	37.1%	159	57	35.8%	472	173	36.7%
13	848	374	44.1%	421	185	43.9%	1,269	559	44.1%
14	1,389	667	48.0%	649	336	51.8%	2,038	1,003	49.2%
15	1,917	1,004	52.4%	937	425	45.4%	2,854	1,429	50.1%
16	2,552	1,194	46.8%	1,073	457	42.6%	3,625	1,651	45.5%
17	3,003	1,117	37.2%	1,147	380	33.1%	4,150	1,497	36.1%
18 & above	923	136	14.7%	280	43	15.4%	1,203	179	14.9%
Race/Ethnicity									
Hawaiian/part-Hawaiian	4,424	2,115	47.8%	1,956	890	45.5%	6,380	3,005	47.1%
Caucasian	1,634	661	40.5%	807	311	38.5%	2,441	972	39.8%
Unknown	1,039	306	29.5%	600	189	31.5%	1,639	495	30.2%
Filipino	1,108	347	31.3%	363	118	32.5%	1,471	465	31.6%
Mixed Race	1,003	468	46.7%	393	183	46.6%	1,396	651	46.6%
Mixed/Other Pacific Islander	526	211	40.1%	110	43	39.1%	636	254	39.9%
Samoan	367	156	42.5%	108	35	32.4%	475	191	40.2%
Japanese	264	89	33.7%	98	31	31.6%	362	120	33.1%
Latino/Hispanic	215	91	42.3%	75	41	54.7%	290	132	45.5%
Mixed/Other Asian	155	70	45.2%	64	25	39.1%	219	95	43.4%
African-American	142	70	49.3%	55	17	30.9%	197	87	44.2%
Korean	42	19	45.2%	25	4	16.0%	67	23	34.3%
Chinese	37	9	24.3%	18	3	16.7%	55	12	21.8%
Native American	9	3	33.3%	2	-	-	11	3	27.3%
Missing	8	1	12.5%	6	1	16.7%	14	2	12.5%

FIGURE 1: Percentage of Delinquency Cases with a Recidivism, by Gender, CYs 2005-2010



Delinquency cases include criminal offenses attributed to minors under the age of 18-years-old, and exclude status offenses. The recidivism rate for all delinquency cases from 2005 through 2010 is 41.6% (see Table 1, page 6). Overall, the recidivism rate for all juveniles decreased 8.1%, over the study period, representing an average annual decrease of 1.4% (despite increases in 2006 and 2007). The recidivism rate peaked in 2007 (42.9%) while the lowest rate was in 2010 (38.5%), (see Figure 1, above). The recidivism rates for all males (42.1%) and all females (40.4%) differ somewhat (see Table 1, page 6); the recidivism rate for males decreased by 8.8%, representing an average annual decrease of 1.5% over the study period, while the recidivism rate for females dropped by 6.1% throughout the same period, with an average annual decrease of 1.0%.

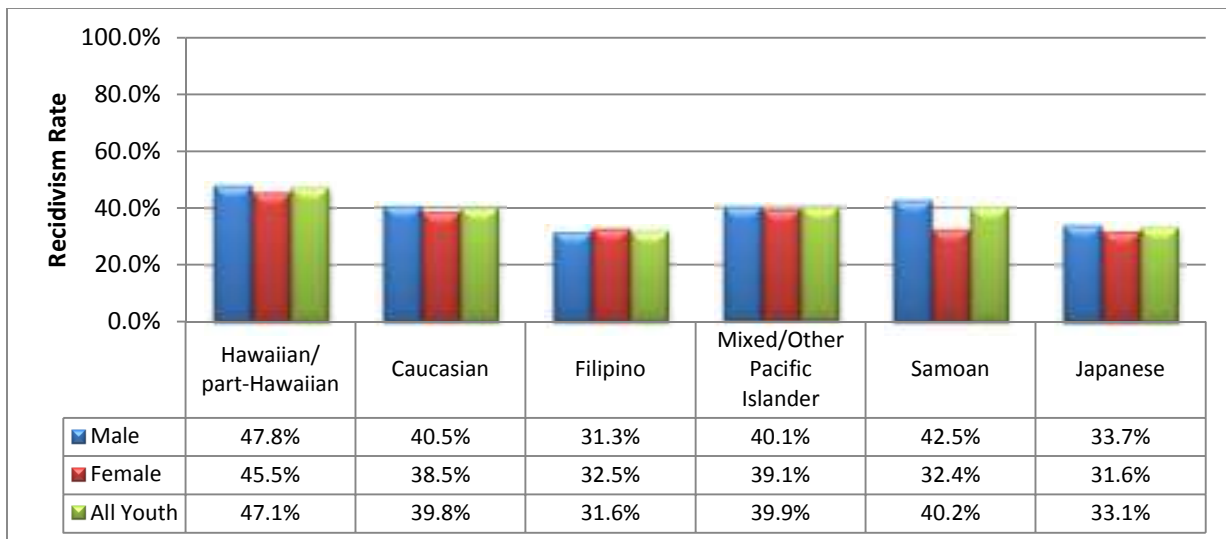
FIGURE 2: Percentage of Delinquency Cases with a Recidivism, by Age, Aggregated over CYs 2005-2010



* $\chi^2(2,854) = 12.39, p < .001$, ** $\chi^2(3,625) = 5.36, p < .05$, *** $\chi^2(4,150) = 5.951, p < .05$

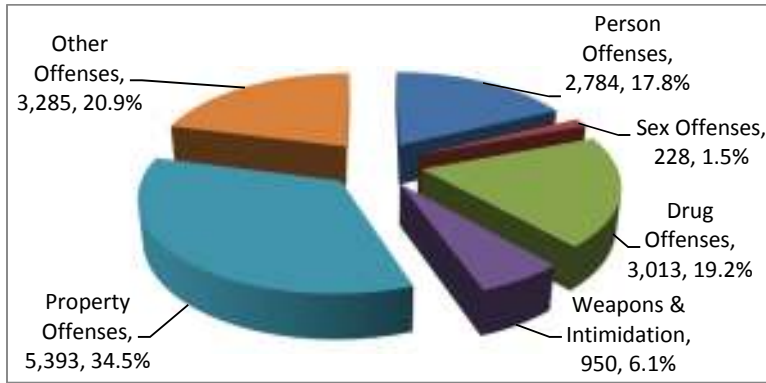
The difference in recidivism rates between males and females are statistically significant in the 15-, 16-, and 17-year-old age group. The observed difference between recidivism and gender for these age groups is so great that the degree of dependence between the two variables is unlikely to have occurred by chance alone and may be worth further investigation. The age range with the lowest recidivism rate was the 18-and-above age group, with a 14.9% recidivism rate (see Figure 2, page 7). Although the recidivism rate for this age group is lower than most, it cannot be deduced that this age group necessarily recidivated less frequently than did the others. Any law violating behaviors by 18-year-olds or older are handled by the adult criminal justice system and, as such, any new referrals will no longer be reported by Family Court. Therefore, the comparatively low recidivism rate for this age group reflects only the offenses recorded in the juvenile justice system, and not throughout the entire justice system.

FIGURE 3: Percentage of Delinquency Cases with a Recidivism, by Race/Ethnicity, Aggregated over CYs 2005-2010



Approximately three-quarters (75.2%) of Hawaii’s juvenile offenders are accounted for by members of the state’s six largest race/ethnicity groups, which include Hawaiians/part-Hawaiians, Samoans, Caucasians, Filipinos, Mixed/Other Pacific Islanders, and Japanese. Of the six largest race/ethnicity groups, Filipinos had the lowest recidivism rate (31.6%) during the CY 2005-2010 period, and Hawaiians/part-Hawaiians had the highest recidivism rate (47.1%). Hawaiians/part-Hawaiians were followed by Samoans (40.2%), Mixed/Other Pacific Islanders (39.9%), Caucasians (39.8%), and Japanese (33.1%).

FIGURE 4: Base Referral Offense Types for Delinquency Cases, CYs 2005-2010

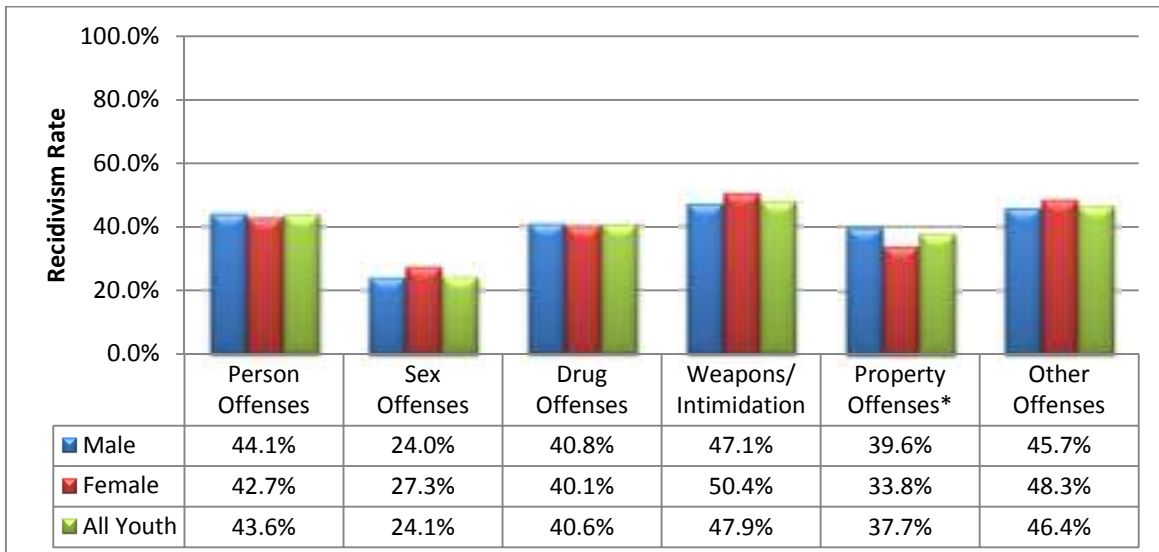


The types of delinquency offenses for which juveniles received their base referral to Family Court varied greatly. More than one-third (34.5%) of delinquency cases were initially referred to Family Court due to property offenses, followed by “other” offenses (20.9%), drug offenses (19.2%), and person offenses

(17.8%). Weapons and intimidation offenses accounted for 6.1% of cases initially referred to Family Court, and sex offenses comprised 1.5% of the total cases.

