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X EVALUATION OF THE

SAN DIEGO COUNTY PROBATION DEPARTMENT

PROGRAM

ADULT PROPERTY CRIME DEFERRED PROSECUTION PROJECT

November 1, 1973 to November 30, 1974

Submitted to:

Ruben E. Dominguez, Administrator Human Resources Agency Kenneth F. Fare Chief Probation Officer

Prepared by:

San Diego County Probation Department Program Evaluation Unit

Consultation provided by:

Principal Researchers:

American Justice Institute

Kathy Donohue, Deputy Probation Officer II

Mary V. Ramirez, Senior Probation
Officer

Project Director:

Frank L. DuPont, Supervising Probation Officer

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Appendix

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ACQUISITIONS

I. SUMMARY

The Adult Property Crime Deferred Prosecution Project was selected for a summative evaluation by the Ad Hoc advisory committee to the Human Resources Agency. The evaluation covered the project's first 13 months of operation from November 1, 1973 through November 30, 1974. The case files were obtained for all cases that were closed on or before November 30, 1974 and altogether, 316 files were examined. This included 164 files of program successes, 11 files of program failures, and 141 files of individuals who were excluded from participation.

The three program groups (successes, failures and rejects) were compared in terms of selected characteristics in order to get some idea about the program population in general and also to determine if there were differences between groups. Available data indicated that the typical success case was a caucasian, 31 year old female who had received a citation for shoplifting. Success cases typically did not have a prior record and the vast majority had at least a high school education. The typical failure, on the other hand, was a caucasian, 24 year old male who had been arrested for petty theft. He was also more likely to have a prior record and to have a lower educational level. Rejected cases most closely resembled the successes except the the majority were males and they were more likely to have prior records. There were other small differences between groups but it was the failure group that most often showed the greatest differences. It is not known, however, whether or not these differences are really significant because there was such a small group of failure cases to analyze.

An attempt was also made to discover the kind of supervision service that was provided for program participants. It was determined that the time lapse between the commission of the offense and the beginning of the voluntary supervision program was approximately six weeks (1.5 months). This was contrary to the original expectation that the supervision program could begin within a few days of the arrest. The average period of time actually under supervision, for successes, was found to be approximately six months during which time the client was seen an average of three times. Only ten cases appear to have been referred to outside community resources even though the original proposal stated that community resources would be used whenever appli-Judging from the information available in the case file, it would appear that the supervision services provided were neither "intensive" nor "tailored to the individual" as originally intended. It is possible that this was not the case but rather, that project personnel simply failed to adequately document their casework activities in the case record.

Overall, 15 individuals were arrested on new charges while under supervision. Ten remained in the program and finished it successfully while the remaining five were terminated as failures. The other six failures were terminated for being uncooperative or for not maintaining contact with the probation officer.

Because of the limited scope of this study, it is not possible to draw definite conclusions about the program's effectiveness in dealing with certain types of offenders. This report is, instead, primarily a description of certain aspects of the program. It is believed, however, that the program should be evaluated in terms of its effectiveness but that the evaluation should be conducted on an on going basis.

The evaluation effort was somewhat hampered by inaccurate records and incomplete data. Information was not collected consistently nor was it recorded systematically. Case files were particularly lacking in documentation of casework services, and what information was available was carelessly and incompletely recorded.

From the information available, it would appear that the program dealt primarily with low-risk individuals. This possibility needs further investigation, but if it is true, the program is not making as great a contribution to the improvement of the Criminal Justice System as it potentially could if it could show itself to be effective with higher-risk individuals.

On the basis of the information gained in this evaluation, the following recommendations are being made.

- Recommendation I It is recommended that a formative evaluation be designed to be conducted on an on-going basis.
- Recommendation II It is recommended that record keeping procedures be improved and that documentation of casework activities be included in case files.
- Recommendation III It is being recommended that an effort be made to increase the number of referrals for felonies from the District Attorney.

II INTRODUCTION

In December 1974, the Ad Hoc advisory committee to the Human Resources Agency selected the Adult Property Crime Deferred Prosecution Project as one of the programs to be evaluated by the Probation Department's Evaluation Unit. The program was selected for a summative evaluation to cover only the first 13 months of operation from November 1, 1973 through November 30, 1974. Evaluation design was scheduled to begin on February 17, 1975 with data collection to start on March 17, 1975 and continuing through April 30, 1975.

Midway through the data collection period a change in emphasis and direction was approved for the Evaluation Unit. This resulted in a shift in priorities and a re-allocation of the time and resources of Evaluation Unit personnel. In regard to the Property Diversion evaluation, it was determined that time permitted completion of only the first phase of the data collection - examination of case files. Phase Two of the data collection effort was to involve an examination of court records and Sherrif's records on all individuals referred to the program. This would have provided the recidivism and cost data mentioned in the original evaluation design. Since time did not permit collection of this data, this report covers only that information obtained from the examination of case files and does not cover as broad an area as had been originally anticipated.

III PROGRAM DESCRIPTION

The Adult Property Crime Deferred Prosecution Project is a CCCJ grant project which began on November 1, 1973. It is a cooperative venture between the District Attorney, the San Diego City Attorney, and the Probation Department to divert some adult property crime offenders from formal prosecution. Selected individuals (usually first-time offenders) are referred to the project by the prosecuting agencies prior to the beginning of the prosecution process. After additional screening, eligible offenders are then given the opportunity of participating in a tailored program of voluntary probation on an intensive and short-term basis. Community agencies and resources are used when appropriate and a maximum effort is made to set and meet realistic goals. Successful completion of the probation program results in a dismissal of the criminal charge by the prosecutor.

There was a 60-day delay in beginning the project due, in part, to a delay by the Board of Supervisors in appropriating the necessary "matching" funds. Other delays were encountered in releasing projected project personnel from their assignments within the Probation Department. Consequently, the Project Director was not assigned to the Project until January 4, 1974. Three probation officers had been assigned by January 21, 1974 and the fourth and final officer joined the program a few weeks later in February, 1974. The two clerical positions were also filled during this period of time and the program began receiving its first referrals by the end of January. In spite of the delays, the deficit in program participants was made up by the end of the third quarter (7-31-74).

