

# crime and delinquency in california 1978



60976

## PART II

DISPOSITIONS  
CORRECTIONS  
PROBATION



CALIFORNIA • DEPARTMENT OF JUSTICE  
OF LAW ENFORCEMENT • BUREAU OF CRIMINAL STATISTICS



State of California

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### CRIME AND DELINQUENCY IN CALIFORNIA, 1978 — PART II

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delinquency  
in california 1978  
PART II**

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## INTRODUCTION

Crime and Delinquency in California is an annual report published by the Bureau of Criminal Statistics (BCS). It presents data on the nature and extent of crime and delinquency and the manner in which criminal justice is administered in the state. Since 1945, the Bureau has been the state's central agency for the collection of statistical data on the number and type of offenses known to authorities; the personal and social characteristics of criminals and delinquents; and the administrative actions taken by criminal justice agencies.

"Crime and Delinquency in California, 1978" is the 27th annual report compiled by the Bureau. The report was prepared in two parts in order to make information available as soon as possible. Part I, released in May 1979, displayed statewide data on crimes, arrests, the number of law enforcement personnel, and the amount of law enforcement expenditures. Part II of the 1978 report includes information on adult and juvenile offenders processed through the court and correctional systems as well as personnel and expenditure information for all criminal justice agencies.

In addition to the Bureau's Crime and Delinquency report, a supplemental report series, Criminal Justice Profiles, is published annually. Individual reports which contain ten-year trend data as well as annual county and jurisdictional data for the report year are prepared for the entire state and for each of the 58 counties. Criminal justice data not provided in either the Crime and Delinquency report or the Profile series may be available from the Bureau on a special request basis.

## THE ADULT CRIMINAL JUSTICE SYSTEM

California's adult criminal justice system operates through the combined efforts of law enforcement officials who investigate crimes and apprehend suspects; prosecuting attorneys who present allegations in the courts; the courts which determine the innocence or guilt of offenders and the sentences to be rendered on those convicted; and correctional agencies which provide custodial and rehabilitative services.

### Adult Prosecution

During 1978, criminal justice agencies in California reported 150,004 final dispositions of felony arrests to BCS through the Offender-Based Transaction Statistics (OBTS) system. The OBTS system compiles data on adult felony arrests from the point of arrest to the point of final disposition in the criminal justice system. Final dispositions for a given year may be for arrests which occurred during that year or in prior years. Data on the characteristics and limitations of 1978 OBTS data are presented in Appendix B.

BCS also maintains a separate information system, the Monthly Arrest and Citation Register (Arrest Register), on arrests by California law enforcement agencies during each year. As shown in Table 1, there were 233,957 adult felony arrests reported on the Arrest Register in 1978. This represents a difference of 83,953 from the 150,004 felony arrest dispositions reported through OBTS, indicating that the dispositions of all adult felony arrests were not reported through the OBTS system.

On the basis of the above, it is estimated that about one-third of the final dispositions in 1978 were not reported to BCS. Although the level of underreporting may have varied each year from 1975 through 1978, the statewide proportions of final dispositions have remained fairly constant. The levels of final dispositions for the 150,004 adult felony arrestees disposed of in 1978 are proportionately shown in Chart A.

Table 1 shows that over the four-year period from 1975 through 1978, the percentage of adult felony arrests, for which complaints were filed, declined from 78.0 percent in 1975 to 76.3 percent in 1978. There was a similar drop in the percentage of cases disposed of at the lower court level, from 56.1 percent in 1975 to 53.2 percent in 1978. In contrast, total convictions in lower court increased from 30.5 percent of the final dispositions in 1975 to 36.7 percent in 1978, while convictions in superior court increased from 18.0 percent to 19.9 percent.