Although property offenses were the most prevalent offense type for which juveniles were initially referred to Family Court, they were associated with one of the lowest recidivism rates among the six major offense types. Out of the 5,393 (34.5%) cases initially associated with property offenses, 2,035 (37.7%) went on to recidivate (See Table 2, page 10). Sex offenses were the least prevalent (1.5%) offense type for which juveniles were initially referred to Family Court and also had the lowest recidivism rate (24.1%) among the six major offense types.

FIGURE 5: Percentage of Delinquency Cases with a Recidivism, by Offense Type, Aggregated over CYs 2005-2010



* $\chi^2(5,393) = 16.52, p < .001$

The recidivism rate for males involved in property offenses is 39.6%, while the recidivism rate for females is 33.8%. The difference in recidivism rates between males and females who were

referred for property offenses is statistically significant. The observed difference between recidivism and gender for property offenses is so great that the association between the two variables could not have occurred by chance alone and may merit further study.

TABLE 2: Percentage of Delinquency Cases with a Recidivism, by Base Offense*, CYs 2005-2010

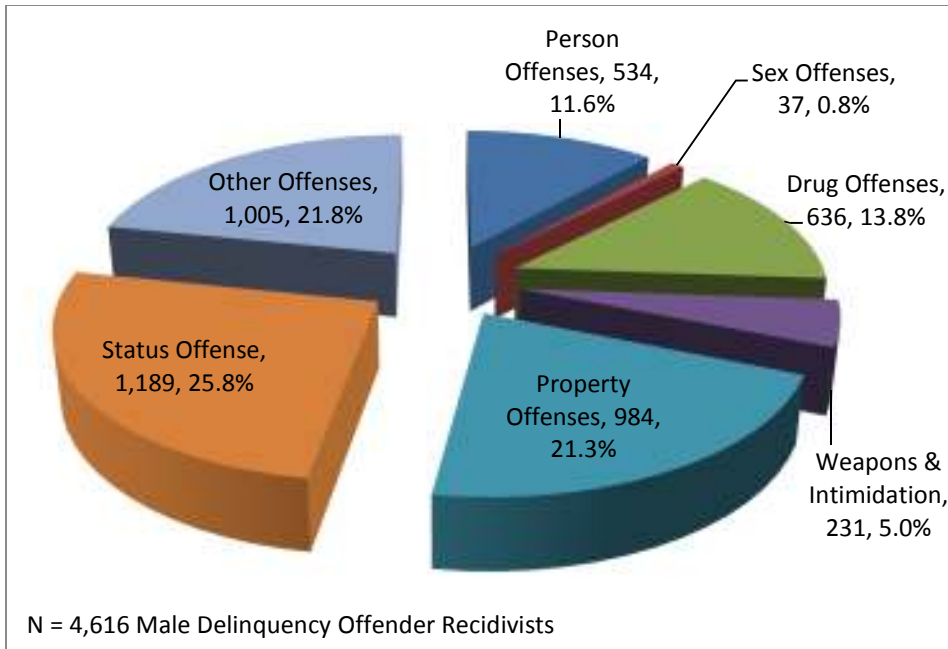
	Male			Female			All Youth		
	Base Referral	Subsequent Referral	Recidivism Rate	Base Referral	Subsequent Referral	Recidivism Rate	Base Referral	Subsequent Referral	Recidivism Rate
Person Offenses	1,836	809	44.1%	948	405	42.7%	2,784	1,214	43.6%
Homicide	14	1	7.1%	1	-	-	15	1	6.7%
Assault 1 or 2	244	89	36.5%	60	27	45.0%	304	116	38.2%
Robbery	273	129	47.3%	13	3	23.1%	286	132	46.2%
Abuse of Family Member	4	1	25.0%	1	1	100.0%	5	2	40.0%
Assault 3	1,292	584	45.2%	868	372	42.9%	2,160	956	44.2%
Other Assault	9	5	55.6%	5	2	40.0%	14	7	50.0%
Sex Offenses	217	52	24.0%	11	3	27.3%	228	55	24.1%
Sex Assault 1 or 2	101	15	14.9%	2	-	-	103	15	14.6%
Sex Assault 3	100	32	32.0%	1	-	-	101	32	31.7%
Prostitution	9	4	44.4%	7	3	42.9%	16	7	43.8%
Open Lewdness	7	1	14.3%	1	-	-	8	1	12.5%
Drug Offenses	2,177	889	40.8%	836	335	40.1%	3,013	1,224	40.6%
Dangerous Drugs	34	12	35.3%	22	9	40.9%	56	21	37.5%
Harmful Drugs	15	2	13.3%	4	2	50.0%	19	4	21.1%
Detrimental Drugs	1,134	490	37.5%	338	138	40.8%	1,472	628	42.7%
Alcohol	90	32	35.6%	42	19	45.2%	132	51	38.6%
Other Drugs	904	353	39.0%	430	167	38.8%	1,334	520	39.0%
Weapons & Intimidation	712	335	47.1%	238	120	50.4%	950	455	47.9%
Terroristic Threatening	265	112	42.3%	65	30	46.2%	330	142	43.0%
Harassment	353	189	53.5%	168	88	52.4%	521	277	53.2%
Weapons	94	34	36.2%	5	2	40.0%	99	36	36.4%
Property Offenses	3,661	1,449	39.6%	1,732	586	33.8%	5,393	2,035	37.7%
Burglary	915	415	45.4%	199	79	39.7%	1,114	494	44.3%
Larceny-Theft	1,774	643	36.2%	1,375	438	31.9%	3,149	1,081	34.3%
UCPV	185	78	42.2%	52	25	48.1%	237	103	43.5%
Computer/Credit Card Fraud	10	5	50.0%	6	3	50.0%	16	8	50.0%
Other Property Crime	777	308	39.6%	100	41	41.0%	877	349	39.8%
Other Offenses	2,370	1,082	45.7%	915	442	48.3%	3,285	1,524	46.4%
Probation Violation	853	547	64.1%	358	249	69.6%	1,211	796	65.7%
Traffic Offenses	803	238	29.6%	322	83	25.8%	1,125	321	28.5%
Other Offenses	714	297	41.6%	235	110	46.8%	949	407	42.9%

*Offense alleged at base referral

TABLE 3: Recidivating Offense Type for Delinquency Cases, CYs 2005-2010

Recidivating Offense Type	Male	Female	Total
Total Person Offenses	534	248	782
Homicide	4	-	4
Assault 1 or 2	86	16	102
Robbery	82	3	85
Abuse of Family Member	1	-	1
Assault 3	356	226	582
Other Assault	5	3	8
Total Sex Offenses	37	4	41
Sex Assault 1 or 2	21	1	22
Sex Assault 3	14	-	14
Prostitution	1	3	4
Open Lewdness	1	-	1
Total Drug Offenses	636	209	845
Dangerous Drugs	14	5	19
Harmful Drugs	6	-	6
Detrimental Drugs	320	85	405
Alcohol	31	7	38
Other Drugs	265	112	377
Total Weapons & Intimidation	231	81	312
Terroristic Threatening	82	18	100
Harassment	137	63	200
Weapons	12	-	12
Total Property Offenses	984	328	1,312
Burglary	292	57	349
Larceny-Theft	416	229	645
UCPV	57	16	73
Computer/Credit Card Fraud	5	3	8
Other Property Crime	214	23	237
Total Status Offense	1,189	677	1,866
Runaway	545	420	965
Truancy	380	140	520
Curfew Violation	94	45	139
Beyond Parental Control	54	36	90
Injurious Behavior	96	28	124
Person in Need of Supervision	9	5	14
Protective Supervision Violation	10	3	13
Other Status Offenses	1	-	1
Total Other Offenses	1,005	344	1,349
Probation Violation	541	205	746
Traffic Offenses	214	60	274
Other Offenses	250	79	329

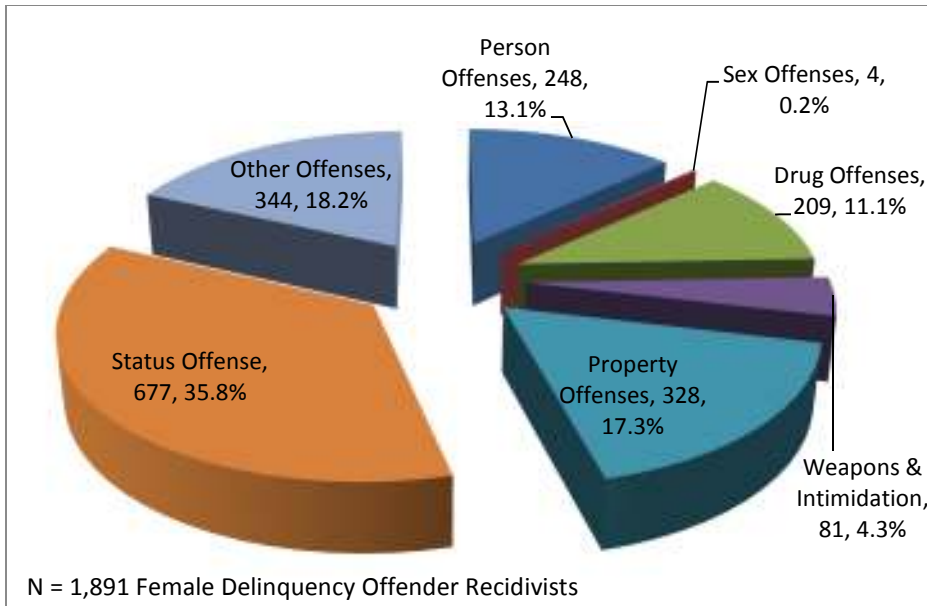
FIGURE 6: Recidivating Offense Types, Male Delinquency Cases, CYs 2005-2010



Of the 4,616 (42.1%) male delinquency cases that recidivated, more than one-quarter (1,189, 25.8%) returned to the juvenile justice system due to the alleged commission of status offenses. Just over one-fifth (1,005, 21.8%) received a second referral within one year due to “other” offenses. Of the remaining cases

involving new referrals, 984 (21.3%) were for property offenses, 636 (13.8%) were for drug offenses, 534 (11.6%) were for offenses against a person, 231 (5.0%) were for weapons and intimidation offenses, and 37 (0.8%) were for sex offenses.

FIGURE 7: Recidivating Offense Types, Female Delinquency Cases, CYs 2005-2010



Two-fifths (1,891, 40.4%) of the female delinquency cases recidivated within one year of their base referrals. Of these recidivists, 677 (35.8%) received a second referral due to status offenses and 344 (18.2%) due to “other” offenses. The rest of the female delinquency recidivists included 328 (17.3%) subsequently charged for property

offenses, 248 (13.1%) for offenses against a person, 209 (11.1%) for drug offenses, 81 (4.3%) for weapons and intimidation offenses, and 4 (0.2%) for sex offenses.