The stated objectives of the project are as follows:

- 'That approximately 10% of the first-time property crime offenders will be diverted from formal court prosecution;
- *That while under probation supervision, 95% of the offenders will not be arrested for a new offense;
- *That 60 days following termination of probation, 90% of the offenders will not be arrested for a new offense; and
- 'That 98% of the offenders will successfully complete the program.

IV METHODOLOGY

The first concern of the evaluation effort was to determine if the Project met its stated objectives. Secondly, an effort was made to examine all referred cases (including program successes, failures and rejects) in terms of selected characteristics. This was to determine the types of clients selected by the program and to determine their difference, if any, from those rejected. Additionally, an attempt was made to examine the quantity and quality of the supervision services provided to those accepted into the program.

The Project Director provided a card file index of all cases referred to the project, broken down into groups of successes, failures, and rejects. Only those cases closed on or before November 30, 1974 were considered in order to coincide as much as possible with the program's fourth quarter report. These cases were then cleared through Adult Records and data was collected from all files that could be located. Information that was specific to the program was collected on the form found in Appendix A. General information was recorded in the Adult Data form found in Appendix B.

Data collection was attempted on 74 variables. This report, however, will only cover approximately 30 variables since there was insufficient information to comment on the remaining variables. It should be stressed that all the data included in this report was taken from case files only and does not include whatever information may have been recorded elsewhere by project personnel. Table 1 shows the total number of files examined in relation to the number in each category as reported in the Project's fourth quarter report.

***	÷.	•	-			-
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-	a.	v	_	•		_

Number of Cases	Success	Failure	Reject	Total
Reported by Program	169	13	148	- 330
Located for Evaluation	164	il	141	316
Difference	-5 *	-2**	-7***	14

^{*}The card file index provided by the Project listed only 165 cases, one of which was actually a rejected case and was, therefore, transferred to that category.

^{**}The card file index listed only 12 failures instead of 13. One case file could not be located as it was in transit between officers.

^{***}The card file index listed 148 rejected cases. Three case files could not be located because they were in transit between officers and there was no record in the Adult probation index on the other four names.

V DETAILED RESULTS

A. POPULATION STATISTICS

In terms of program status all offenders referred to the program break down into three groups, the successes, failures and rejects. Table 2 indicates the status of cases handled by the four Probation officers. (It must be remembered that the Table does not reflect the approximately 230 cases that were still open on November 30, 1974 but only those that had been closed.)

Table 2

* 差し、 は、 19 (19) (Acres and the second second
	Success	Failure (Reject	Total
Probation Officer	N %	N %	N %	N %
P.O0-Unassigned	0 0%	0 0%	10 7.1%	10 3.7%
P.O1	36 21.9%	3 27.3%	23 16.3%	62 19.6%
₽.02	38 23.2%	2 18.2%	44 31.2%	84 26.6%
P.O3	48 29.3%	4 36.3%	32 22.7%	84 26.6%
P.O4	42 25.6%	2 18.2%	32 22.7%	76 24.0%
Total	164 100%	11 100%	141 100%	316 100%

The table shows that probation officer 1 handled fewer cases than the other officers. This might be explained by the fact that this officer entered the program approximately three weeks after the other officers and the other three, therefore, had a headstart.

Program statistics indicate that 148 cases were rejected from program participation. The specific reasons for rejection in the 141 cases examined are found in Table 3.

Table 3

Rejec	tion F	leason Tot	al Re	jected
L. C	urrent	ly on Probation/Parole	9	
2. °H	istory	of Criminality/Prior record	39	6
} . ∘ o	ffende	r not interested	25	Tota2
	a.	Reason unknown	13	
	b .	Prefers to go to court	2	
	c.	Wants to leave town	7	
	d.	No suitable rehabilitation program	1	
	e.	Offender claims innocence	2	
4. R	ejecte	d by Prosecution after record check	5	
5. U	nable	to locate offender	16	
6. O	ffende	r uncooperative/failure to keep appointments	29	
7. 0	ffende	r living outside area	_4	
8. M	other	would not allow offender to participate	1	
9. o	ther		13	Total
	a.	Prosecutor decided not to prosecute	3	
	b.	Case dismissed	2	
	c.	Court disposed of case	ì	
	d.	Court refused diversion	1	
	е.	Unable to process through municipal court	· 2	
	.	Offender pleaded guilty	1	
	g.	Offender mentally ill	2	
	h.	Offender had more stolen articles	1	
		TOTAL	141	

The table indicates that the largest group of offenders was rejected because of prior record.

Reason #1 - 9
Reason #2 - 39
Reason #3 - 5
$$53 = 38\%$$
 of Total

The next largest group was those who were uncooperative, (29=21%) and next, those who were simply not interested (25=18%). Together, these three reasons account for 76% of the cases rejected. (It should be noted that in some cases the offender was rejected by the program and in other cases the program was rejected by the offender. However, all of them will be handled under the general heading of program Rejects.)

B. PROGRAM OBJECTIVES

Objective I - that approximately 10% of first time property crime offenders will be diverted from formal court prosecution.

Because of time considerations, it was not possible to develop independent statistical data on the number of property offenders entering the judicial process in order to determine whether 10% were being diverted. Instead, data provided by the project is being used to estimate whether or not the project has achieved this objective.

The Project Director reports that the estimated number of property offenders during 1973 was 4125. Ten percent of that would be 412. (Appendix C describes how this figure was computed.) Again using project data, 563 referrals were received and 148 were rejected. Therefore, 415 were placed under supervision which is very close to the ten percent figure initially estimated. It would appear from the available information that the first objective has been met.

Objective II - that while under probation supervision, 95% of the offenders will not be arrested for a new offense.