TABLE 1

**DISPOSITIONS OF ADULT FELONY ARRESTS, 1975—1978**

Level of Arrest and Disposition Percent Distribution by Year

Level of arrest and disposition	1975	1976	1977	1978
<b>TOTAL ADULT ARRESTS<sup>a</sup></b> . . . . .	1,068,907	1,093,998	1,139,425	1,145,423
Felony . . . . .	265,816	224,532	224,961	233,957
Misdemeanor . . . . .	803,091	869,466	914,464	911,366
<b>Felony arrest dispositions</b> . . . . .	100.0	100.0	100.0	100.0
Law enforcement releases . . . . .	8.5	6.7	8.8	9.7
Complaints denied . . . . .	13.5	13.7	13.8	14.0
Complaints filed . . . . .	78.0	79.6	77.3	76.3
Misdemeanor complaints . . . . .	40.7	40.9	37.3	36.3
Felony complaints . . . . .	37.3	38.7	40.0	40.0
<b>Lower court dispositions</b> . . . . .	56.1	56.7	54.6	53.2
Dismissed <sup>b</sup> . . . . .	25.1	20.0	17.2	16.2
Acquitted . . . . .	0.5	0.6	0.5	0.4
Convicted . . . . .	30.5	36.2	36.8	36.7
Guilty plea . . . . .	29.8	35.0	35.9	35.9
Jury trial . . . . .	0.3	0.5	0.5	0.5
Court trial . . . . .	0.3	0.6	0.4	0.3
Sentence . . . . .	30.5	36.2	36.8	36.7
California Youth Authority . . . . .	0.0	0.1	0.0	0.0
Straight probation . . . . .	12.4	12.9	12.9	12.2
Probation/jail . . . . .	10.3	12.4	13.6	15.2
County jail . . . . .	4.6	6.1	6.5	5.8
Fine . . . . .	3.1	4.3	3.6	3.3
Other . . . . .	0.0	0.4	0.2	0.1
<b>Superior court dispositions</b> . . . . .	22.0	22.9	22.8	23.0
Dismissed <sup>c</sup> . . . . .	3.2	2.8	2.5	2.5
Acquitted . . . . .	0.8	0.7	0.6	0.6
Convicted . . . . .	18.0	19.4	19.7	19.9
Original guilty plea . . . . .	4.7	5.4	5.4	7.6
Not guilty to guilty . . . . .	10.8	11.5	11.6	10.0
Jury trial . . . . .	1.4	1.7	1.9	1.6
Court trial . . . . .	0.6	0.6	0.6	0.6
Trial by transcript . . . . .	0.4	0.3	0.2	0.2
Sentence . . . . .	18.0	19.4	19.7	19.9
Death . . . . .	0.0	0.0	0.0	0.0
State prison . . . . .	2.6	3.5	4.1	4.6
California Youth Authority . . . . .	0.8	1.0	0.9	0.8
Straight probation . . . . .	3.9	3.3	2.9	2.7
Probation/jail . . . . .	8.9	9.6	9.9	10.3
County jail . . . . .	1.0	1.0	1.0	0.7
Fine . . . . .	0.1	0.1	0.1	0.1
California Rehabilitation Center . . . . .	0.6	0.7	0.6	0.5
Mentally disordered sex offender . . . . .	0.1	0.1	0.2	0.1
Other . . . . .	—	0.0	0.0	0.0

<sup>a</sup>Arrests reported on the "Monthly Arrest and Citation Register." Percent distributions are based on data reported through the Offender-Based Transaction Statistics system.

<sup>b</sup>Includes those defendants certified to juvenile court.

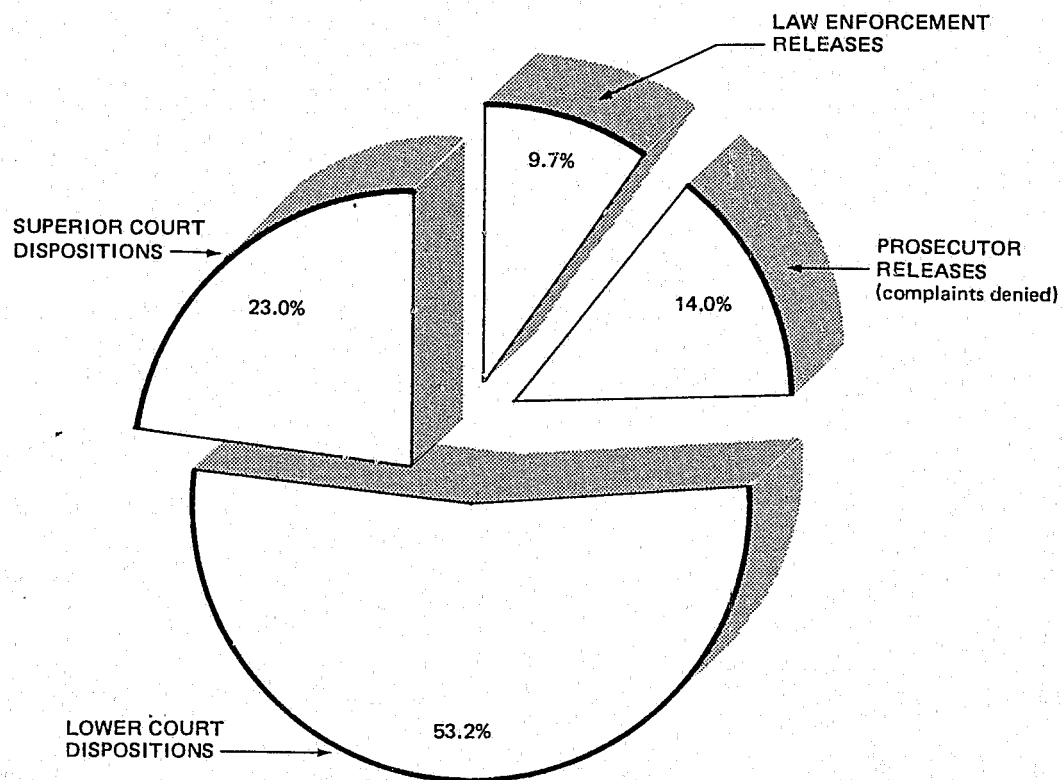
<sup>c</sup>Includes those defendants certified to juvenile court and "other."

Notes: Percents may not total 100.0 due to rounding.

Dash indicates data are unavailable.

Data for Alameda and Santa Clara counties were not included in 1975. Santa Clara County was not included in 1976 and 1977. All counties are included in 1978.

**CHART A**  
**LEVEL OF FINAL DISPOSITIONS IN 1978 OF ADULT FELONY ARRESTS**



Note: Percents may not total 100.0 due to rounding.

### **Arrest Offenses, 1975 Through 1978**

The effects of the changes in marijuana laws effective January 1, 1976, which reclassified the possession of not more than one ounce of unconcentrated marijuana from a felony to a misdemeanor level offense, can be seen in Table 2. As a result of the reclassification of some marijuana offenses to the misdemeanor level, felony marijuana arrests declined from 26.6 percent of the total felony arrests disposed of in 1975 to 5.5 percent of the 1978 total.