TABLE 4: Percentage of Delinquency Cases that had a Subsequent Referral within 365 Days, by County, Year, Gender, Age, and Race/Ethnicity, CYs 2005-2010

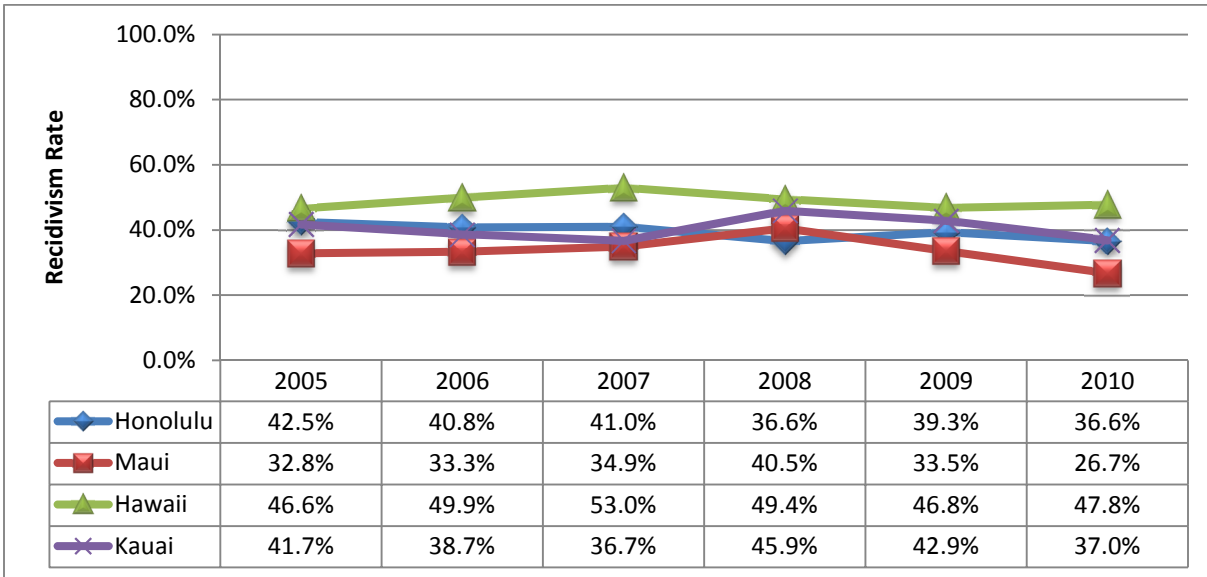
	Honolulu	Maui	Hawaii	Kauai	Statewide
Total	39.3%	34.2%	49.1%	41.0%	41.6%
Year (CY)					
2005	42.5%	32.8%	46.6%	41.7%	41.9%
2006	40.8%	33.3%	49.9%	38.7%	42.4%
2007	41.0%	34.9%	53.0%	36.7%	42.9%
2008	36.6%	40.5%	49.4%	45.9%	42.4%
2009	39.3%	33.5%	46.8%	42.9%	40.9%
2010	36.6%	26.7%	47.8%	37.0%	38.5%
Gender					
Male	39.8%	35.0%	49.4%	42.2%	42.1%
Female	38.1%	32.3%	48.5%	38.3%	40.4%
Age at Time of Base Referral					
11 or below	0.0%	20.0%	45.8%	44.4%	38.1%
12	35.5%	25.5%	40.9%	46.4%	36.7%
13	39.7%	36.2%	51.4%	46.2%	44.1%
14	46.2%	44.5%	53.4%	56.1%	49.2%
15	49.5%	40.8%	56.4%	50.0%	50.1%
16	42.6%	39.6%	54.3%	41.7%	45.5%
17	31.8%	30.2%	44.8%	37.8%	36.1%
18 & above*	11.2%	6.5%	21.2%	20.1%	14.9%
Race/Ethnicity					
Hawaiian/part-Hawaiian	42.9%	39.4%	55.5%	52.6%	47.1%
Caucasian	34.0%	31.5%	48.1%	39.6%	39.8%
Unknown	32.9%	10.6%	37.2%	25.5%	30.2%
Filipino	27.0%	31.0%	36.9%	36.6%	31.6%
Mixed Race	44.8%	42.0%	56.7%	43.6%	46.6%
Mixed/Other Pacific Islander	37.9%	26.3%	58.6%	50.0%	39.9%
Samoaan	39.9%	36.8%	46.8%	-	40.2%
Japanese	31.0%	31.9%	39.3%	12.0%	33.1%
Latino/Hispanic	47.5%	33.9%	57.9%	33.3%	45.5%
Mixed/Other Asian	35.2%	66.7%	42.9%	54.2%	43.4%
African-American	35.1%	18.8%	65.1%	75.0%	44.2%
Korean	41.8%	-	-	-	34.3%
Chinese	11.1%	14.3%	31.2%	60.0%	21.8%
Native American	33.3%	-	25.0%	-	27.3%
Missing	14.3%	-	-	14.3%	12.5%

(For the complete table, see Appendix B.)

*Individuals in the study sample who had reached the age of 18 may have been charged for new offenses that were referred to the adult criminal court.

Technical Note: The differences in recidivism rates by county are statistically significant, by year, gender, age group, and race/ethnicity (except for the 11-or-below age group, and Chinese, Samoaan, and Native American race/ethnicity groups).

FIGURE 8: Recidivism Rate Trends in Delinquency Cases, by County, Aggregated over CYs 2005-2010



2005: $\chi^2(2,154) = 19.17, p < .001$ 2006: $\chi^2(2,427) = 38.52, p < .001$ 2007: $\chi^2(2,923) = 62.51, p < .001$
 2008: $\chi^2(3,051) = 37.20, p < .001$ 2009: $\chi^2(2,740) = 28.14, p < .001$ 2010: $\chi^2(2,358) = 57.25, p < .001$

From 2005 through 2010, the recidivism rates for all counties decreased, with the exception of Hawaii County, where the recidivism rate increased 2.6% during the study period. Despite the increase for Hawaii County, the overall statewide recidivism rate decreased 8.1% during the CY 2005 through 2010 period. The differences in recidivism rates between Honolulu, Maui, Hawaii, and Kauai counties for the years 2005 through 2010 are statistically significant. The observed difference between recidivism and all four counties from 2005 through 2010 is so great that the degree of dependence between the variables is unlikely to have occurred by chance alone and may need to be investigated further.

Hawaii County had the highest percentages of male (49.4%) and female (48.5%) delinquency cases that recidivated, while Maui County had the lowest percentages of male (35.0%) and female (32.3%) cases. Juveniles in the 14-year-old age group had the highest recidivism rates in Hawaii (53.4%) and Kauai (56.1%) counties, while those in the 15-year-old age group recidivated at the highest rates in Kauai (50.0%) and Hawaii (56.4%) counties.

The three largest race/ethnicity groups in the study sample are Hawaiian/part-Hawaiian, Caucasian, and Filipino, which together comprise 65.7% of all cases. Looking only at the three largest race/ethnicity groups, Hawaiians/part-Hawaiians had the highest recidivism rate in all four counties, with 42.9% in the City and County of Honolulu, 39.4% in Maui County, 55.5% in Hawaii County, and 52.6% in Kauai County. Caucasians were the second largest race/ethnicity group, with recidivism rates of 34.0% in City and County of Honolulu, 31.5% in Maui County, 48.1% in Hawaii County, and 39.6% in Kauai County. Filipinos had the lowest recidivism rates

among the three largest race/ethnicity groups with 27.0% in the City of County of Honolulu, 31.0% in Maui County, 36.9% in Hawaii County, and 36.6% in Kauai County.

Delinquency Referral Rates, CY 2010

The number of referrals due to law violations as a proportion of the total number of youth in various age groups in the overall resident population is a useful indicator of the extent of delinquency in the state (see Table 5, below). In 2010, 17-year-olds had the highest referral rate per capita (40.0 referrals for every 1,000 youths in the resident population), followed by 16-year-olds (30.8), and 15-year-olds (25.4). The four age groups with the lowest referral rates of delinquency cases per capita include 14-year-olds (17.4), 13-year-olds (11.8), 18-year-olds (8.9), and lastly, 12-year-olds (3.3).

TABLE 5: Rates of Delinquency Referrals to Family Court, per 1,000 Youths, CY 2010

Age	Honolulu	Maui	Hawaii	Kauai	Statewide
12	0.9	5.5	12.2	4.8	3.3
13	4.7	15.5	36.2	29.8	11.8
14	8.9	23.8	48.6	31.5	17.4
15	14.8	41.6	57.2	45.9	25.4
16	17.7	51.4	67.9	52.2	30.8
17	21.9	73.5	82.9	77.0	40.0
18*	5.5	10.9	17.1	32.3	8.9
Total (Ages 12-18)*	10.8	32.6	46.7	39.9	19.9

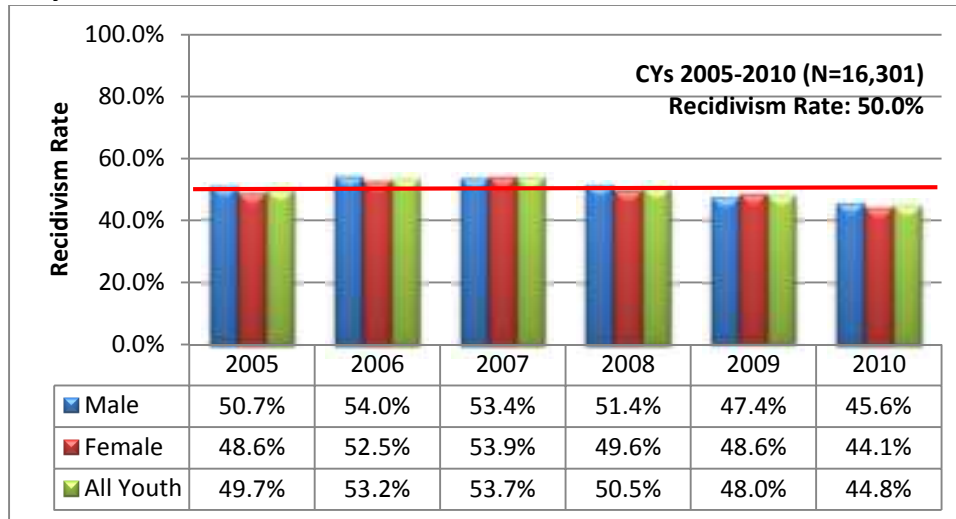
*The number of referrals per 1,000 youth may be understated herein because law-violations committed by 18-year-olds are usually handled by the adult criminal justice system.

