



Support or Court:

How States Respond to Youth Who Commit Status Offenses and Children Who Break the Law

By the Numbers: How States Handle Youth Who Commit Status Offenses

Policymakers and state leaders concerned about youth crime, violence, and behavioral health should examine how their state handles youth who commit status offenses—behaviors such as truancy, running away, and curfew violations, which are only crimes because they are committed by minors—as a window into their broader responses for youth that are not high risk but may need services.

It's important for states to take a closer look at this population because research consistently shows that youth in contact with the justice system—particularly lower-risk youth—are more likely to recidivate and less likely to complete high school than their similar peers who are diverted from any form of system contact, even if they receive no other services.¹

This document details key findings from a 50-state scan² conducted in 2023 by The Council of State Governments Justice Center on how states handle youth who commit status offenses. Policymakers can draw upon these findings to consider whether the justice system, and court involvement generally, is the most timely, effective mechanism to support these youth to transition to a safe and healthy adulthood or whether alternative structures and service investments are needed.

Status Offenses

~50%

States that treat youth who commit status offenses the same as youth who commit delinquent offenses—acts committed by minors that would be considered crimes if committed by adults. In other words, youth who commit any status offense can be referred to the same court that handles delinquent offenses and be subject to similar sanctions and supervision in these states.

Some states have enacted policies to treat some or all youth who commit status offenses differently from youth who commit delinquent offenses, including creating separate legal categories such as “Children in Need of Supervision. However, even in many of these states, youth who commit status offenses can still wind up in police custody, become court-involved, and placed on supervision, including out-of-home placement.

<15%

States that restrict any form of court involvement for youth who commit status offenses.

~65%

States that allow youth who commit status offenses to be held in police custody.

~50%

States that allow youth who commit status offenses to be detained prior to being adjudicated in court.

~10%

States that don't allow youth who commit status offenses to be detained pre-adjudication but do allow these youth to be detained for non-criminal behaviors for violating a court order.

~70%

States that can place youth who commit status offenses on some form of community-based supervision or probation.

~40%

States that allow youth whose most serious offense is, for example, skipping school or disobeying their parents' rules, to be incarcerated in a secure facility after disposition (through placement in the custody of the state juvenile justice agency or alternative methods).

>30%

States that restrict placement in a secure facility for youth who commit status offenses but permit these young people to be placed out of home in a nonsecure facility after disposition.

>80%

States that authorize parents to be sanctioned in court if their child commits a status offense and/or disobeys a related court order, including fines, fees, court-ordered participation in programs and services, and even possible detention.

1. Anthony Petrosino, Carolyn Turpin-Petrosino, and Sarah Guckenburg, “Formal System Processing of Juveniles: Effects on Delinquency,” *Campbell Systematic Reviews* 6, no. 1 (2010) 1–88, <https://doi.org/10.4073/csr.2010.1>.

2. The findings detailed here reflect state policy as authorized in statute and court rules regardless of how often such authority is used in practice (e.g., whether youth can be legally detained for a status offense). We also use approximations rather than exact numbers and don't identify specific states for the following reasons: some states' laws can be interpreted in multiple ways; states' laws are continuously in flux; and more generally, some states have confusing, even conflicting laws and court rules related to these populations leading to different interpretations even among state leaders and practitioners.