TABLE 2

**ARREST OFFENSES OF ADULT FELONY ARRESTEES DISPOSED OF IN 1975—1978**

Arrest Offense by Percent Distribution and Year of Disposition

Arrest offense	Year of disposition			
	1975	1976	1977	1978
<b>TOTAL</b> . . . . .	100.0	100.0	100.0	<b>100.0</b>
Homicide . . . . .	0.9	0.9	1.0	<b>1.0</b>
Manslaughter, vehicle . . . . .	0.1	0.1	0.1	<b>0.2</b>
Forcible rape . . . . .	1.1	1.2	1.2	<b>1.4</b>
Robbery . . . . .	6.2	6.6	7.3	<b>7.2</b>
Assault . . . . .	11.2	13.3	15.2	<b>15.6</b>
Kidnapping . . . . .	0.4	0.5	0.5	<b>0.8</b>
Burglary . . . . .	15.4	18.6	18.7	<b>18.5</b>
Theft . . . . .	8.6	11.6	12.5	<b>13.0</b>
Motor vehicle theft . . . . .	4.4	5.2	5.8	<b>6.3</b>
Forgery, checks, credit cards . . . . .	3.9	4.3	4.1	<b>4.1</b>
Narcotics . . . . .	7.6	9.6	8.4	<b>6.3</b>
Marijuana . . . . .	26.6	12.3	6.1	<b>5.5</b>
Dangerous drugs . . . . .	4.4	5.7	7.8	<b>8.8</b>
All other drug law violations . . . . .	0.4	0.6	0.6	<b>0.6</b>
Sex law violations . . . . .	1.4	1.3	1.4	<b>1.4</b>
Weapons . . . . .	2.1	2.8	3.4	<b>3.2</b>
Drunk-driving . . . . .	1.2	1.4	1.9	<b>1.8</b>
Hit-and-run . . . . .	0.4	0.4	0.5	<b>0.4</b>
Escape . . . . .	0.4	0.5	0.5	<b>0.5</b>
Bookmaking . . . . .	0.6	0.6	0.7	<b>0.6</b>
All other . . . . .	2.7	2.5	2.4	<b>2.7</b>

Notes: Percents may not total 100.0 due to rounding.

Data for Alameda and Santa Clara counties were not included in 1975. Santa Clara County was not included in 1976 and 1977.

All counties are included in 1978.

As shown in Table 2, the proportions for many other felony arrest offense groups also varied markedly between the two years. However, if felony marijuana arrests are removed from the total, as was done in Table 3, the variations in the other offenses are minor.



TABLE 3

# ARREST OFFENSES, LESS MARIJUANA, OF ADULT FELONY ARRESTEES DISPOSED OF IN 1975-1978

Arrest Offense by Percent Distribution and Year of Disposition

Arrest offense	Year of disposition			
	1975	1976	1977	1978
TOTAL . . . . .	100.0	100.0	100.0	100.0
Homicide . . . . .	1.2	1.0	1.1	1.0
Manslaughter, vehicle . . . . .	0.1	0.1	0.1	0.2
Forcible rape . . . . .	1.5	1.3	1.3	1.5
Robbery . . . . .	8.5	7.5	7.7	7.6
Assault . . . . .	15.2	15.2	16.1	16.5
Kidnapping . . . . .	0.6	0.5	0.6	0.9
Burglary . . . . .	21.0	21.2	19.9	19.6
Theft . . . . .	11.7	13.2	13.3	13.7
Motor vehicle theft . . . . .	6.0	5.9	6.2	6.6
Forgery, checks, credit cards . . . . .	5.3	5.0	4.4	4.4
Narcotics . . . . .	10.3	10.9	8.9	6.7
Dangerous drugs . . . . .	6.0	6.5	8.4	9.3
All other drug law violations . . . . .	0.6	0.7	0.6	0.6
Sex law violations . . . . .	1.9	1.5	1.5	1.5
Weapons . . . . .	2.9	3.2	3.6	3.4
Drunk-driving . . . . .	1.6	1.6	2.0	1.9
Hit-and-run . . . . .	0.5	0.4	0.5	0.4
Escape . . . . .	0.5	0.5	0.6	0.6
Bookmaking . . . . .	0.8	0.7	0.7	0.6
All other . . . . .	3.7	2.9	2.6	2.8

Notes: Percents may not total 100.0 due to rounding.

Data for Alameda and Santa Clara counties were not included in 1975. Santa Clara County was not included in 1976 and 1977. All counties are included in 1978.

## Dispositions of Specific Arrest Offense Groups, 1978

### Law Enforcement Level

In 1978, 9.7 percent of the 150,004 adult felony arrestees (Table 4) were released at the law enforcement level. As shown in Table 5, adults arrested for motor vehicle theft (20.4 percent) and robbery (17.6 percent) were released at this level more frequently than any other arrestee group. A lower percentage of the drug law violation arrestees (5.5 percent) was released at the law enforcement level than of any other arrestee group.

### *Prosecutor Level*

Fourteen percent of all adult felony arrestees were released at the prosecutor level during 1978. The group showing the highest percentage of releases (complaints denied) at this level was adults arrested for forcible rape (21.5 percent). Although rape victims are now more willing to report the crime, it is often difficult to establish evidence to prosecute offenders. The lowest percentage of individuals released at the prosecutor level were those arrested for burglary (8.5 percent).