PART 2:
RECIDIVISM IN STATUS OFFENSE CASES

TABLE 6: Percentage of Status Offense Cases that had a Subsequent Referral within 365 Days, by Year, County, Gender, and Race/Ethnicity, CYs 2005-2010

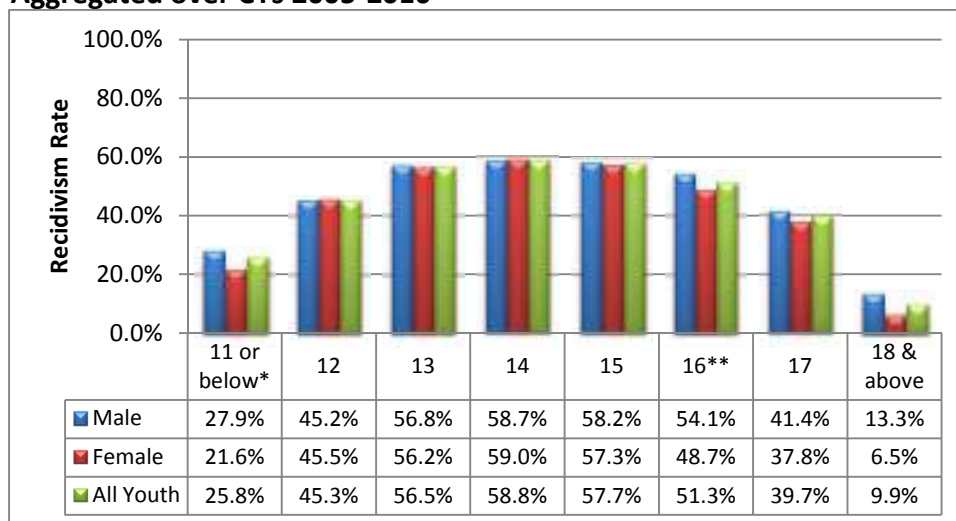
	Male			Female			All Youth		
	Base Referral	Subsequent Referral	Recidivism Rate	Base Referral	Subsequent Referral	Recidivism Rate	Base Referral	Subsequent Referral	Recidivism Rate
Total	8,171	4,121	50.4%	8,130	4,037	49.7%	16,301	8,158	50.0%
Year (CY)									
2005	1,139	578	50.7%	1,177	572	48.6%	2,316	1,150	49.7%
2006	1,201	649	54.0%	1,290	677	52.5%	2,491	1,326	53.2%
2007	1,497	800	53.4%	1,404	757	53.9%	2,901	1,557	53.7%
2008	1,578	811	51.4%	1,583	785	49.6%	3,161	1,596	50.5%
2009	1,483	703	47.4%	1,476	717	48.6%	2,959	1,420	48.0%
2010	1,273	580	45.6%	1,200	529	44.1%	2,473	1,109	44.8%
County									
Honolulu	4,060	2,211	54.5%	4,390	2,280	51.9%	8,450	4,491	53.2%
Maui	1,499	584	39.0%	1,196	473	39.5%	2,695	1,057	39.2%
Hawaii	1,960	969	49.4%	1,978	953	48.2%	3,938	1,922	48.8%
Kauai	652	357	54.8%	566	331	58.5%	1,218	688	56.5%
Statewide	8,171	4,121	50.4%	8,130	4,037	49.7%	16,301	8,158	50.0%
Age at Time of Base Referral									
11 or below	716	200	27.9%	366	79	21.6%	1,082	279	25.8%
12	456	206	45.2%	336	153	45.5%	792	359	45.3%
13	724	411	56.8%	752	423	56.2%	1,476	834	56.5%
14	1,287	755	58.7%	1,491	879	59.0%	2,778	1,634	58.8%
15	1,721	1,001	58.2%	1,919	1,099	57.3%	3,640	2,100	57.7%
16	1,771	958	54.1%	1,856	904	48.7%	3,627	1,862	51.3%
17	1,391	576	41.4%	1,303	493	37.8%	2,694	1,069	39.7%
18 & above	105	14	13.3%	107	7	6.5%	212	21	9.9%
Race/Ethnicity									
Hawaiian/part-Hawaiian	3,219	1,895	58.9%	3,394	1,964	57.9%	6,613	3,859	58.4%
Caucasian	1,132	530	46.8%	1,197	522	43.6%	2,329	1,052	45.2%
Filipino	989	390	39.4%	947	404	42.7%	1,936	794	41.0%
Mixed Race	805	501	62.2%	819	511	62.4%	1,624	1,012	62.3%
Unknown	772	179	23.2%	744	157	21.1%	1,516	336	22.2%
Mixed/Other Pacific Islander	354	175	49.4%	227	105	46.3%	581	280	48.2%
Japanese	179	85	47.5%	191	88	46.1%	370	173	46.8%
Samoan	178	91	51.1%	179	83	46.4%	357	174	48.7%
Mixed/Other Asian	151	76	50.3%	164	77	47.0%	315	153	48.6%
Latino/Hispanic	146	74	50.7%	121	62	51.2%	267	136	50.9%
African-American	169	86	50.9%	86	42	48.8%	255	128	50.2%
Korean	42	20	47.6%	35	11	31.4%	77	31	40.3%
Chinese	28	14	50.0%	21	8	38.1%	49	22	44.9%
Native American	4	3	75.0%	5	3	60.0%	9	6	66.7%
Missing	3	2	66.7%	-	-	-	3	2	66.7%

FIGURE 9: Percentage of Status Offense Cases with a Recidivism, by Gender, CYs 2005-2010



Status offenses are illegal because the person committing them is a juvenile. Status offenses include running away from home, truancy, curfew violation, and behaving in a manner that is beyond parental control (see Appendix A). From CYs 2005 through 2010, half (50.0%, 8,158) of all cases referred to Family Court for a status offense (16,301) recidivated (see Table 6, page 18). The recidivism rate for status offense cases peaked in 2007 (53.7%) and then decreased in 2008 (50.5%), 2009 (48.0%), and 2010 (44.8%). Overall, the recidivism rate for status offense cases declined 9.9% from 2005 through 2010. This pattern was true for both males and females, with recidivism rates peaking at 53.4% and 53.9%, respectively, in 2007. Male status offenders' recidivism rate decreased 10.1% from 2005 through 2010, while female status offenders' recidivism rate decreased 9.3% (see Figure 9, above).

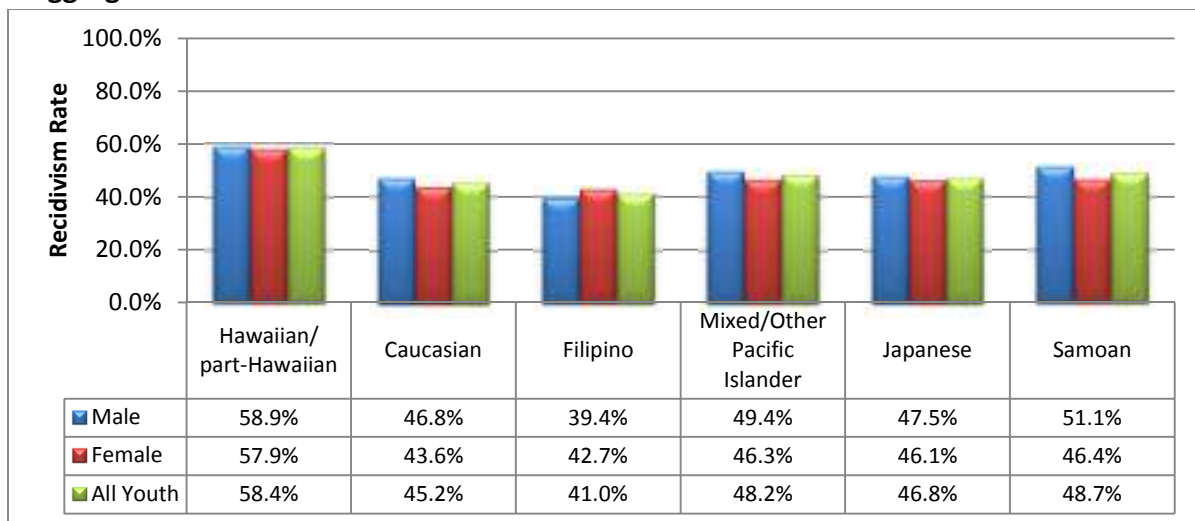
FIGURE 10: Percentage of Status Offense Cases with a Recidivism, by Age, Aggregated over CYs 2005-2010



* $\chi^2(1,082) = 5.10, p < .05$, ** $\chi^2(3,627) = 10.53, p < .01$

The difference in recidivism rates between males and females for the 11-or-below and 16-year-old age groups are statistically significant. The observed difference between recidivism and gender for these age groups is so great that the association between the two variables is unlikely to have occurred by chance alone and may merit further investigation. Although it is unusual for 18-year-olds-and-above to be referred to Family Court for a status offense, these scenarios can occur (see Figure 10, page 19). For example, a person over the age of 18 could be referred to Family Court if s/he were a juvenile at the time the offense was committed but was not apprehended by authorities prior to reaching the age of 18.

FIGURE 11: Percentage of Status Offense Cases with a Recidivism, by Ethnicity, Aggregated over CYs 2005-2010



Three-quarters (75.0%) of status offenders are accounted for by members of Hawaii’s six largest race/ethnicity groups, which include Hawaiians/part-Hawaiians, Samoans, Mixed/Other Pacific Islanders, Japanese, Caucasians, and Filipinos. Of the six largest race/ethnicity groups, Filipinos had the lowest recidivism rate (41.0%), while Hawaiians/part-Hawaiians had the highest (58.4%), followed by Samoans (48.7%), Mixed/Other Pacific Islanders (48.2%), Japanese (46.8%), and Caucasians (45.2%).

