

A BLUEPRINT FOR ACTION

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The following, from a speech presented by the author to a conference on "Crime and Its Correction in Stockton" at the University of Pacific on April 29, outlines a blueprint for community action for ending crime and delinquency through prevention.

A major concern on the part of everyone—those of you here, those who are a part of the so-called criminal justice system as well as those who are not—is the fact of juvenile crime. You are all concerned, and rightfully so, that juvenile crime is a serious problem, that juveniles do, indeed, contribute more than their share to the breaking of laws in this state and elsewhere in this country. And you are crying for answers to the question of what can be done to reverse the tide of delinquency so that the damage wrought to the offenders, the victims and society in general can be brought to an end.

It is a good question, but not an easy one to answer. I will, however, attempt to deal with it, and from the standpoint of the director of an agency that has the primary responsibility in California for the treatment and rehabilitation of young offenders and for the coordination of programs to prevent delinquency.

Although the California Youth Authority deals with a substantial number of young people who are past the age of majority, I would like to concentrate on juveniles—those under 18 who can still hopefully be deterred from a career of crime when they enter adulthood. I am persuaded that if we can come close to solving the problems of juvenile crime and delinquency, we will be well on our way to eliminating, or at least sharply reducing, the problem of crime in general.

Juvenile Justice System

The juvenile justice system, particularly the portion of it that is concerned with corrections, has been under heavy criticism, and I see nothing wrong with that. In the minds of many people, the juvenile correctional system is not effective because, very simply, crime has not been brought to a halt. This is a simplistic way to measure success or failure, but the complexities of the business of juvenile corrections rule out simplicity. There are, in fact, no simple solutions. Any kind of breakthrough will take

a degree of cooperation between all elements of the justice system and the public-at-large, along with support from the governmental structure at all levels, which we have not yet been privileged to experience.

It should be noted, at the outset, that the criminal justice system is not really a single system at all. There is virtually no direct connection between state level and county organizations and even less of one with national-level agencies. Whether this is a system or non-system, we are all a part of it, and we continue to use the term, defining it either as a correctional system or a justice system. We consider it to include the courts and law enforcement, as well as corrections. So what we have is a variety of agencies with differing responsibilities which operate from the local, state or national level—an apparatus on which it is virtually impossible to make any substantial impact, except through legislation.

Realistically, criticism directed against the juvenile correctional system by itself is misdirected. The role of juvenile corrections in the total system is such that we cannot, by ourselves, be expected to end or even significantly reduce the impact of crime. It is not true, as the critics often state, that we get all the problems and therefore should be able to solve them.

What the juvenile system actually can do is predicated on what it is. It is, after all, a compendium of agencies established by certain state and local mandates, with the front lines occupied by law enforcement—the sheriff's departments on the county level and the police departments in the cities. Although they frequently cooperate closely, they are all separate entities with little official connection between each other.

Role of the Courts

Also separate are the courts, with a separate juvenile court in each county, and the judges assigned to them changed frequently. The juvenile court's role has been affected by recent legislation, such as Assembly Bill 3121, which requires runaways and other status offenders to be handled in the community. In addition, Senate Bill 42, while it sets determinate sentences primarily for adults, has also had the effect of setting the same limits for juvenile offenders committed for like crimes.

The courts work closely—or at least should work closely—with another highly important component of the juvenile justice system, the probation departments which are operated separately in each county. And then there are the district attorney's and public defender's offices, also operated in all of the counties.

As a part of the total system—or non-system—the Youth Authority is a state level correctional agency that accepts commitments of juvenile offenders from the juvenile courts as well as young adult offenders from 18 through 20 who may be committed by the adult criminal courts. Commitment to the Youth Authority is a long way down the pike after a crime is first committed or when a juvenile is first arrested. At the time of arrest by law enforcement, the first option is whether the offender should be taken home, referred to probation or to the district attorney. At any point during the screening process, the charge may also be dismissed or the young offender may be placed on informal probation if this is deemed to be appropriate.

If more stringent action is warranted, a petition may be filed which alleges illegal behavior and a court hearing is calendared. At this point of passage through the system, the court has several options which can be exercised. It can dismiss the petition. It can assume wardship in the cases of minor or it can decide to place the minor on probation.

It is only after all of the other options have been considered and exhausted that the court will finally decide to commit a juvenile offender to the Youth Authority. What we have seen in the juvenile justice system is a collection of informally connected or formally disconnected parts which serve as a kind of funnel for young people. Each decision point provides an opportunity to screen and filter out young offenders long before they reach the Youth Authority. In these terms, the juvenile justice system serves as a river for offenders which becomes smaller and smaller as it flows toward its mouth.