Case file information indicates that 15 out of the 175 program participants, evaluated in this study, were arrested while under supervision. Five of those arrested (including one who was arrested twice) were terminated from the program as failures. The other ten went on to successfully complete the program. It would appear then that only 91% of the program participants remained arrest-free while under supervision. The arrests break down as follows:

Successes	<u>Failures</u>
<u>사람들은 사람들은 한 사람들은 사람들은 사람들은 그들은 사람이 되었다.</u>	
Drunk Driving 4	Petty Theft 2
Drug Charges 3	Burglary 2
Trespassing 1	Drunk & Failure 1
Welfare Fraud	To Appear
Contempt of Court 1	Total 5
Total 10	그리아 아이들이 그 아이들은 하고 있다면서 다른다.

Objective III - that 60 days following termination of probation, 90% of the offenders will not be arrested for a new offense.

Case files did not reflect any data beyond the termination date and since it was not possible to check other records, this data is unavailable. The Project Director indicates that 60-day record checks were completed on 141 individuals and that only one had a new arrest.

Objective IV - that 98% of the offenders will successfully complete the program.

Of the 175 offenders selected for participation 169, or 94% successfully completed the program according to the available data.

C. COMPARISON OF SUCCESSES, FAILURES AND REJECTS

The three groups of offenders, successes, failures and rejects, were compared in terms of some selected characteristics in order to determine if there were any major differences between the various groups. The characteristics selected were limited to those on which sufficient data had been collected by program personnel. There are other characteristics that might have proved useful to investigate, but unfortunately, the data was insufficient in many areas.

1. Area of Residence

Each offender's area of residence was determined by his zip code at the time of arrest. Table 4 indicates the areas of residence for the project population.

Table 4
AREA OF RESIDENCE

Zip	Area	Success	Failure	Reject	Total
001	Alpine		0	1	
002	Bonita	1		· · · · · · · · · · · · · · · · · · ·	i
010	Chula Vista	$\frac{1}{1}$		1	1 2 1 2 5 3
011	Chula Vista			•	f
014	Del Mar	1 2 2 3 1			2
020	El Cajon	5		3	
025	Escondido	4		3))
032	Imperial Beach				
0) Z 0 2 7	La Jolla				
037 040		-		1 1 3 1	1 5
	Lakeside			<u> </u>	+
041	La Mesa	1		5	4
045	Lemon Grove	<u> </u>		+	2
050	National City	2		4	9
064	Poway	2			2
071	Santee	1523153888492128			1 1 1 2 1 4 2 9 2 3 1 6 8
073	San Ysidro	1			į
077	Spring Valley	5		1	6
101	Downtown San Diego	3		. 5	
102	Southeast San Diego	8		13	21
103	Hillcrest	8	1 3 1	5 13 11 3 3 1 6	20
104	North Park	4	3	3	10
105	East San Diego	9	1	3	13
106	Point Loma	2		1	8
107	Ocean Beach	1		6	8
108	Mission Valley	2			2
109	Mission/Pacific Beach	18	1	10	29
110	Old Town	7		4	11
111	Linda Vista	14		6	20
113	Logan Heights	2		10	12
114	Encanto	2 6		11	17
115	East San Diego	6		6	12
116	Normal Heights	1.1	2 1	7	20
117	Clairemont	5 1	1	$\frac{7}{1}$	13 2
118	Coronado	1		1	2
119	Fletcher Hills			2 1 *	2
120	Lake Murray	1		1 -	2
121	UCSD	1			1
122	University City	3			3
123	Serra Mesa/Mission Village	1 1 3	1	1	5
124	San Carlos			1 1	2 2 1 3 5
126	Mira Mesa	1			
127	Mira Mesa	1 1			
128	Rancho Bernardo	\mathbf{i}			1 7
129 :	Rancho Penasquitos			1	l i
131	Scripps Ranch	4			1 4
136	Unknown				
139	Paradise Hills			1	1 5
154	Nestor/Imperial Beach	7			∥
262	Out of County	* 1.7			ll 1
888	Mexico			4	1 2 1 3 1 8
999	Unknown	1 3 1 4 2	\mathbf{i}	9	0 12
111	TOTALS	164	11	141	316

Table 4 shows that 78% of all referrals come from the city of San Diego with the highest number (29) coming from the Mission Beach and Pacific Beach communities. Fifteen percent come from county areas outside the city. The remaining 7% are either outside the area or unknown.

2. Age

Table 5 indicates the age range for all cases examined calculated from the date of arrest.

Table 5

	Success	uccess Failure		Total
Age Range	N %	N 3	N %	N %
1. 18-22	69 42.1%	7 63.6%	76 53.9%	152 48.2%
2. 23-27	26 15.9%	2 18.2%	28 19.9%	56 17.8%
3. 28-32	14 8.6%	1 9.1%	8 5.8%	23 7.3%
4. 33-37	8 4.9%		5 3.5%	13 4.1%
5. 38-42	7 4.3%		4 2.8%	11 3.5%
6. 43-47	12 7.3%	1 9.1%	2 1.4%	15 4.7%
7. 48-52 ⁽⁾	9 5.5%		6 4.2%	15 4.7%
8. 53-57	5 3.0%		4 2.8%	9 2.8%
9. 58-62	6 3.6%		1 0.7%	7 2.2%
10. 63-67	1 0.6%		1 0.7%	2 0.6%
11. 68-72	4 2.4%		2 1.4%	6 1.9%
12. 73 and over	3 1.8%		4 2.8%	7 2.2%
Total	164 100%	11 100%	141 100%	316 100%
Age Range	18-79	18-44	18-76	18-79
Average Age	31.88	24.36	31.56	31.48

The Table indicates that referrals were of all ages and that they were accepted and rejected in roughly equal proportions in most categories. The only major difference between the various groups is with the failures in that their average age was somewhat lower than that for other groups.

3. Sex

Table 6 shows the breakdown of the program population by sex.