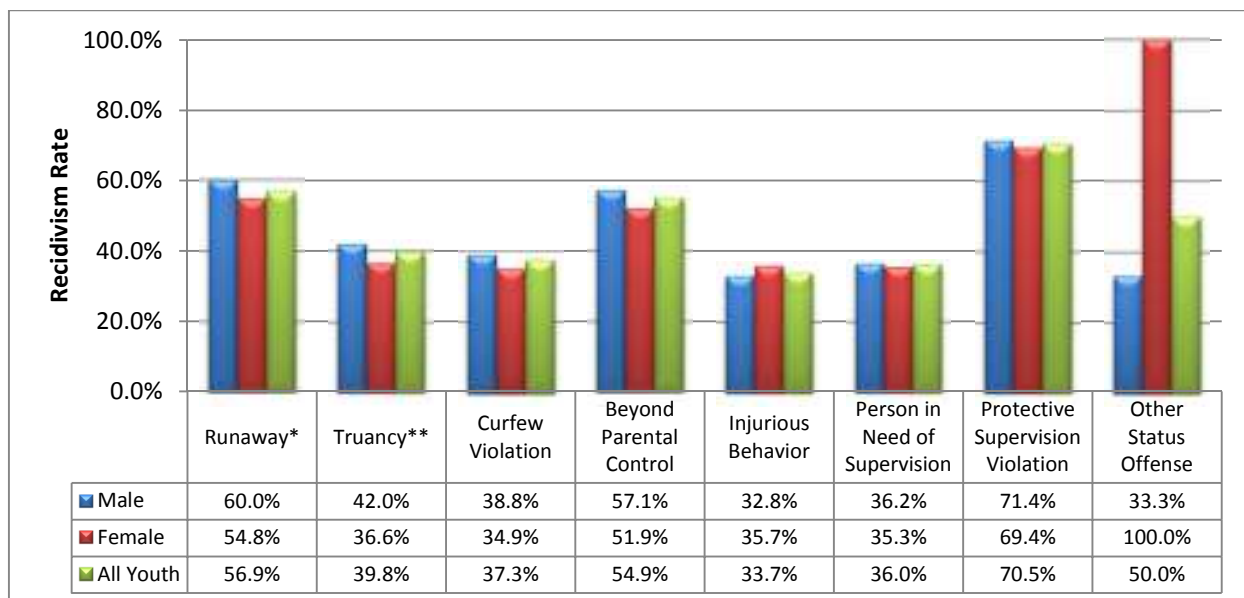
TABLE 7: Percentage of Status Offense Cases with a Recidivism, by Base Offense*, CYs 2005-2010

	Male			Female			All Youth		
	Base Referral	Subsequent Referral	Recidivism Rate	Base Referral	Subsequent Referral	Recidivism Rate	Base Referral	Subsequent Referral	Recidivism Rate
Runaway	3,657	2,193	60.0%	5281	2892	54.8%	8,938	5,085	56.9%
Truancy	2,333	981	42.0%	1611	589	36.6%	3,944	1,570	39.8%
Curfew Violation	737	286	38.8%	450	157	34.9%	1,187	443	37.3%
Beyond Parental Control	296	169	57.1%	216	112	51.9%	512	281	54.9%
Injurious Behavior	585	192	32.8%	241	86	35.7%	826	278	33.7%
Person in Need of Supervision	287	104	36.2%	85	30	35.3%	372	134	36.0%
Protective Supervision Violation	273	195	71.4%	245	170	69.4%	518	365	70.5%
Other Status Offense	3	1	33.3%	1	1	100.0%	4	2	50.0%

*Offense alleged at base referral

The most frequent status offense types were runaway and truancy (see Table 7, above). Males initially referred to Family Court for runaway had a recidivism rate of 60.0%, while the recidivism rate for females was 54.8% (see Figure 12, below). The recidivism rate for males referred to Family Court for truancy was 42.0%, while the recidivism rate for females was 36.6% (see Figure 12, below). The difference in recidivism rates for males and females referred to Family Court for runaway and truancy is statistically significant. The observed difference between recidivism and gender for runaway and truancy is so great that the association between the two variables could not have occurred by chance alone and may be worth further investigation.

FIGURE 12: Percentage of Status Offense Cases with a Recidivism, by Offense Type, Aggregated over CYs 2005-2010

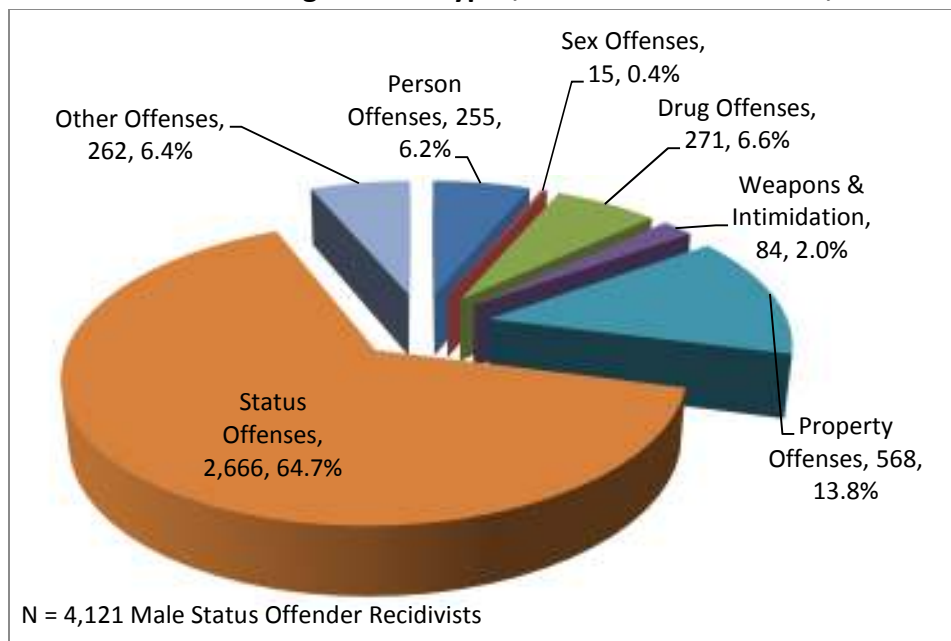


* $\chi^2(8,938) = 23.87, p < .001$, ** $\chi^2(3,944) = 11.98, p < .01$

TABLE 8: Recidivating Offense Types for Status Offenders, CYs 2005-2010

Recidivating Offense Type	Male	Female	Total
Total Person Offenses	255	169	424
Homicide	1	-	1
Assault 1 or 2	20	4	24
Robbery	47	3	50
Abuse of Family Member	1	1	2
Assault 3	183	161	344
Other Assault	3	-	3
Total Sex Offenses	15	8	23
Sex Assault 1 or 2	8	-	8
Sex Assault 3	7	2	9
Prostitution	-	5	5
Open Lewdness	-	1	1
Total Drug Offenses	271	158	429
Dangerous Drugs	1	4	5
Harmful Drugs	2	4	6
Detrimental Drugs	154	49	203
Alcohol	4	4	8
Other Drugs	110	97	207
Total Weapons & Intimidation	84	54	138
Terroristic Threatening	34	17	51
Harassment	34	35	69
Weapons	16	2	18
Total Property Offenses	568	282	850
Burglary	134	46	180
Larceny-Theft	282	203	485
UCPV	40	15	55
Computer/Credit Card Fraud	1	1	2
Other Property Crime	111	17	128
Total Status Offense	2,666	3,196	5,862
Runaway	1,564	2,378	3,942
Truancy	454	347	801
Curfew Violation	91	83	174
Beyond Parental Control	88	85	173
Injurious Behavior	86	45	131
Person in Need of Supervision	95	20	115
Protective Supervision Violation	288	238	526
Total Other Offenses	262	170	432
Probation Violation	118	68	186
Traffic Offenses	58	36	94
Other Offenses	86	66	152

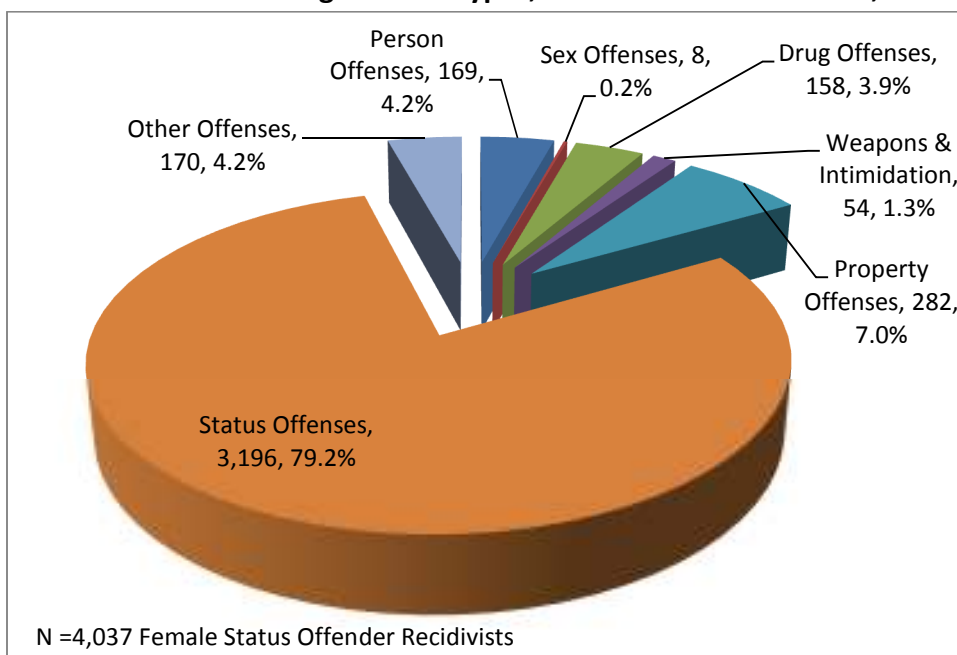
FIGURE 13: Recidivating Offense Types, Male Status Offenders, CYs 2005-2010



During the CY 2005 through 2010 period, 4,121 (50.4%) out of 8,171 total male status offenders recidivated. Just under two-thirds (2,666, 64.7%) of the recidivists were referred back to Family Court due to allegedly committing another status offense. The rest

received subsequent referrals due to allegedly committing property offenses (568, 13.8%), drug offenses (271, 6.6%), “other” offenses (262, 6.4%), offenses against a person (255, 6.2%), weapons and intimidation offenses (84, 2.0%), and sex offenses (15, 0.4%).

FIGURE 14: Recidivating Offense Types, Female Status Offenders, CYs 2005-2010



Approximately half (4,037, 49.7%) of the study’s 8,130 female status offenders recidivated. The offenses for which these juveniles reentered the system varied, with 79.2% allegedly committing another status offense, followed by 7.0% for property offenses. The rest

were referred back to Family Court due to alleged person offenses (169, 4.2%), “other” offenses (170, 4.2%), drug offenses (158, 3.9%), weapons and intimidation offenses (54, 1.3%), and sex offenses (8, 0.2%).