From the standpoint of numerical figures, there were approximately 3 million young people from 10 to 17 in California during 1976. The best estimates based on exhaustive studies indicate there were a total of 575,000 juvenile offenses committed in California in that same year. Juvenile arrests for the year totaled 354,000 of whom 210,000, or 59 per cent, were referred to probation immediately.

Of the remainder, 27,000 were placed on probation and 13,000 were sent to county institutions. Finally, out of the total number of 354,000 juvenile arrests during the year, just 1,900 were committed to the Youth Authority. This is just .003 of 1 per cent of the total.

What we have is a situation in which the bulk of offenses do not result in arrests, the bulk of those arrested do not make their way into the juvenile correctional system, and the bulk of those in the system do not come to the Youth Authority.

This point does not in any way indicate a desire or a need for a higher level of Youth Authority commitments. It simply underscores the fact that neither the Youth Authority nor any other single part of the criminal justice system, even if totally successful, can have a significant impact on the incidence of crime and delinquency. Success will come only when all parts of the system, working together, can deal effectively with crime before it occurs; in other words when it can launch a total effort to PREVENT delinquency.

As now constituted, the juvenile justice system deals with crime after it has occurred. The incidence of criminal behavior, therefore, is in effect long before young people reach the Youth Authority. The juvenile justice system bases its approach on the assumption that crime is caused by the individual decisions of thousands upon thousands of offenders. When these offenders reach the Youth Authority—and as we have seen, few do—we are expected somehow to “cure” whatever it was that made the offender delinquent. This is not a realistic expectation, since the Youth Authority has no control over the conditions which persuaded these young people to commit crime in the first place.

Ward Characteristics

Some statistical information concerning the Youth Authority's population indicates what we are up against. Seventy per cent of the young

people who come to the Youth Authority classify themselves as having been unemployed. Seventy percent come from single family homes, with a large majority of these from welfare homes. Racial minorities, most of them from ghettos and barrios where crime is prevalent, constitute a majority of our ward population. The figures show that 33 per cent are Black and 27 per cent are Chicano; multiples of the proportion of these ethnic groups in the state's general population.

While among our critics are many who insist that crime and delinquency must be dealt with on the basis of individual responsibility of all offenders, there is ample justification for questioning this approach. When the bulk of those who come to the Youth Authority are unemployed, are overwhelmingly from broken homes, are from the socially and economically disadvantaged ethnic minorities, one may wonder whether the standard arrest-and-punishment method of dealing with criminal behavior will ever be effective. Certainly, incarceration is needed in many cases, if for no other reason than to protect society from offenders who have demonstrated that they are potentially dangerous.

Our overriding concern, however, must be to develop an approach that will actually prevent delinquency. Otherwise the cycle of arrest-and-punishment will continue forever, and so will crime and delinquency. It will take the efforts of more than the criminal justice system to successfully reduce crime and delinquency because the system alone involves too few segments of society; too few people. In the end, a successful effort will require the involvement of all of us.

Medical Analogy

A solution to the causes of crime and delinquency has a certain medical analogy and I think back to a period in the past when polio was rampant. In those days the cases were treated individually and I remember one case vividly—a young woman who shared my hospital room when I had my first baby. She had suddenly contracted polio. The doctors and nurses packed her legs with hot steaming towels every hour. That was the only treatment known for treating polio. It was not until the advent of Salk vaccine in the 1950's that the disease was effectively overcome. That vaccine spelled prevention rather than case-by-case cure after the fact. Prevention turned out to be so effective that polio is now little more than a memory. Hopefully, crime and delinquency will one day be prevented as dramatically, as totally.

Development of a "vaccine" for delinquency may well turn out to be more difficult than finding one for polio. The "disease" in this particular case is apparently bigger than any single virus. We need to know a lot more than we do about just what starts and stops criminal behavior. But we know that certain approaches help. We know, for example, that in a ghetto area, where there is a high incidence of delinquency, something as simple as a youth service bureau or a police athletic league can accomplish wonders with the young people enrolled in their programs. It is more doubtful that they, by themselves, can cure the problems that come with economic deprivation and alienation.

A number of other factors involved in crime provide clues to another effective preventative approach. We know that drug abuse is a factor. So

are social alienation, and poverty, in terms of both money and spirit. When we speak of prevention these causative factors must also be dealt with.

The Youth Authority is in a position to carry out an important role in this fight to find and implement an effective "vaccine" to prevent delinquency. Four years ago, the Legislature passed a law which gave this Department a mandate to provide leadership and coordinate programs for delinquency prevention in the community—and this is, indeed, the arena where the fight must be fought and where it has to be won.