Table 6

	Success		Failure		Rejects		Total	
Sex	N	%	N	%	N	%	N	%
Male	76	46.3%	8	72.7%	84	59.6%	168	53.2%
Female	88	53.7%	3	27.3%	57	40.4%	148	46.8%
Total	164	100%	11	100%	141	1100%	316	100%

The Table indicates that 53.2% of all referrals were male, but only 50% were accepted into the program. Conversely, females accounted for 46.8% of the referrals but 61.5% were accepted. When examined by group that females tended to do better. The major differences are again apparent with the failure group.

4. Ethnic Characteristics

Table 7 illustrates the ethnic characteristics of the program population.

Table 7

	Success	Failure	Reject	Total
Ethnic	N %	N %	, N Z	N %
l. Caucasian	121 73.8%	11 100%	84 59.6%	216 68.4%
2. Mexican	20 12.2%		13 9.2%	33 10.4%
3. Black	16 9.8%		41 29.1%	57 18.0%
4. American Indian	0 0		1 0.7%	1 0.3%
5. Oriental	3 1.8%		1 0.7%	4 1.3%
6. Other	4 2.4%		0 0	4 1.3%
7. Unknown	0 0		1 0.7%	1 0.3%
Total	164 100%	11 100%	141 100%	316 100%

Examination reveals that Caucasians represented 68.4% of all referrals but 75.4% of all accepted cases. The biggest reason for this appears to lie with the blacks. They made up 18% of the referred population but only 9.8% of the accepted group. It is unknown why they were in the Rejects group in a larger proportion than other ethnic groups. It may be that a larger percentage of blacks were not interested in participating in the program.

5. Prior Record

Table 8 indicates the number of individuals in each group with prior arrests. All arrests were tabulated with no effort made to differentiate between arrests that resulted in convictions and those that did not.

Table 8

	Success	Failure \	Reject	Total
Arrests	* N % .	N Z	N %	N %
0	147 89.6%	6 54.5%	94 66.8%	247 78.2%
	9 5.5%		14 9.9%	23 7.3%
2	7 4.3%	2 18.2%	12 8.5%	21 6.7%
3		1 9.1%	4 2.8%	5 1.6%
	1 0.6%		5 3.6%	÷6 1.9%
5			1 0.7%	1 . 0.3%
6			1 0.7%	1 0.3%
. 7			2 1.4%	2 0.6%
8			2 1.4%	2 0.6%
9			, 6	0
10			2 1.4%	2 0.6%
			0	0
12			0	0 //
13		1 9.1%	2 1.4%	. 3 1.0%
14		1 9.1%	O	1. 0.3%°
18			2 1.4%	2 0.6%
Totals	164 100%	11 100%	141 100%	316 100%

The Project Director stated that individuals with prior records were generally excluded from the program. Exceptions were made, however, when the prior offense(s) was considered very minor or when the offense(s) had occurred many years previously. Table 9 illustrates the total number of priors committed by each group and the average number per case.

Table 9

	Success	Failure	Reject	Total
Total Priors for Group	27	34	193	254
Number in Group	164	11	141	316
Average per Case	:16	3.09	1.37	.80

It was to be expected that the Rejects group would have a larger number of priors because this was the basis for rejection in many of the cases. What is significant, however, is that among the accepted cases, the 11 failures had a higher total number of priors than the 164 success cases. Additionally, 45.5% of the failures had priors while only 10.4% of the successes did.

6. Marital Status

Table 10 represents the marital status of all groups.

Table 10

	Suc	cess	Fai	lure	Reje	сt	Tota	1
Status	N	%	N	76	N	<i>"</i>	N	%
l. Never married	70	42.7%	6	54.5%	^57	65.5%	133	50.7%
2. Married	57	34.7%	2	18.2%	19	21.8%	78	29.8%
3. Separated	4	2.4%	3.38 / 190 100 / 190	9.1%	2-	2.3%	7	2.7%
4. Divorced	18	11.0%	2	18.2%	7	8.0%	27	10.3%
5. Widowed	7	4.3%			1	1.2%	8	3.0%
6. Remarried	6	3.7%	0		0		6	2.3%
7. Other	2	1.2%			1	1.2%	3	1.2%
8. Unknown	0				54	missing	54	missing
Total	164	100%	11	100%	141	100%	316	100%

Because marital status information was missing in 54 (38.3%) of the rejected cases, it is difficult to draw conclusions about the entire referred population. Comparisons between groups is also difficult but it would appear that the successes had the highest percentage of married individuals.

7. Level of Education

Table 11 tabulates the number of years of education completed by all program participants.

Table 11

	Suc	cess	Fai	lure	Re	ject	To	tal
Grade	, N	Ź	N	7,	N	78	N	%
6	5	3.3%					5	2.4%
7	1	0.7%					1	0.5%
8	j ji	2.6%			2	4.0%	6	2.8%
9	2 🖔	1.3%					° 2	0.9%
10	12	7.8%	1	11.1%	1	2.0%	14	66.6%
11	15	9.8%	2	22.2%	16	32.0%	∘ 33	15.6%
12	60	39.2%	5	55.6%	17	34.0%	82	38.6%
13	19	12.4%			7	14.0%	26	12.3%
	12	7.8%	1	11.1%	4	8.0%	17	8.0%
15.	10	6.5%			1	2.0%	11	5.2%
16	9	5.9%			2	4.0%	11	5.2%
17	1	0.7%					1	0.5%
18	2	1.3%					2	0.9%
19	0		ġ.				0	
20	1	077%					1	0.5%
Unknown	11	missing	2.=	missing	91	missing	104	missing
Known	° 153	100%	<i>:</i> 9	100%	50	100%	212	100%
Total	164		11		141		316	
Aveiage of Known	12.	25	12.	Ō	12.	08	12.	20

Education data was missing in a large number of cases particularly in the rejects group (91=64.5%).