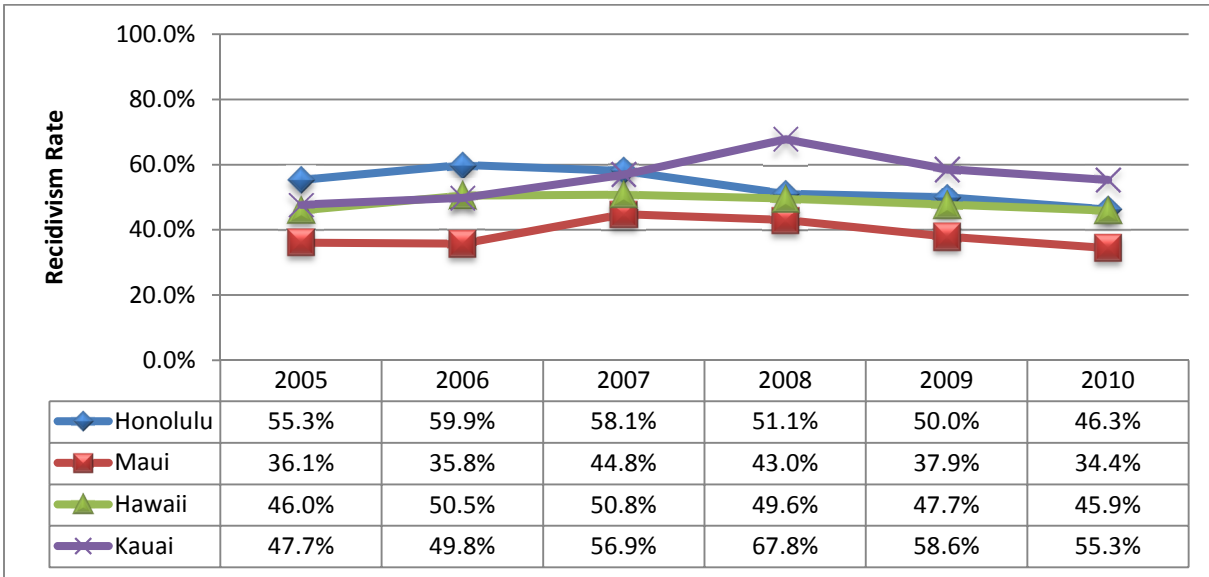
TABLE 9: Percentage of Status Offense Cases that had a Subsequent Referral within 365 Days, by County, Year, Gender, Age, and Race/Ethnicity, CYs 2005-2010

	Honolulu	Maui	Hawaii	Kauai	Statewide
Total	53.2%	39.2%	48.8%	56.5%	50.0%
Year (CY)					
2005	55.3%	36.1%	46.0%	47.7%	49.7%
2006	59.9%	35.8%	50.5%	49.8%	53.2%
2007	58.1%	44.8%	50.8%	56.9%	53.7%
2008	51.1%	43.0%	49.6%	67.8%	50.5%
2009	50.0%	37.9%	47.7%	58.6%	48.0%
2010	46.3%	34.4%	45.9%	55.3%	44.8%
Gender					
Male	54.5%	39.0%	49.4%	54.8%	50.4%
Female	51.9%	39.5%	48.2%	58.5%	49.7%
Age at Time of Base Referral					
11 or below	37.7%	12.4%	26.6%	26.1%	25.8%
12	52.2%	26.8%	42.8%	52.2%	45.3%
13	59.4%	42.8%	56.7%	65.2%	56.5%
14	60.3%	45.7%	61.4%	67.0%	58.8%
15	58.8%	50.7%	57.2%	64.5%	57.7%
16	53.0%	42.0%	49.9%	63.9%	51.3%
17	38.7%	35.1%	43.2%	48.0%	39.7%
18 & above	5.2%	3.7%	16.2%	10.7%	9.9%
Race/Ethnicity					
Hawaiian/part-Hawaiian	59.0%	48.4%	59.9%	69.3%	58.4%
Caucasian	42.3%	39.1%	49.6%	56.1%	45.2%
Mixed Race	61.2%	56.3%	71.4%	67.6%	62.3%
Unknown	30.5%	7.8%	19.7%	30.9%	22.2%
Filipino	44.4%	31.1%	38.8%	58.5%	41.0%
Mixed/Other Pacific Islander	50.5%	33.3%	55.7%	80.0%	48.2%
Japanese	49.2%	30.8%	50.0%	59.1%	46.8%
Samoan	48.1%	46.2%	55.2%	100.0%	48.7%
Mixed/Other Asian	48.4%	61.1%	50.0%	16.7%	48.6%
Latino/Hispanic	50.0%	41.2%	61.6%	40.0%	50.9%
African-American	46.8%	40.0%	64.6%	75.0%	50.2%
Korean	45.6%	-	-	-	40.3%
Chinese	47.4%	-	40.0%	44.9%	44.9%
Native American	50.0%	-	100.0%	-	66.7%
Missing	100.0%	-	-	50.0%	50.0%

(For complete table, see Appendix C)

Technical Note: The differences in recidivism rates by county are statistically significant, by year, gender, age group, and race/ethnicity (except for the 18-and-above age group, and African-American, Latino/Hispanic, Chinese, Mixed/Other Asian, Samoan, and Native American race/ethnicity groups).

FIGURE 15: Percentage of Status Offense Cases with a Recidivism, by County, Aggregated over CYs 2005-2010



2005: $\chi^2(2,316) = 48.68, p < .001$ 2006: $\chi^2(2,491) = 58.50, p < .001$ 2007: $\chi^2(2,901) = 30.03, p < .001$
 2008: $\chi^2(3,161) = 40.61, p < .001$ 2009: $\chi^2(2,959) = 34.21, p < .001$ 2010: $\chi^2(2,473) = 27.71, p < .001$

The statewide recidivism rate for status offenders from 2005 through 2010 was 50.0%. The recidivism rates for the City and County of Honolulu (53.2%) and Kauai County (56.5%) were higher than the statewide average, while the rates for Hawaii County (48.8%) and Maui County (39.2%) were below the average rate (see Table 9, page 24). Overall, the statewide recidivism rate dropped from 49.7% in 2005 to 44.8% in 2010 (despite increases in 2006 and 2007). This overall decrease in recidivism was reflected across all counties except Kauai County, where the recidivism rate increased from 47.7% in 2005 to 55.3% in 2010. Although Hawaii County’s recidivism rate decreased, it did so by only 0.21% over the six-year study period. The differences in recidivism rates between Honolulu, Maui, Hawaii, and Kauai counties for CYs 2005 through 2010 are statistically significant. The observed difference between recidivism and all four counties from 2005 through 2010 is so great that the degree of dependence between the variables is unlikely to have occurred by chance alone and may need to be examined further.

Although the overall statewide recidivism rates for male and female status offenders were roughly equivalent, they did vary across counties. The recidivism rates for females in Maui and Kauai Counties were greater than were those of their male counterparts (39.5% vs. 39.0% for males and females, respectively, in Maui County, and 58.5% vs. 54.8% in Kauai County). The 14-year-old age group had the highest recidivism rate across all counties with 60.3% in the City and County of Honolulu, 61.4% in Hawaii County, and 67.0% in Kauai County, except Maui County. The 15-year-old age group had the highest recidivism rate in Maui County, at 50.7%.

For status offense cases, as well as for delinquency cases, the three largest race/ethnicity groups were Hawaiian/part-Hawaiian, Caucasian, and Filipino, comprising 67.0% of all cases. Hawaiians/part-Hawaiians had the highest recidivism rate (58.4%), followed by Caucasians (45.2%), and Filipinos (41.0%). This pattern is seen in Maui and Hawaii Counties, however, in Honolulu and Kauai Counties, Filipinos had a greater recidivism rate than did Caucasians (44.4% vs. 42.3%, respectively, in the City and County of Honolulu, and 58.5% vs. 56.1% in Kauai County).

Status Offense Referral Rates, CY 2010

A useful statistic to estimate the volume of delinquency in the state is to look at the number of referrals due to status offenses as a proportion of the total number of youth in various age groups in a population (see Table 10, below). In 2010, 16-year-olds had the highest rate of status offense referrals per capita, with 34.4 referrals for every 1,000 youths, followed by 15-year-olds (32.7), 14-year-olds (24.5), and 17-year-olds (23.3). The three age groups with the lowest referral rate of status offense cases per capita include 13-year-olds (11.3), 12-year-olds (6.8), and lastly, 18-year-olds (1.2).

TABLE 10: Rates of Status Offense Referrals to Family Court, per 1,000 Youths, CY 2010

Age	Honolulu	Maui	Hawaii	Kauai	Statewide
12	4.8	10.1	13.5	7.3	6.8
13	10.4	10.8	16.8	8.3	11.3
14	20.7	34.7	33.3	26.4	24.5
15	27.8	40.6	44.6	48.2	32.7
16	26.4	46.6	51.9	63.1	34.4
17	17.6	40.3	34.0	26.8	23.3
18	0.8	3.4	0.4	4.0	1.2
*Total (Ages 12-18)	15.6	27.3	28.1	27.4	19.4

*The number of referrals per 1,000 youth may be misleading because it is uncommon for 18-year-olds to be referred to Family Court for this offense type (status offenses are illegal only because the people committing them are of juvenile age status).

APPENDIX A: Offense Categories

Offense categories used were determined by the Research Subcommittee of the Juvenile Justice Information Committee (JJIC). The JJIC is the governing body of all JJIS data and consists of representatives from JJIS member agencies. The JJIC Research Subcommittee determined seven major offense categories:

1. **Person Offenses** include offenses that involve detrimental physical contact acted upon a victim by the offender:
 - a. **Homicide** (*e.g.*, murder, negligent homicide).
 - b. **Assault 1 or 2** offenses occur when there is “serious” or “substantial” bodily injury intentionally or knowingly inflicted on another person, respectively. [Starting in 2007, a criminal offense involving a person intentionally (or) knowingly causing bodily injury to any emergency medical services personnel who is engaged in the performance of duty would be charged with assault in the second degree. Starting in 2003, a criminal offense involving the assault of a police officer or educational worker who is engaged in the performance of his/her duties was deemed a class C felony, or assault in the second degree].
 - c. **Kidnapping** occurs when a person intentionally or knowingly restrains another person with intent to use that person as a shield or hostage, inflict bodily injury upon that person or subject that person to a sexual offense, or terrorize that person.
 - d. **Robbery** includes acts in which a person uses force against another person with the intent to overcome that person’s physical resistance (or threatens to do so) in the course of committing theft.
 - e. **Abuse of Family Member** includes offenses for which any person physically abuses a family or household member.
 - f. **Assault 3** includes offenses in which a person intentionally, knowingly, or recklessly causes bodily injury to another person, or does so negligently with a dangerous instrument. This is a misdemeanor offense.