### *Lower Court Level*

Penal Code Section 17(b)(4) allows prosecutors to file misdemeanor complaints involving offenses carrying alternate prison-jail sentences. Section 17(b)(5) allows adjudication of certain felony level offenses as misdemeanors, in lower court, instead of transferring the case to superior court for trial.

In 1978, 53.2 percent of the final dispositions for adult felony arrests occurred in lower court. Individuals arrested for theft had the highest percentage of final dispositions at this level (61.7 percent), while those arrested for homicide had the lowest (12.4 percent).

Drug law violation arrestees had the highest combined percentage (27.3 percent) of dismissals of any arrest offense group (lower court, 23.7 percent and superior court, 3.6 percent). The practice of referring drug law violators, particularly marijuana arrestees, to treatment programs (1000 P.C.) is a major reason for the relatively high dismissal rates.

### *Superior Court Level*

In 1978, 23.0 percent of the final dispositions for adult felony arrests occurred in superior courts. Adults arrested for the following felony offenses showed the highest percentages of final dispositions at this level: homicide, 65.2 percent; robbery, 42.9 percent; and forcible rape, 42.6 percent. Persons arrested for assault offenses, motor vehicle theft, and theft had the lowest percentages of final dispositions in superior court, 13.4 percent, 15.8 percent, and 17.2 percent respectively.

TABLE 4

**DISPOSITION OF ADULT FELONY ARRESTS, 1978**

Disposition Level by Arrest Offense

Dispositions	Total	Arrest offense								
		Homicide	Forcible rape	Robbery	Assault	Burglary	Theft	Motor vehicle theft	Drug law violations	All other
Felony arrest dispositions . . . . .	150,004	1,456	2,105	10,832	23,410	27,745	19,433	9,407	31,754	23,862
Law enforcement releases . . . . .	14,596	165	276	1,906	2,687	2,840	1,813	1,923	1,752	1,234
Complaints denied . . . . .	20,989	160	452	1,475	3,819	2,370	2,297	1,591	5,822	3,003
Complaints filed . . . . .	114,419	1,131	1,377	7,451	16,904	22,535	15,323	5,893	24,180	19,625
Misdemeanor complaints . . . . .	54,399	11	179	1,213	10,750	9,598	7,491	2,957	12,446	9,754
Felony complaints . . . . .	60,020	1,120	1,198	6,238	6,154	12,937	7,832	2,936	11,734	9,871
Lower court dispositions . . . . .	79,853	181	480	2,805	13,764	14,387	11,983	4,403	17,752	14,098
Dismissed . . . . .	24,263	161	251	1,590	3,786	3,375	3,242	1,221	7,526	3,111
Acquitted . . . . .	571	0	5	17	218	74	90	27	56	84
Convicted . . . . .	55,019	20	224	1,198	9,760	10,938	8,651	3,155	10,170	10,903
Guilty plea . . . . .	53,777	20	217	1,173	9,362	10,729	8,454	3,100	10,044	10,678
Jury trial . . . . .	762	0	5	16	287	138	122	34	63	97
Court trial . . . . .	480	0	2	9	111	71	75	21	63	128
Sentence . . . . .	55,019	20	224	1,198	9,760	10,938	8,651	3,155	10,170	10,903
California Youth Authority . . . . .	32	0	0	0	4	17	6	3	0	2
Straight probation . . . . .	18,311	5	71	244	3,622	2,863	2,684	701	3,496	4,625
Probation/jail . . . . .	22,799	9	112	635	4,042	5,571	4,113	1,682	2,923	3,712
County jail . . . . .	8,755	4	33	266	1,395	2,105	1,420	660	1,500	1,372
Fine . . . . .	5,023	2	6	51	685	377	419	104	2,204	1,175
Other . . . . .	99	0	2	2	12	5	9	5	47	17
Superior court dispositions . . . . .	34,566	950	897	4,646	3,140	8,148	3,340	1,490	6,428	5,527
Dismissed . . . . .	3,759	97	103	413	393	616	378	129	1,136	494
Acquitted . . . . .	908	53	64	143	161	141	84	29	116	117
Convicted . . . . .	29,899	800	730	4,090	2,586	7,391	2,878	1,332	5,176	4,916
Original guilty plea . . . . .	11,426	194	207	1,266	913	2,984	1,276	584	1,709	2,293
Not guilty to guilty . . . . .	14,960	351	357	2,146	1,231	3,819	1,398	638	2,840	2,180
Jury trial . . . . .	2,391	218	135	501	337	402	129	68	302	299
Court trial . . . . .	844	30	28	141	84	142	61	32	213	113
Trial by transcript . . . . .	278	7	3	36	21	44	14	10	112	31
Sentence . . . . .	29,899	800	730	4,090	2,586	7,391	2,878	1,332	5,176	4,916
Death . . . . .	1	1	0	0	0	0	0	0	0	0
State prison . . . . .	6,888	548	267	1,772	525	1,492	351	204	754	975
California Youth Authority . . . . .	1,268	37	33	432	105	394	58	92	34	83
Straight probation . . . . .	4,051	36	61	184	435	700	680	133	943	879
Probation/jail . . . . .	15,479	164	290	1,539	1,340	4,207	1,604	797	3,043	2,495
County jail . . . . .	1,113	10	22	80	151	304	127	88	108	223
Fine . . . . .	81	0	1	5	8	3	4	1	30	29
California Rehabilitation Center . . . . .	790	1	1	77	10	285	54	17	261	84
Mentally disordered sex offender . . . . .	225	3	55	1	12	5	0	0	1	148
Other . . . . .	3	0	0	0	0	1	0	0	2	0