What information was available, indicates that the average educational level was fairly high and roughly equivalent for all groups. However, when looking at individuals with less than a high school education, there appears to be some differences between groups. The success group had 39 (25.5%) with less than a high school education, the failures 3 (33.3%) and the rejects, 19 (38.0%). Complete data for all groups would be needed to determine whether or not these differences are actually significant.

8. Citation/Arrest

Table 12 shows the program population in terms of those who were arrested as opposed to those who were given a citation at the time of the offense.

Table 12

	Success	Failure	Reject	Total
	N %	N %	N %	N %
Arrest	67 40.9%	6 . 54.5%	86 64.2%	159 51.5%
Citation	97 59.1%	5 45.5%	48 35.8%	150 48.5%
Unknown	0	0	7 missing	7 missing
Total	164 100%	11 100%	141 100%	316 100%

The data indicates that arrests and citations were referred in roughly equal numbers but the arrest cases were more likely to be rejected. (64.2% of rejected cases were arrests.) This appears reasonable in that arrests would more likely represent the more serious offenses. Citations are generally not issued to offenders with prior records or with felony offenses. Data indicates that a larger percentage of reject cases had prior records, and a citation was issued in only one felony offense.

9. Offense Resulting in Referral

Table 13 indicates the offenses that result in referral to property diversion by all program participants.

Table 13

	Suc	cess	Fai	lure	Re	ject	То	tal
Offense	N	%	N	7,	N	<u> </u>	N	. %
Theft of lost property	1	0.6%					1	0.3%
Burglary	12	7.3%	2	18.2%	12	8.5%	26	8.2%
Forgery	3	1.8%			6	4.3%	9	2.9%
NSF checks	2.	1.2%	1	9.1%	3	2.1%	∴6	1.9%
Petty theft	141	86.1%	7	63.6%	107	75.9%	255	80.8%
Credit card theft	2 :	1.2%					2	0.6%
Grand theft	1	0.6%					1	0.3%
Receiving sto- len property	1	0.6%	1	9.1%	10	7.1%	12	3.8%
Malicious mischief	1	0.6%					1	0.3%
Grant theft- auto						0.7%	1	0.3%
Other					2	1.4%	2	0.6%
Total	164	100%	11	100%	141	100%	316	100%

The greatest number of all referrals was for petty theft (80.8%), over half of these being successes. Failures had a larger percentage (more than double) of burglaries than did either the successes or rejects. Of the successes, only 23 of 164 cases (14%) were referred for charges other than petty theft.

Felony/Misdemeanor

Table 14 represents a comparison of felony and misdemeanor offenses for each group.

Table 14

	Success	Failure	Reject	Total
	N %	N %	N % %	N %
Felony	31 18.9%	4 36.4%	36 26.3%	71 22.8%
Misdemeanor	133 81.1%	7 63.6%	101 73.7%	241 77.2%
Unknown	0	0	4 missing	4 missing
Total	164 100%	11 100%	141 100%	316 100%

Only 22.8% of the program's referrals were felony charges which is somewhat below the program's original expectations that at least a third of their cases would be felonies. The percentage of those accepted was slightly lower (20%) and the percent successfully completing the program was 18.9%. The program itself, however, is not to be faulted for this lower percentage since the program is totally dependent on the prosecuting agencies for referrals.

11. Referral Source

Table 15 represents the source of referrals for all participants. Originally, referrals were to come only from the offices of the City Prosecutor and the District Attorney. During the second quarter however, it was decided to include individuals who had received field citations for petty theft (shoplifting). Because of the method of processing citations, it was necessary to include the court in the referral process. At the time of the defendant's arraignment, the court was informed of the City prosecutor's wishes to defer prosecution. If the court concurred, the arraignment was continued for six months, in order to permit the defendent to participate in the program. Additionally, the court also began to make its own referrals to the program which increased the referral rate. Table 15 indicates the referral source for all cases by District Attorney, City Prosecutor, and court referrals. It should be noted that all court referrals also come from the City Prosecutor even though they were also handled by the court.

Table 15

실패 등 경기 등 하는 사람들이 다 되었다.				
	Success	Failure	Reject	Total
Referral Source	N %	N %	N %	N %
District Attorney	26 16.0%	4 36.4%	31 22.1%	61 19.4%
City Prosecutor	68 41.7%	3 -27.2%	56 40.0%	127 40.4%
Court	69 42.3%	4 36.4%	53 37.9%	126 40.2%
Unknown	l missing	0	l missing	2 missing
-Total	164 100%	11 100%	141 100%	316 100%

Again, the data reflects a lower percentage of referrals from the District Attorney than had been originally anticipated. Additionally, 40.2% of all referrals involved the court, a factor which was not anticipated in the original planning.

12. Comments

The somewhat limited number of characteristics examined in relation to all groups was limited by the lack of data found in the case files. Information was particularly lacking in the files of the rejected cases and they frequently contained nothing more than the basic arrest information. Part of the reason for this lies in the fact that a large number of these individuals were never interviewed and, therefore, there was no opportunity to get certain kinds of information. However, even in the cases where individuals were interviewed, information was not collected in any systematic way and, therefore, much information was missing.

On the basis of available information, Successes and Rejects appeared to be somewhat similar with the Failures being the most different. They differed from the other groups in almost every characteristic with major differences showing up in age and severity of prior record. They were, however, a very small group, and these differences should again be examined when a larger group is available for study.

D. DESCRIPTION OF SUPERVISION SERVICES

The original proposal by the Diversion Project stated that supervision would center around a mutually agreed upon plan of supervision tailored to the individual. The offender was to be dealt with on an intensive and short-term basis with existing community resources to be used when applicable.

The case files of all individuals accepted into the program (Successes and Failures) were examined in order to get some idea about the level of supervision services being provided.

Again the factors examined were determined by the information that was recorded by program personnel.

1. Process Time

hance Leave

Table 16 represents a comparison of program successes and failures in terms of process time. Process time refers to the amount of time (in months and tenths) between the date of arrest for the property offense and the date the offender was formally placed under probation supervision.