2. **Sex Offenses** include the following:
 - a. **Sexual Assault 1 or 2** occur when a person knowingly subjects another person to an act of sexual penetration by strong compulsion (Sex Assault 1 and 2 are felonies).
 - b. **Sexual Assault 3** occurs when a person recklessly subjects another person to an act of sexual penetration by compulsion. It is also a felony offense.

- c. **Sexual Assault 4** occurs when a person subjects another person to sexual contact by compulsion or causes another person to have sexual contact with the person by compulsion, and is a misdemeanor offense.
 - d. **Prostitution** includes offenses in which a person performed any lewd act which is likely to be observed by others who would be affronted or alarmed.
3. **Drug Offenses** include all “PUP” offending activities (*i.e.*, “possession,” “use,” or “purchase” of illicit substances), as well as drug trafficking:
- a. **Dangerous Drugs** (*e.g.*, crystal methamphetamine, cocaine).
 - b. **Harmful Drugs** (*e.g.*, prescription medications that can act as depressants, stimulants, or have other sensational effects).
 - c. **Detrimental 1 Drugs** (*e.g.*, trafficking of marijuana).
 - d. **Detrimental 2 Drugs** (*e.g.*, PUP of marijuana).
 - e. **Alcohol** (*e.g.*, prohibitions, arrests for “driving under the influence”).
 - f. **Other Drugs** (*e.g.*, paraphernalia, promoting controlled substance in school; not presented in this report).
4. **Weapons/Intimidation Offenses** include weapons and/or no physical contact or relatively minor physical contact (*e.g.*, pushing, shoving):
- a. **Terroristic Threatening 1** includes offenses in which a person threatens, by word or conduct, to cause bodily injury to another person or serious damage to the property of another. Terroristic Threatening 1 is a felony C offense pertaining primarily to victims who are public servants, such as an educational administrator, counselor, or teacher, and/or involves threatening another person on more than one occasion for the same or a similar purpose.
 - b. **Terroristic Threatening 2** does not involve public servants or repeated incidences. It is a misdemeanor offense.
 - c. **Harassment** includes offenses in which a person commits the following types of act(s) on another- strikes, shoves, kicks, or offensive touching, insults, taunts, or challenges intended to provoke a violent response, or other offensive forms of communication (*e.g.*, telephone calls, facsimile transmissions).
 - d. **Weapons Felony** offenses involve unlawful possession of deadly weapons, such as firearms, explosives, or other destructive devices.
 - e. **Weapons Misdemeanor** offenses involve possession of prohibited weapons such as knives or brass knuckles. Misdemeanor weapons offenses can also include possession of deadly weapons, though in a less dangerous context.

5. **Property Offenses** includes offenses involving theft or damage to another's property:
 - a. **Burglary** offenses apply when a person intentionally enters or remains unlawfully in a building, with intent to commit a crime against a person or against property rights.
 - b. **Theft 1 or 2** offenses involve theft without force. Theft 1 applies when the value of the stolen item(s) exceeds \$20,000 or is a firearm; Theft 2 applies when the value of the stolen item(s) exceeds \$300. Theft 1 and 2 are both felony offenses.
 - c. **Theft 3 or 4** offenses also involve theft without force of items of lesser value. Theft 3 applies when the value of the item(s) exceeds \$100. Theft 4 applies when the value is less than \$100. Both are misdemeanor offenses.
 - d. **Unauthorized Entry into Motor Vehicle/Unauthorized Control of a Propelled Vehicle (UEMV/UCPV)** offenses include those in which a person exerts unauthorized control over another's vehicle without the owner's consent, or enters the vehicle to steal it, part of it, or property within it.
 - e. **Computer/Credit Card Fraud** includes offenses in which a person knowingly accesses a computer without authorization and, by means of such conduct, obtains or exerts control over the property of another, or knowingly accesses a computer, computer system or network without authorization. Credit card fraud involves the unauthorized use of another's credit card or the card's number to obtain money, goods, services, or anything else of value.
 - f. **Other Property Crimes** offenses are those that do not fall into the above offenses (*e.g.*, arson, criminal property damage) and where a person intentionally damages or exerts control over another's property without permission.
 - g. **Trespass** offenses include those in which a person knowingly enters or remains unlawfully in a dwelling or other premises (*e.g.*, hotel, school, commercial business).

6. **Status Offenses** include offenses that are only prohibited because they are committed by someone under the age of eighteen:
 - a. **Runaway** offenses pertain to juveniles who are absent from home without parental permission.
 - b. **Truancy** offenses pertain to juveniles who leave school without the permission of the school or a parent/guardian.
 - c. **Curfew** offenses occur when a juvenile under the age of sixteen goes or remains on any public street, highway, public place, or private place held open to the public after ten o'clock in the evening and before four o'clock in the morning,

unaccompanied by a parent, guardian, or adult person authorized to accompany the child.

- d. **Beyond Parental Control** applies when a parent or legal guardian deems their child beyond their control and requires police intervention.
 - e. **Other Status Offenses** refer to all other status offenses not listed above (*e.g.*, injurious behavior, person in need of supervision).
7. **Other Offenses** includes the following offenses and subcategories that do not fall into any of the above major offense categories:
- a. **Parole Violation** occurs when a juvenile violates the conditions of his/her release from incarceration to parole.
 - b. **Furlough Violation** occurs when a juvenile violates conditions of his/her furlough (a temporary release from the Hawaii Youth Correctional Facility).
 - c. **Probation Violation** occurs when a juvenile violates the conditions of his/her probation sentence.
 - d. **Traffic** offenses include a wide variety of driving offenses, including but not limited to speeding, driving without a license, reckless driving, inattention to driving, etc.
 - e. **Other Offenses** include offenses that do not fall into any of the above major offense categories or subcategories. These offenses include “disorderly conduct” and many county ordinances (*e.g.*, skateboarding on sidewalk, fireworks violations, park or fishing ordinance violations).

APPENDIX B: Delinquency Cases by County

	Honolulu				Maui				Hawaii				Kauai				Statewide				
	Base Referral	Subsequent Referral	Recidivism Rate	Rate	Base Referral	Subsequent Referral	Recidivism Rate	Rate	Base Referral	Subsequent Referral	Recidivism Rate	Rate	Base Referral	Subsequent Referral	Recidivism Rate	Rate	Base Referral	Subsequent Referral	Recidivism Rate	Rate	
Year																					
2005	836	355	42.5%	390	128	32.8%	646	301	46.6%	283	118	41.7%	2,155	902	41.9%	2,155	902	41.9%	2,155	902	
2006	816	333	40.8%	475	158	33.3%	870	434	49.9%	266	103	38.7%	2,427	1,028	42.4%	2,427	1,028	42.4%	2,427	1,028	
2007	1,040	426	41.0%	744	260	34.9%	929	492	53.0%	210	77	36.7%	2,023	1,255	62.0%	2,023	1,255	62.0%	2,023	1,255	
2008	1,141	418	36.6%	654	265	40.5%	949	469	49.4%	307	141	45.9%	3,051	1,293	42.4%	3,051	1,293	42.4%	3,051	1,293	
2009	896	352	39.3%	603	202	33.5%	861	403	46.8%	382	164	42.9%	2,742	1,111	40.9%	2,742	1,111	40.9%	2,742	1,111	
2010	875	320	36.6%	450	120	26.7%	795	380	47.8%	238	88	37.0%	2,358	908	38.5%	2,358	908	38.5%	2,358	908	
Gender																					
Male	4,033	1,604	39.8%	2,300	805	35.0%	3,454	1,706	49.4%	1,186	500	42.2%	10,973	4,616	42.1%	10,973	4,616	42.1%	10,973	4,616	
Female	1,571	599	38.1%	1,016	328	32.3%	1,594	773	48.5%	409	191	46.3%	4,680	1,991	42.6%	4,680	1,991	42.6%	4,680	1,991	
Age at Time of Base Referral																					
11 or below	4	-	-	5	1	20.0%	24	11	45.8%	9	4	44.4%	42	16	38.1%	42	16	38.1%	42	16	
12	124	44	35.5%	106	27	25.5%	186	76	40.9%	56	26	46.4%	472	173	36.7%	472	173	36.7%	472	173	
13	436	173	39.7%	229	83	36.2%	459	236	51.4%	145	67	46.2%	1,269	539	42.5%	1,269	539	42.5%	1,269	539	
14	779	360	46.2%	380	169	44.5%	699	373	53.4%	180	101	56.1%	2,038	1,003	49.2%	2,038	1,003	49.2%	2,038	1,003	
15	1,100	544	49.5%	559	228	40.8%	925	522	56.4%	270	135	50.0%	2,854	1,429	50.1%	2,854	1,429	50.1%	2,854	1,429	
16	1,391	593	42.6%	761	301	39.6%	1,131	614	54.3%	343	143	41.7%	3,626	1,651	45.5%	3,626	1,651	45.5%	3,626	1,651	
17	1,414	450	31.8%	1,016	307	30.2%	1,282	574	44.8%	439	166	37.8%	4,151	1,457	35.1%	4,151	1,457	35.1%	4,151	1,457	
18 & above	356	40	11.2%	260	17	6.5%	344	73	21.2%	244	49	20.1%	1,204	179	14.9%	1,204	179	14.9%	1,204	179	
Race/Ethnicity																					
Hawaiian/part-Hawaiian	2,375	1,020	42.9%	1,360	536	39.4%	2,003	1,111	55.5%	642	338	52.6%	6,380	3,005	47.1%	6,380	3,005	47.1%	6,380	3,005	
Caucasian	427	145	34.0%	790	230	31.5%	1,039	500	48.1%	245	97	39.6%	2,441	972	39.8%	2,441	972	39.8%	2,441	972	
Unknown	152	50	32.9%	226	24	10.6%	850	316	37.2%	412	105	25.5%	1,640	495	30.2%	1,640	495	30.2%	1,640	495	
Filipino	522	141	27.0%	436	135	31.0%	360	133	36.9%	153	56	36.6%	1,471	465	31.6%	1,471	465	31.6%	1,471	465	
Mixed Race	755	338	44.8%	219	92	42.0%	282	160	56.7%	140	61	43.6%	1,396	651	46.6%	1,396	651	46.6%	1,396	651	
Mixed/Other Pacific Islander	412	156	37.9%	99	26	26.3%	111	65	58.6%	14	7	50.0%	636	254	39.9%	636	254	39.9%	636	254	
Samoan	406	162	39.9%	19	7	36.8%	47	22	46.8%	3	-	-	475	191	40.2%	475	191	40.2%	475	191	
Japanese	145	45	31.0%	47	15	31.9%	145	57	39.3%	25	9	36.0%	362	130	36.2%	362	130	36.2%	362	130	
Latino/Hispanic	59	28	47.5%	112	38	33.9%	107	62	57.9%	12	4	33.3%	290	132	45.5%	290	132	45.5%	290	132	
Mixed/Other Asian	142	50	35.2%	39	26	66.7%	14	6	42.9%	24	13	54.2%	219	95	43.4%	219	95	43.4%	219	95	
African American	114	40	35.1%	16	3	18.8%	63	41	65.1%	4	3	75.0%	197	87	44.2%	197	87	44.2%	197	87	
Korean	55	23	41.8%	5	-	-	7	-	-	-	-	-	67	23	34.3%	67	23	34.3%	67	23	
Chinese	27	3	11.1%	7	1	14.3%	16	5	31.2%	5	3	60.0%	55	12	21.8%	55	12	21.8%	55	12	
Native American	6	2	33.3%	1	-	-	4	1	25.0%	-	-	-	11	3	27.3%	11	3	27.3%	11	3	
Missing	7	1	14.3%	-	-	-	2	-	-	7	1	14.3%	16	2	12.5%	16	2	12.5%	16	2	