**TABLE 5**  
**DISPOSITION OF ADULT FELONY ARRESTS, 1978**  
Disposition Level by Arrest Offense and Percent Distribution

Dispositions	Arrest offense									
	Total	Homicide	Forcible rape	Robbery	Assault	Burglary	Theft	Motor vehicle theft	Drug law violations	All other
Felony arrest dispositions . . . . .	150,004	1,456	2,105	10,832	23,410	27,745	19,433	9,407	31,754	23,862
Percent distribution . . . . .	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Law enforcement releases . . . . .	9.7	11.3	13.1	17.6	11.5	10.2	9.3	20.4	5.5	5.2
Complaints denied . . . . .	14.0	11.0	21.5	13.6	16.3	8.5	11.8	16.9	18.3	12.6
Complaints filed . . . . .	76.3	77.7	65.4	68.8	72.2	81.2	78.9	62.6	76.1	82.2
Misdemeanor complaints . . . . .	36.3	0.8	8.5	11.2	45.9	34.6	38.5	31.4	39.2	40.9
Felony complaints . . . . .	40.0	76.9	56.9	57.6	26.3	46.6	40.3	31.2	37.0	41.4
Lower court dispositions . . . . .	53.2	12.4	22.8	25.9	58.8	51.9	61.7	46.8	55.9	59.1
Dismissed . . . . .	16.2	11.1	11.9	14.7	16.2	12.2	16.7	13.0	23.7	13.0
Acquitted . . . . .	0.4	0.0	0.2	0.2	0.9	0.3	0.5	0.3	0.2	0.4
Convicted . . . . .	36.7	1.4	10.6	11.1	41.7	39.4	44.5	33.5	32.0	45.7
Guilty plea . . . . .	35.9	1.4	10.3	10.8	40.0	38.7	43.5	33.0	31.6	44.7
Jury trial . . . . .	0.5	0.0	0.2	0.1	1.2	0.5	0.6	0.4	0.2	0.4
Court trial . . . . .	0.3	0.0	0.1	0.1	0.5	0.3	0.4	0.2	0.2	0.5
Sentence . . . . .	36.7	1.4	10.6	11.1	41.7	39.4	44.5	33.5	32.0	45.7
California Youth Authority . . . . .	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0
Straight probation . . . . .	12.2	0.3	3.4	2.3	15.5	10.3	13.8	7.5	11.0	19.4
Probation/jail . . . . .	15.2	0.6	5.3	5.9	17.3	20.1	21.2	17.9	9.2	15.6
County jail . . . . .	5.8	0.3	1.6	2.5	6.0	7.6	7.3	7.0	4.7	5.7
Fine . . . . .	3.3	0.1	0.3	0.5	2.9	1.4	2.2	1.1	6.9	4.9
Other . . . . .	0.1	0.0	0.1	0.0	0.1	0.0	0.0	0.1	0.1	0.1
Superior court dispositions . . . . .	23.0	65.2	42.6	42.9	13.4	29.4	17.2	15.8	20.2	23.2
Dismissed . . . . .	2.5	6.7	4.9	3.8	1.7	2.2	1.9	1.4	3.6	2.1
Acquitted . . . . .	0.6	3.6	3.0	1.3	0.7	0.5	0.4	0.3	0.4	0.5
Convicted . . . . .	19.9	54.9	34.7	37.8	11.0	26.6	14.8	14.2	16.3	20.6
Original guilty plea . . . . .	7.6	13.3	9.8	11.7	3.9	10.8	6.6	6.2	5.4	9.6
Not guilty to guilty . . . . .	10.0	24.1	17.0	19.8	5.3	13.8	7.2	6.8	8.9	9.1
Jury trial . . . . .	1.6	15.0	6.4	4.6	1.4	1.4	0.7	0.7	1.0	1.3
Court trial . . . . .	0.6	2.1	1.3	1.3	0.4	0.5	0.3	0.3	0.7	0.5
Trial by transcript . . . . .	0.2	0.5	0.1	0.3	0.1	0.2	0.1	0.1	0.4	0.1
Sentence . . . . .	19.9	54.9	34.7	37.8	11.0	26.6	14.8	14.2	16.3	20.6
Death . . . . .	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
State Prison . . . . .	4.6	37.6	12.7	16.4	2.2	5.4	1.8	2.2	2.4	4.1
California Youth Authority . . . . .	0.8	2.5	1.6	4.0	0.4	1.4	0.3	1.0	0.1	0.3
Straight probation . . . . .	2.7	2.5	2.9	1.7	1.9	2.5	3.5	1.4	3.0	3.7
Probation/jail . . . . .	10.3	11.3	13.8	14.2	5.7	15.2	8.3	8.5	9.6	10.5
County jail . . . . .	0.7	0.7	1.0	0.7	0.6	1.1	0.7	0.9	0.3	0.9
Fine . . . . .	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1
California Rehabilitation Center . . . . .	0.5	0.1	0.0	0.7	0.0	1.0	0.3	0.2	0.8	0.4
Mentally disordered sex offender . . . . .	0.1	0.2	2.6	0.0	0.1	0.0	0.0	0.0	0.0	0.6
Other . . . . .	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Note: Percents may not total 100.0 due to rounding.