Table 16

	Success	Failure	Total
Process Time	N %	N %	N Z
0.1 - 0.5	13 7.9%	2 18.2%	15 8.6%
0.6 - 1.00	44 26.8%	6 54.6%	50 28.6%
1.10 - 1.50	62 37.9%	2 18.2%	64 36.6%
1.60 - 2.00	24 14.7%		24 13.7%
2.10 - 2.50	7 4.3%	1 9.0%	8 4.5%
2.60 - 3.00	3 1.8%		3 1.7%
3.10 - 3.50	3 1.8%		3 1.7%
3.60 - 4.00	2 1.2%		2 1.1%
4.10 - 4.50	1 0.6%		1 0.6%
4.60 - 5.00	1 0.6%		1 0.6%
5.10 - 5.50			
5.60 - 6.00			
6.10 - 6.50			
6.60 - 7.00			
7.10 - 7.50	3 1.8%		3 1.7%
7.60 - 8.00	RETAIL BEINGE FEIL Being Beingen Beingen		
8.10 - 8.50	(1944) 1 : 그리고 그림을 이라는 그들은 사용 1 : 그리		
8.60 - 9.00			
9.10 - 9.50			
9.60 - 10.00	1 0.6%		1 0.6%
Total	164 100%	11 100%	175 100%
Average	1.52 months	1.04 months	1.49 months

The average process time for program successes was 1.52 months and 1.04 for program failures. Process time for the majority of program successes was 1.40 months, but only 1.00 month for program failures.

The original grant proposal for this program states that "Routinely, several months pass between the time the offense is committed and the time probation may be granted ... The problems which led to commission of the offense, many times, becomes magnified or so deeply hidden that probation and rehabilitative efforts are rendered less effective." "... the [Diversion] plan will allow intervention within a few days of the commission of the offense." "The project will provide immediate treatment for the offender, thereby reducing the delay between arrest and probation supervision."

These goals or desires do not seem to have routinely been met since nearly 70% of all people accepted into the program had a process time of over one month (In fact, 11 of 175 clients had process times of over three months, and 4 had times over seven months!). Generally, failures had briefer process times than successes (91% of failures had process times less than 1.5 months while only 71.6% of successes fell into this category).

It should be pointed out that the length of process time was not solely under the control of the Property Diversion Unit; the referring agencies could delay referral of a case for weeks. This was particularly true for citation cases where arraignment hearings were set three weeks after the offense. Whatever the reason, it does appear that process time was not in accordance with the stated goals in the original proposal.

2. Probation Term

Table 17 indicates the terms of probation supervision granted for program successes and failures.

Table 17

	Success	Failure	Total
Term in Months	N Z	N %	N %
2.2	1 0.6%		1 0.6%
3.0	2 1.2%		2. 1.2%
4.0	14 8.6%		14 8.1%
5.0	6 3.7%		6 3.5%
6.0	136 84.1%	9 81.8%	145 83.8%
7.0	2 1.2%	1 9.1%	3 1.6%
8.0	1 0.6%	1 9,1%	2 1.2%
Unknown	2 missing		2 missing
Total	164 100%	11 100%	175 100%
Average Time	5.75 months	6.27 months	5.79 months

The average term of probation for successes was 5.75 months, for failures, 6.27 months. This difference could be due to the failure cases appearing to need longer supervision at the initial screening.

The great majority of all cases (83.8%) were granted six months probation supervision. It should be noted that the original grant proposal stated the term would be geared to individual needs, and it was felt that this would be seven months in most cases. However, once the court became involved in the process, the judges began setting the time at six months.

In those cases with supervision terms other than six months, it is assumed that the term was more geared to the specific needs of the individual client.

The actual time under supervision was also computed for each case. The success cases, of course, were almost always supervised for the entire term initially agreed upon. Failure cases, on the other hand, were generally removed from the program prior to the expiration of the original term set. For the failures, time under supervision, ranged from 1.7 to 6.0 months with an average time of 4.62 months.

3. Conditions of Probation

As a part of the supervision plan, offenders must agree to abide by certain conditions of probation. There are four standard conditions which everyone must agree to, which are listed below.

- 1. Report in person as directed by the Probation officer.
- 2. Notify the Probation officer promptly of any change in residence or employment.
- 3. Be a law-abiding citizen. If arrested, notify the Probation officer at once.
- 4. Do not leave the County without proper permission.

In addition to the standard conditions some offenders had one or more additional conditions tailored to their individual needs. Additional conditions fell into the following categories.

- 1. Engage in program of work and/or school.
- 2. Non-association with specified individuals.
- 3. Write report on offense.
- 4. Make restitution.
- 5. Engage in volunteer work.
- 6. Engage in a therapy program.
- 7. Contact the Probation officer at specified times.
- 8. Enroll in an English class.

Table 18 indicates the numbers of individuals with each of the specified conditions.

Table 18

Condition	Success	Failure	Total
1. Work/School	32	8	40
2. Limit Associates	1		
3. Write Report	37	2	39
4. Restitution	8	1	9
5. Volunteer Work	25	1	26
6. Therapy	10	.3	13
7. Contacts	9	3	12
8. English Class	3		3

Some offenders had more than one additional condition and Table 19 summarizes this information.

Table 19

		, <u> </u>		
	Success	Failure	Total	
Number of Conditions	n %	N %	N %	
No additional conditions	51 31.1%	. 0	51 29.1%	
l additional condition	102 62.2%	5 45.5%	107 61.1%	
2 additional conditions	10 6.1%	5 45.5%°	15 - 8.6%	
3-additional conditions	1 0.6%	1 9.0%	2 1.2%	
Total	164 100%	11 100%	175 100%	

The table indicates that most offenders (71%) had at least one special conditions in addition to the four standard ones. What is significant is that the failures appear to have had more conditions imposed than the successes in that over half had at least two additional conditions. Less than 7% of the successes had two or more conditions. One interpretation would be that failures were recognized in the screening process as potential problems and, therefore, more conditions were imposed. An opposite view would be that additional conditions increased the individual's potential for failure in that there were more requirements to meet. Only a more in depth study could determine which view is correct.