APPENDIX C: Status Offense by County

Year	Honolulu				Maui				Hawaii				Kauai				Statewide														
	Base Referral		Subsequent Referral		Base Referral		Subsequent Referral		Base Referral		Subsequent Referral		Base Referral		Subsequent Referral		Base Referral		Subsequent Referral												
	Rate	Recidivism Rate	Rate	Recidivism Rate	Rate	Recidivism Rate	Rate	Recidivism Rate	Rate	Recidivism Rate	Rate	Recidivism Rate	Rate	Recidivism Rate	Rate	Recidivism Rate	Rate	Recidivism Rate	Rate	Recidivism Rate											
2005	1,311	725	55.3%	402	145	36.1%	450	207	46.0%	155	74	47.7%	2,318	1,151	49.7%	2006	1,175	704	59.9%	279	100	35.8%	604	406	50.5%	213	116	48.8%	2,491	1,326	53.2%
2007	1,357	789	58.1%	495	222	44.8%	640	427	50.8%	209	119	56.9%	2,901	1,557	53.7%	2008	1,690	863	51.1%	572	246	43.0%	672	333	49.6%	227	154	67.8%	3,161	1,596	50.5%
2009	1,624	812	50.0%	531	201	37.9%	589	281	47.7%	215	126	58.6%	2,959	1,420	48.0%	2010	1,294	599	46.3%	416	143	34.4%	584	268	45.9%	179	99	55.3%	2,473	1,109	44.8%
Gender																															
Male	4,060	2,211	54.5%	1,499	584	39.0%	1,960	969	49.4%	602	357	59.3%	8,171	4,121	50.4%	Female	4,390	2,280	51.9%	1,196	473	39.5%	1,978	933	47.2%	566	331	58.5%	8,130	4,037	49.7%
Age at Time of Base Referral																															
11 or below	236	89	37.7%	242	30	12.4%	485	129	26.6%	119	31	26.1%	1,082	279	25.8%	12	389	203	52.1%	142	38	26.8%	194	83	42.8%	67	35	52.2%	792	359	45.3%
13	822	488	59.4%	236	101	42.8%	326	185	56.7%	92	60	65.2%	1,476	834	56.5%	14	1,567	945	60.3%	418	191	45.7%	596	366	61.4%	197	132	67.0%	2,278	1,634	58.8%
15	2,035	1,197	58.8%	534	271	50.7%	816	467	57.2%	356	165	46.3%	3,641	2,100	57.7%	16	1,951	1,034	53.0%	578	243	42.0%	835	417	49.0%	3,627	1,862	51.3%			
17	1,374	532	38.7%	518	182	35.1%	607	262	43.2%	196	94	48.0%	2,695	1,070	39.7%	17	1,374	532	38.7%	518	182	35.1%	607	262	43.2%	196	94	48.0%	2,695	1,070	39.7%
18 & above	77	4	5.2%	27	1	3.7%	80	13	16.2%	28	3	10.7%	212	21	9.9%																
Race/Ethnicity																															
Hawaiian/part-Hawaiian	1,591	2,117	90.0%	999	484	48.4%	1,526	914	59.9%	438	345	78.3%	6,614	3,860	58.4%	Caucasian	814	344	42.3%	527	206	39.1%	808	401	49.6%	180	101	56.1%	2,329	1,052	45.2%
Mixed Race	1,218	745	61.2%	135	76	56.3%	203	145	71.4%	68	46	67.6%	1,624	1,012	62.3%	Unknown	272	83	30.5%	204	16	7.8%	755	149	19.7%	285	88	30.9%	1,516	336	22.2%
Filipino	989	439	44.4%	524	163	31.1%	281	109	38.8%	142	83	58.5%	794	1,936	41.0%	Mixed/Other Pacific Islander	398	201	50.5%	108	36	33.3%	70	39	55.7%	5	4	80.0%	381	280	48.2%
Japanese	177	87	49.2%	65	20	30.8%	106	53	50.0%	22	13	59.1%	370	173	46.8%	Samian	314	151	48.1%	13	6	46.2%	29	16	55.2%	357	174	48.7%			
Mixed/Other Asian	281	136	48.4%	18	11	61.1%	10	5	50.0%	6	1	16.7%	315	153	48.6%	Latino/Hispanic	96	48	50.0%	80	33	41.2%	86	53	61.6%	5	2	40.0%	267	136	50.9%
African American	188	88	46.8%	15	6	40.0%	48	31	64.6%	4	3	75.0%	255	128	50.2%	Korean	68	31	45.6%	6	-	-	3	-	-	77	31	40.3%			
Chinese	38	18	47.4%	1	-	-	10	4	40.0%	49	22	44.9%	49	22	44.9%	Native American	6	3	50.0%	-	-	-	3	-	-	9	6	66.7%			
Missing	1	1	100.0%	-	-	-	1	-	-	2	1	50.0%	4	2	50.0%																

**APPENDIX D: The Measure of Recidivism,
Excerpt from “Delinquency and Status Offense Referrals
To the Hawaii Family Court 2005¹”**

In a juvenile or criminal justice setting, most measures of recidivism capture return to, or reentry back into, the system. There are many measures of recidivism. There is no standard or dominant definition of recidivism, but each operational definition of recidivism has a few common attributes. The first is the base condition (i.e., the situation or status from which to look into the future to see if a recidivism has occurred). There are many possible base conditions (e.g., arrest, referral to juvenile court intake, the filing of a petition, adjudication, or placement in a secure residential facility). The second attribute is the recidivism event, of which there are many possibilities (e.g., arrest, referral to juvenile court intake, the filing of a petition, adjudication, or placement in a secure residential facility). The third attribute is the time period between the base condition and the recidivism event. Most measures of recidivism in the juvenile justice setting place a limitation on the time period (e.g., three months, six months, one year, two years, three years, etc.). Given that recidivism is often considered a measure of failure, the time period is generally linked to the period for which a reasonable person would expect the actions of the juvenile justice system in the base event to influence behavior that far in the future.

In reality, the definition of recidivism used in any research effort is normally limited by the available data. For this work the available data are records on referrals to Hawai‘i’s Family Court, so the obvious recidivism measure would assess if there were a subsequent referral after a base referral. That is, if Johnny were referred to Family Court in January for a simple assault and referred again within say one year for drug possession, Johnny would be considered to have recidivated. If another youth were referred along with Johnny in January for simple assault and was never referred again to Family Court, the recidivism rate for simple assault referrals would be 50% (i.e., one of the two simple assault referrals had a recidivism event).

Hawai‘i’s referral data, however present one major conceptual problem. Assume (1) a boy had three referrals on a single day, (2) a girl had only one referral on that day and (3) only one recidivated. What would be the recidivism rate? If we calculated the percentage of youth recidivating, it would be 50% (i.e., one of two recidivated). If we counted referrals (not youth) that had recidivisms, the recidivism rate could be either 75% or 25% depending on which of these two youth recidivated. That is, if the boy recidivated, each of his three referrals would have a recidivism; so in all, three of the four referrals (or 75%) had a recidivism event. However, if the girl recidivated, her one referral would have a recidivism; so in all, one of the

¹ Snyder, Howard N. & Stahl, Anne L. *Delinquency and Status Offense Referrals to Hawai‘i Family Court 2005*. Honolulu: Crime Prevention & Justice Assistance Division of the Department of the Attorney General, 2007.
Crime Prevention and Justice Assistance Division
Department of the Attorney General

four referrals (or 25%) had a recidivism event. To most, basing recidivism on referrals, with its potential for such ambiguous findings, makes the findings difficult to interpret. Therefore, for this work, a compromise will be used.

For the following study of recidivism, each youth is limited to a single referral on any one day — all of the other referrals on that day will be ignored in the analysis. By doing so, each of the scenarios presented above would yield a recidivism rate of 50%, a rate independent of the number of referrals. While there still may be some concerns about even this measure of recidivism (as there is with any measure of recidivism), this measure parallels what most people inside and outside the criminal justice field consider to be a recidivism. To emphasize this change in the unit of count in this chapter of this report, the text will describe not a 'referral recidivism rate' but a 'case recidivism rate', where 'case' combines all the referrals that occurred on a single day in one case. For the time period for this recidivism measure, the authors have selected one year. Other time periods could have been selected or the findings using different time periods compared, but for this initial analysis of Family Court recidivism in Hawai'i, it was thought to select just one and 'one year' seemed to be the logical first choice.

In summary, for the remainder of this chapter *case recidivism* will be defined as a base referral with a subsequent referral between one and 365 days after the date of the base referral, where a youth can have no more than one base referral on a single day. This definition limits the data that can be used in this recidivism research. The database available for this work includes all referrals that occurred between January 1, 1996 and December 31, 2005. Referrals in 2005 were excluded from the set of base referrals for the recidivism analyses because (given the one year time frame) some recidivism could have occurred in 2006; however, the 2005 referrals were scanned for possible recidivisms of 2004 cases.