## Lower and Superior Court Convictions

Table 6 shows that 94.4 percent of the 84,918 defendants convicted plead guilty. In lower court the percentage was 97.7, while in superior court it was 88.2. Only 5.6 percent of the defendants convicted in the courts went through the trial process. This included: jury trials, 3.7 percent; court trials, 1.6 percent; and trials by transcript, 0.3 percent. In lower courts, 2.3 percent of the defendants were convicted through the trial process, while in superior courts 11.7 percent were convicted following trials.

TABLE 6  
**ADULT FELONY ARRESTEES CONVICTED IN 1978**  
Method of Conviction by Type of Court

Method of conviction	Number			Percent		
	Total	Lower court	Superior court	Total	Lower court	Superior court
TOTAL CONVICTIONS . .	84,918	55,019	29,899	100.0	100.0	100.0
Guilty plea . . . . .	80,163	53,777	26,386	94.4	97.7	88.2
Trial . . . . .	4,755	1,242	3,513	5.6	2.3	11.7
Jury . . . . .	3,153	762	2,391	3.7	1.4	8.0
Court . . . . .	1,324	480	844	1.6	0.9	2.8
By transcript . . . . .	278	—	278	0.3	—	0.9

Note: Dash indicates data are not applicable.

A total of 84,918 defendants were reported as convicted in California courts in 1978. Chart B summarizes the types of sentences rendered by lower and superior courts combined. From Table 7, it can be seen that over two-thirds (67.7 percent) were incarcerated, 26.3 percent were placed on probation with no incarceration, and 6.0 percent were fined.

From 1975 through 1978 there was an increasing trend in the percentage of convicted defendants incarcerated (Table 7). The percentage increased steadily from 59.8 percent of the felony arrestees disposed of in 1975 to 67.7 percent in 1978. Commitments to state prison increased from 5.4 percent to 8.1 percent while commitments to jails increased from 51.1 percent to 56.7 percent.



TABLE 7

# SENTENCES IMPOSED ON ADULT FELONY ARRESTEES CONVICTED IN LOWER AND SUPERIOR COURTS, 1975-1978

Number Incarcerated and Not Incarcerated by Year

Sentence	Number				Percent			
	1975	1976	1977	1978	1975	1976	1977	1978
TOTAL CONVICTIONS . . . . .	84,323	87,515	82,179	84,918	100.0	100.0	100.0	100.0
Incarcerated total . . . . .	50,439	55,078	53,777	57,452	59.8	62.9	65.4	67.7
State prison <sup>a</sup> . . . . .	4,577	5,451	6,003	6,889	5.4	6.2	7.3	8.1
Jail . . . . .	43,120	46,002	45,060	48,146	51.1	52.6	54.8	56.7
All other . . . . .	2,742	3,625	2,714	2,417	3.3	4.1	3.3	2.8
Not incarcerated total . . . . .	33,884	32,437	28,402	27,466	40.2	37.1	34.6	32.3
Straight probation . . . . .	28,354	25,518	23,006	22,362	33.6	29.2	28.0	26.3
Fine . . . . .	5,530	6,919	5,396	5,104	6.6	7.9	6.6	6.0

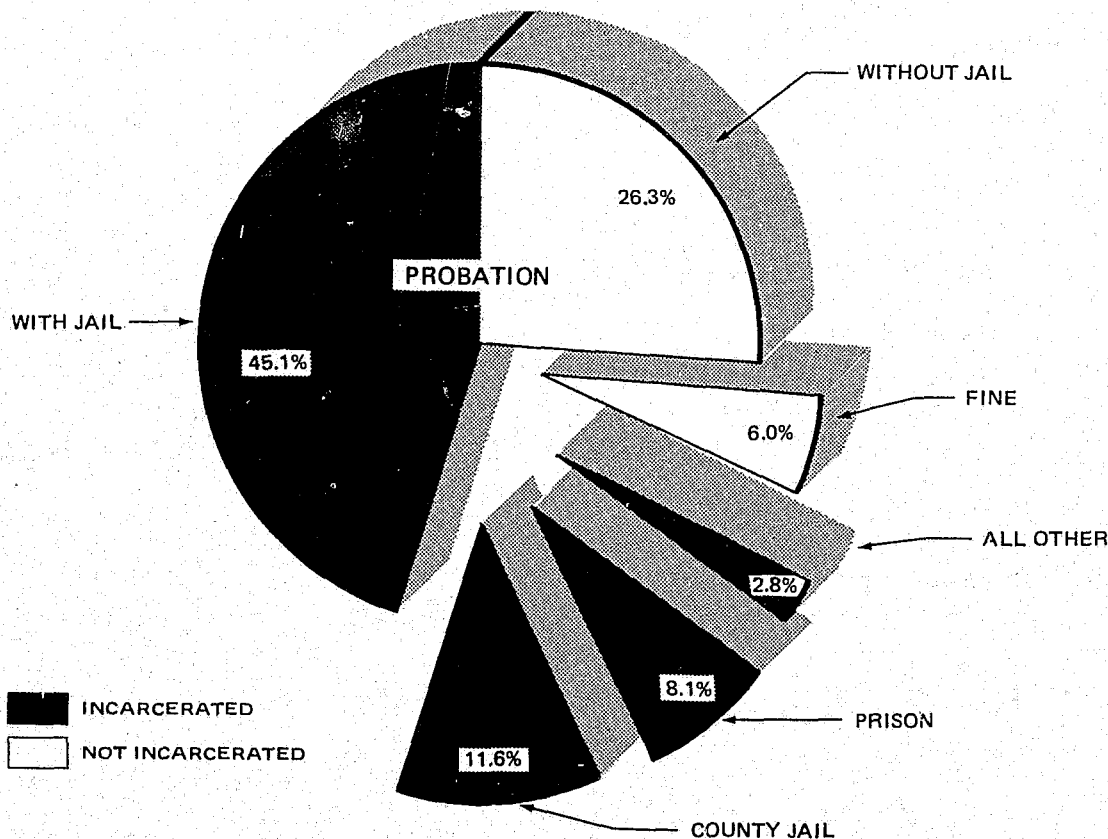
<sup>a</sup>Includes death sentences.