Youth Service Bureaus

Particularly impressive is one concept which has been in effect for about a decade and which has been singularly successful in diverting literally thousands of young people from the criminal justice system. I am referring to youth service bureaus, of which there are now several dozen in all parts of California, many of them sponsored by the Youth Authority. There are differences between the way that many of the youth service bureaus operate, but all have a basic approach. Their objective is to divert young people from the justice system. At the first sign of trouble they receive referrals from the police, from the probation departments, the schools, parents, or by the young people themselves. These are juveniles who are perceived to be likely to move further into the system—that is, to be arrested, to go to court, to go to juvenile hall and possibly, eventually, even the Youth Authority—if they do not receive concerned, speedy and knowledgeable help. It's the job of the youth service bureau to arrange for that help, be it individual family or group counseling, job development, tutoring, recreation or any of the other kinds of programs that will keep a young person from getting into further trouble.

As is the case with service programs throughout the state, the existing youth service bureaus need more support—not just money, but the help and participation of citizens as volunteers, and also as advocates. Additional resources are needed to set up and carry out youth service bureaus and other delinquency prevention programs in a more concentrated fashion. People like yourselves, who are in a position to serve as advocates for change, can help bring pressure to bear on those in government who can authorize the resources for effective programs of this kind.

The Youth Authority has been doing a number of other things to carry out the coordination role which has been mandated by the Legislature. The Department has excellent staff to provide technical assistance and consultation to local agencies, both private and public, who need to know how to develop a proposal for funding, and how to prepare a grant proposal for submission to appropriate public and private agencies and/or foundations. We also have pushed hard for state coordination and for the first time have brought into being a council representing all state departments which are concerned with young people. This has been an important first step in developing statewide coordination for programs that will serve all young people—those who need a job, those who must complete their education, those who have a problem with drug abuse and those who need special help because of physical or psychiatric problems. The alternative to a comprehensive approach is to do what we have been doing;

simply to send them back to the community and wait, almost inevitably, for them to come back to us again.

Delinquency Prevention

I have mentioned that this arrest-incarceration-parole cycle is self-defeating from the standpoint of developing an ultimate cure for the scourge of crime and delinquency. It is also very expensive, and this is a message that should have a particular impact in this day and age. It costs, for example, almost \$20,000 to keep a young person in a Youth Authority institution for a year. Add to that the cost of building new institutions to house an increasing ward population and the horrible price which society as a whole must pay for the ravages of crime. Considering all these factors, a substantial investment in delinquency prevention, which costs just a small fraction of arrest and incarceration, is a mighty attractive alternative for all of us.

It has been said that the Youth Authority is in business to put itself out of business. This is true, and it is said not with smugness that such a thing could never happen, but with the hope that it will. We do add, however, that we cannot do it by ourselves. In the end, public support, understanding and cooperation will be the factors that will create the "vaccine" that will eradicate crime and delinquency.

Our society is going to have to open up and recognize that it not only has a stake in the problems of the young; it also needs to be involved in the solution. I implore you to work together, among yourselves and with me as director of the Youth Authority and as a member of this community. It is only by working together, by pouring our resources into the front end of the system, into programs that benefit the whole human being and therefore the whole society, that we will be able to deal effectively with this problem. Otherwise, we are going to continue to be where we have been for the past century or more, nibbling around the edge of the tail of the dog, while the dog continues to go his own, destructive way.

As is often the case, this speech is directed to the people who least need the message. There are millions of others who are so concerned with their own problems of day-to-day living that they rarely look at the overall problems of society and ask themselves one simple question: "What can I do to help?"

Our Nation's Future

I submit that one of our greatest problems of all concerns our young people. When we acknowledge that juvenile crime is going up, we also acknowledge that the future of the country is in danger. After all, the future of any society depends on its young. In a society that proclaims its roots in a religious and democratic tradition—one which we are hoping can serve as a model for other nations in the world—we have an absolute mandate to invest in the young. This responsibility goes beyond only our own children; it must go to all young people.

In this partnership, I reach out my hand to you and trust that you will reach out your hand to one another. Through this forum, I hope that you will approach these issues in this community, in the same way that com-

munities throughout California and throughout the nation must approach them; by concerted and concerned action to prevent delinquency. As we do these things, we should keep our own children in mind. If we want them, when they are grown to adulthood, to be free of the ravages of crime and delinquency which have plagued us, and our parents and their parents before us, the time for action is now. It is not too late, but it is about time!

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