4. Referrals to Outside Agencies

Table 20

	Success	Failure	Total
Number of Referrals	N %	N %	N 4
0	154 93.9%	11 100%	165 94.3%
1	10 6.1%	0 0%	10 5.7%
Total	164 100%	11 100%	175 100%

Referrals were to the following agencies:

Job Corps
Therapist
V.A. Hospital
Chicano Federation 2
Western Behavioral Sciences Institute 1
Legal Aid
Jewish Community Services
Senior Services
Department of Public Welfare 1

The original grant proposal indicates "Existing community agencies and resources will be used when applicable." Case file information would indicate that referrals to outside agencies were applicable in only 10 (6.1%) cases.

This seems to be in conflict with the information presented about the conditions of probation. Table 18 indicates that of those who successfully completed the program, 25 were ordered to do volunteer work and 10 were ordered to obtain therapy. It can only be concluded, therefore, that either some individuals did not in fact comply with their conditions of probation, or that their compliance was not properly documented in the case file.

5. Contacts

All case files included a log sheet for recording contacts with clients. The form provided space for indicating the date and type for each contact. Tables 21, 22 and 23 summarize the information obtained from those logs.

Table 21

Success Group	Of	fice	° Fie	eld	Type U	Jnknown*	Tota	l Contacts**
Number of Contacts	N	7,	Ñ	76	N	Z	N	8
O	31	18.9%	140	85.4%	104	63.4%	19	11.6%
1	33	20.1%	12	7.3%	29	17.7%	9	5.5%
2	29	17.7%	8	4.7%	14	8.5%	21	12.8%
3	30	18.3%	2	1.2%	.6	3.7%	39	23.8%
4	22	13.4%	. 2	1.2%	9	5.5%	33	20.1%
5	12	7.3%			2	1.2%	26	15.8%
6	6	3.7%					15	9.2%
7	1	0.6%					1	0.6%
8							1	0.6%
Total	164	100%	164	100%	164	100%	164	100%
Average Number per Cliept	2.27		0.2	6	0.7	# 1	3.26	

^{*}Contact logs sometimes showed dated entries with no indication as to what type of contact it was.

^{**}Total contact figures include all log entries including those where the type was unknown.

Table 22

Failure Group	Office	Field	Type Unknown	Total Contacts
Number of Contacts	N %	N %	N %	N %
0	3 27.3%	11 100%	8 72.7%	3 27.3%
1	5 45.5%		1 9.1%	3_27.3%
2	2 18.1%			3 27.3%
3	1 9.1%		1 9.1%	[12] 10] - 12 전 10 10 12 12 12 12 12 13 14 15 15 16 16 16 16 16 16 16 16 16 16 16 16 16
4				1 9.1%
5				
6				
			1 9.1%	
8				
9				
10				1 9.1%
Total	 11 100%	11 100%	11 100%	11 100%
Average Number per Client	1.09	0	1.0	2.09

Table 23

Group Averages	Office	Field	Type Unknown	_Total Contact
Average for Successes	2.27	0.27	0⊈74	3.26
Average for Failures	1.09	0	1.0	2.09
Average for Total	2.19	.24	.75	∢3.1 9

Information from the tables indicates that 132 (23.6%) of the entries on the contact sheets did not specify the type of contact. It is very possible that many of these were telephone contacts rather than face-to-face contacts. Only those specified as "office" or "field" are known for sure to have been face-to-face meetings. Looking at only these two types, the average number of total contacts per client drops to 2.43.

Contacts for failures were lower than those for successes but this was to be expected. Many of the failures were excluded from the program precisely for failing to maintain contact with the probation officer.

The table for the success group does, however, show some surprises. From the available information, 19 (11.6%) of the successes had no contacts at all recorded in the case file. This was in spite of the fact that in some of those cases, court report information indicated that the offender had "reported monthly." Since the average term of probation was approximately six months (Table 17) for successes, it can be calculated that they were contacted on an average of once every 1.7 months or approximately every 7½ weeks. This is counting all types of contacts including those that might possibly have been telephone calls.

The project proposal indicated that "intensive" supervision services would be provided. Available information does not reflect that this was the case and there are several possible explanations. It may have been determined that many individuals did not need more intensive service and, therefore, there was no necessity to see them more often. The other possible explanation is that program personnel were careless in their case recording and simply did not properly document their activities with clients. As previously mentioned, many entries that were made, were carelessly done and did not specify type.

6. Program Failures

Eleven individuals were terminated from the program as failures. The reasons for failure were as follows:

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		1000			e tautie i				100			377.5		1.5			4 H H		
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No additional information is known about the final disposition in these cases except that the five who were arrested were subsequently referred to the Probation Department to be processed through normal procedures.

7. Comments

The first impression received after examining case files was that they contained very little information. There appears to have been very little concern about documenting casework activities and as a result it appears as if there was only minimal interraction with clients. As with other characteristics, there appeared to be some differences between the successes and failures in terms of the kind of supervision service provided. Only a more detailed examination could determine if this is, in fact, true.

VI CONCLUSIONS AND RECOMMENDATIONS

It would be impossible, at this time, to draw definitive conclusions about the effectiveness of the Adult Property Crime Deferred Prosecution Project primarily because of the limited scope of this study. Instead, an attempt has been made to simply describe certain aspects of the program and its clientele in the hopes of providing some useful information for future program planning. This study has, in many ways, raised more questions than it has answered and it is for this reason that the following recommendations are being submitted.

Recommendation I - It is recommended that a formative evaluation be designed to be conducted on an on-going basis.