Notes: Percents may not add to the total due to rounding.

Data for Alameda and Santa Clara counties were not included in 1975. Santa Clara County was not included in 1976 and 1977. All counties are included in 1978.

CHART B

# SENTENCES IMPOSED ON ADULT FELONY ARRESTEES CONVICTED IN LOWER AND SUPERIOR COURTS IN 1978



As shown in Table 8, almost one-fourth (6,888 of 29,899) of the defendants convicted in superior courts during 1978 were sentenced to prison. The groups which received the highest percentages of prison sentences were defendants convicted of homicide, 73.7 percent (513 of 696); forcible rape, 55.3 percent (251 of 454); and robbery, 54.7 percent (1,664 of 3,042). Over half (3,796 of 6,888) of the defendants sentenced to prison were sentenced for the following offenses: robbery, 24.2 percent (1,664); burglary, 20.2 percent (1,394); and drug law violations, 10.7 percent (738).

TABLE 8  
**ADULT FELONY ARRESTEES CONVICTED AND SENTENCED IN 1978**  
Convicted Offense by Court of Conviction and Sentence

Court of conviction and sentence	Total	Convicted offense								
		Homicide	Forcible rape	Robbery	Assault	Burglary	Theft	Motor vehicle theft	Drug law violations	All other
<b>TOTAL CONVICTIONS</b> . . . . .	84,918	696	454	3,042	10,335	9,992	17,257	3,637	12,983	26,522
<b>Lower court convictions</b> . . . . .	55,019	0	0	0	7,505	3,661	12,534	2,371	7,878	21,070
Guilty plea . . . . .	53,777	0	0	0	7,147	3,572	12,264	2,335	7,772	20,687
Jury trial . . . . .	762	0	0	0	268	60	170	24	46	194
Court trial . . . . .	480	0	0	0	90	29	100	12	60	189
Sentence . . . . .	55,019	0	0	0	7,505	3,661	12,534	2,371	7,878	21,070
California Youth Authority . . . . .	32	0	0	0	3	13	9	3	0	4
Straight probation . . . . .	18,311	0	0	0	2,455	661	3,689	447	2,272	8,787
Probation/jail . . . . .	22,799	0	0	0	3,533	2,221	6,221	1,382	2,471	6,971
County jail . . . . .	8,755	0	0	0	1,160	733	2,204	501	1,391	2,766
Fine . . . . .	5,023	0	0	0	347	30	407	38	1,709	2,492
Other . . . . .	99	0	0	0	7	3	4	0	35	50
<b>Superior court convictions</b> . . . . .	29,899	696	454	3,042	2,830	6,331	4,723	1,266	5,105	5,452
Original guilty plea . . . . .	11,426	150	110	893	991	2,552	2,043	558	1,654	2,475
Not guilty to guilty . . . . .	14,960	302	196	1,551	1,373	3,248	2,384	615	2,816	2,475
Jury trial . . . . .	2,391	205	126	465	356	363	188	57	305	326
Court trial . . . . .	844	33	21	109	84	129	85	29	211	143
Trial by transcript . . . . .	278	6	1	24	26	39	23	7	119	33
Sentence . . . . .	29,899	696	454	3,042	2,830	6,331	4,723	1,266	5,105	5,452
Death . . . . .	1	1	0	0	0	0	0	0	0	0
State prison . . . . .	6,888	513	251	1,664	536	1,394	569	210	738	1,013
California Youth Authority . . . . .	1,268	28	25	371	121	380	128	103	28	84
Straight probation . . . . .	4,051	24	7	72	472	546	922	97	931	980
Probation/jail . . . . .	15,479	128	118	866	1,485	3,580	2,745	754	3,002	2,801
County jail . . . . .	1,113	0	3	2	187	192	238	87	113	291
Fine . . . . .	81	0	0	0	11	0	7	1	34	28
California Rehabilitation Center . . . . .	790	0	0	67	4	238	114	14	257	96
Mentally disordered sex offender . . . . .	225	2	50	0	14	0	0	0	0	159
Other . . . . .	3	0	0	0	0	1	0	0	2	0

The gradual increase in incarcerations during the four years may reflect the impact of mandatory sentencing legislation implemented on January 1, 1976. This legislation limited judicial discretion in sentencing specific convicted offenders. Section 1203.06 of the California Penal Code denies probation in cases where the defendant is convicted of specified violent crimes in which he personally used a firearm. Section 1203.07 denies probation to defendants convicted of crimes involving the sale of prescribed amounts of heroin.