The major question still needs to be answered as to whether or not the project is more effective in dealing with certain types of offenders than the normal criminal justice process. In order to respond to this question it is essential to know what the long range effects of the program are on its' participants in relation to similar individuals who do not go through the program. This could best be determined by designing and conducting an on-going study that would include comparison or control groups. A careful design would also inside that data collection would by systematic and that sufficient data would be available on those variables considered to be important.

A related question to be answered has to do with program cost. The determination of program effectiveness must also take into consideration the cost of services provided. It may be that a program is extremely effective in dealing with a particular problem but that the cost is greater than can be afforded. Only a comprehensive formative design could respond to this question. Additionally, any other areas of interest to program personnel could be built into an evaluation design.

Recommendation II - It is recommended that record keeping procedures be improved and that documentation of casework activities be included in case files.

Throughout this evaluation effort, there was a continuing problem with inaccurate and incomplete records. There was little consistency in what information was collected or how it was recorded. Additionally, case files were characterized by a scarcity of information about Probation Officer/Client interraction. This lack of documentation makes it appear that the supervision services provided were neither "intensive" nor "tailored to the individual." Even if this is not the case, program personnel would have no way of refuting that charge at this point. It is primarily for this reason that an improvement in record keeping is being recommended regardless of whether or not any additional evaluation will be conducted in the future.

Recommendation III - It is being recommended that an effort be made to increase the number of referrals for felonies from the District Attorney.

Just on the basis of the limited number of characteristics presented the question arises as to whether program participants would not have been just as "successful" without the program. If the program is selecting that kind of individual, then it's contribution to the improvement of the Criminal Justice System is less than if it dealt with individuals presenting a higher risk. Those individuals committing the more serious offenses would be in this higher risk category and the recommendation is that an attempt be made to have more of them included.

It is recognized that the decision to refer offenders lies with the prosecuting agencies and is, therefore, beyond the control of the Project Director. However, it is believed that an effort should be made to increase referrals from the District Attorney so that the program will have a greater chance of impacting the Criminal Justice System.

VII. APPENDIX

APPENDIX B

Adult Data Form Post Program Adult Data Form Statistical data on the number of defendents prosecuted for property crimes within the San Diego Judicial District is not readily available. While the various police agencies have data on reported crime and arrests, data on specific crimes prosecuted is not currently available from the courts.

In order to obtain data on which to compare the Project Objective of deferring from prosecution approximately 10% of those offenders who would originally have been prosecuted for property crimes, project staff went to the Municipal Court Criminal Control Register and manually counted, by the day, the number of complaints filed. Since it would have been prohibitive in time to have surveyed the entire year, two weeks each in January and October 1973 were selected as being representative. Court filings were determined for both misdemeanors and felonies. Individuals scheduled for arraignment in the South Bay Branch of the San Diego Municipal Court were rejected as being outside the area covered by the project.

The following information was obtained from the survey:

MISDEMEANORS

January	1973	October 1	<u>973</u>	
1-2-73 1-3-73	16 12	10-1-73 10-2-73	8 6	
1-4-73 1-5-73	23	10-2-73 10-3-73 10-4-73		
1-6-73		10-1-73 10-5-73 10-9-73	100	Total: 243 Daily average: 11.6
1-9-73 1-10-73	<u> </u>	10-10-73	25 6	Weekly average: 57.5
1-11-73 1-15-73	11	10-12-73	11	Estimated No.: 20/5
1-15-73		10-15-73 10-16-73	14 10	

FELONIES

January 1973	<u>October 1973</u>	
1-2-73 18 1-3-73 8 1-4-73 17 1-5-73 17 1-8-73 4	10-1-73 9 10-2-73 0 10-3-73 10 10-4-73 8 10-5-73 14	Total: 103
1-9-73 17 1-10-73 15 1-11-73 5 1-12-73 6	10-9-73 7 10-10-73 6 10-11-73 15 10-12-73 12	Daily average: 5 Weekly average: 25 Estimated No.: 1250
1-15-73 12 1-16-73 17 1-17-73 5	10-15-73 10 10-16-73 12	

Estimated Property Crime filing in San Diego Judicial District, Misdemeanor and Felony = 4125

10% = 412

arrivacioni 15

Appendix A ADULT PROPERTY CRIMES DEFERRED PROSECUTION DATA FORM

E: OFFENSE				70.24		
	μ	CHARCE.				
DATE: AGENCY:		A/C:	 -	M/	F:	
REFERRAL						
DATE:		AGENCY:	DA	, CP		_, CT
. SCREENING						
DATE:						
DECISION: R	EJECTION [EPTANCE [
REASON			P.C). ASSIGNE	D	
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INTAKE			. "			
NOT ACCEPTED			1 ACC	EPTED		
REASON	100-1	<u></u>	DA	TE (of Ag	reement)	
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			"	WDTITONS		
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PLA						
LEN	GTH					-
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EW ARRESTS:	ITIONAL					
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	10 PM					
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DATE			AGEN	ICY	DISP.	
DATE			AGEN	icx	DISP.	•
DATE			AGEN	ICY	DISP.	
					DISP.	
CLOSING: FAIL DATE	URE		SUCCE	SS	DISP.	
CLOSING: FAIL DATE TOTA	URE L TIME		SUCCE DATE TOTAL	SS TIME		
CLOSING: FAIL DATE TOTA	URE		SUCCE DATE TOTAL CHARG	SS, TIME	SED:	
CLOSING: FAIL DATE TOTA REAS	URE ON		SUCCE DATE TOTAL CHARG	SS, TIME ED DISMIS		
CLOSING: FAIL DATE TOTA REAS	URE L TIME		SUCCE DATE TOTAL CHARG	SS, TIME	SED:	
CLOSING: FAIL DATE TOTA REAS	URE ON		SUCCE DATE TOTAL CHARG	SS, TIME ED DISMIS	SED:	
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CLOSING: FAIL DATE TOTA REAS DISP POST-PROGRAM 60-DAY DATE:	URE		SUCCE DATE TOTAL CHARG	SS TIME TIME ED DISMIS TE AGENCY	SED: NO[]	
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