Of the 55,019 defendants convicted in lower courts during 1978, 33.3 percent (18,311) were sentenced to straight probation and 41.4 percent (22,799) received probation with jail sentences (Table 9). Together, these 41,110 defendants accounted for three-fourths (74.7 percent) of the total 55,019 lower court convictions. Of the remaining lower court defendants, 8,755 were sentenced to county jail (15.9 percent); 5,023 were fined (9.1 percent); and 131 received an "other" sentence (0.2 percent).

TABLE 9  
**SENTENCES IMPOSED ON ADULT FELONY ARRESTEES CONVICTED IN 1978**  
By Type of Court

Sentence	Number			Percent		
	Total	Lower court	Superior court	Total	Lower court	Superior court
TOTAL CONVICTIONS . .	84,918	55,019	29,899	100.0	100.0	100.0
State prison <sup>a</sup> . . . . .	6,889	0	6,889	8.1	0.0	23.0
Probation . . . . .	60,640	41,110	19,530	71.4	74.7	65.3
Straight (without jail) . .	22,362	18,311	4,051	26.3	33.3	13.5
With jail . . . . .	38,278	22,799	15,479	45.1	41.4	51.8
County jail . . . . .	9,868	8,755	1,113	11.6	15.9	3.7
Fine . . . . .	5,104	5,023	81	6.0	9.1	0.3
All other . . . . .	2,417	131	2,286	2.8	0.2	7.6
California Youth Authority . . . . .	1,300	32	1,268	1.5	0.1	4.2
California Rehabilitation Center . . . . .	790	—	790	0.9	—	2.6
Mentally disordered sex offender . . . . .	225	—	225	0.3	—	0.8
Other . . . . .	102	99	3	0.1	0.2	0.0

<sup>a</sup>Includes one death sentence.

Notes: Percents may not total 100.0 due to rounding.

Dash indicates data are not consistently reported.

The majority of defendants convicted in superior courts were sentenced to probation; either straight probation (13.5 percent) or probation with jail (51.8 percent). Other defendants were sentenced to a county jail term (3.7 percent), the California Rehabilitation Center (2.6 percent), state hospitals as mentally disordered sex offenders (0.8 percent), or were required to pay a fine (0.3 percent). At the superior court level, only three defendants received an "other" sentence which includes cases where the entire sentence is suspended or no sentence is rendered following conviction.

### Prior Criminal Record and Existing Criminal Status of Superior Court Defendants

When the final disposition of a felony arrestee occurs at the superior court level, information on the defendant's prior criminal record and existing criminal status is obtained from his criminal history record.

In 1978, 20.5 percent of the superior court defendants had no prior record, 64.3 percent had "miscellaneous prior records" (prior arrests but no prior prison sentences), and 15.2 percent had one or more prior prison commitments (Chart C). As shown in Table 10, the proportion of superior

**TABLE 10**  
**PRIOR CRIMINAL RECORD AND EXISTING**  
**CRIMINAL STATUS OF ADULT FELONY**  
**ARRESTEES DISPOSED OF IN SUPERIOR**  
**COURT, 1975-1978**  
By Percent Distribution and Year of Disposition

Prior criminal record and existing criminal status	Year of disposition			
	1975	1976	1977	1978
Prior criminal record . . . . .	100.0	100.0	100.0	100.0
None . . . . .	20.3	17.3	18.6	20.5
Miscellaneous . . . . .	68.1	67.7	66.4	64.3
Prison . . . . .	11.6	15.1	15.0	15.2
One prison commitment . . . . .	7.0	8.8	8.9	8.9
Two prison commitments . . . . .	2.6	3.6	3.7	3.6
Three or more prison commitments . . . . .	2.0	2.7	2.3	2.7
Existing criminal status . . . . .	100.0	100.0	100.0	100.0
Not under commitment . . . . .	64.4	58.6	58.0	62.0
Under commitment . . . . .	35.6	41.4	42.0	38.0
On parole . . . . .	9.6	13.0	13.8	12.4
On probation . . . . .	24.9	27.2	26.6	24.2
Serving term in institution . . . . .	1.1	1.2	1.7	1.4

Notes: Percents may not total 100.0 due to rounding.

Data for Alameda and Santa Clara counties were not included in 1975.  
Santa Clara County was not included in 1976 and 1977. All counties  
are included in 1978.

court defendants who had no prior record of criminal activity dropped from 20.3 percent in 1975 to 17.3 percent in 1976, but has risen slowly since then. The reclassification of possession of small amounts of marijuana from a felony to a misdemeanor offense in 1976 is probably a major factor accounting for the initial decline, since these cases were disposed of in lower court. In contrast to the gradually increasing percentage of defendants with no prior record, the percentage of superior court defendants with "miscellaneous prior records" declined from 68.1 percent in 1975 to 64.3 percent in 1978. The proportion of defendants with prior prison commitments rose from 11.6 percent in 1975 to 15.1 percent in 1976 and has held relatively constant since then.

CHART C  
PRIOR CRIMINAL RECORD OF ADULT FELONY ARRESTEES DISPOSED OF IN  
SUPERIOR COURTS, 1978

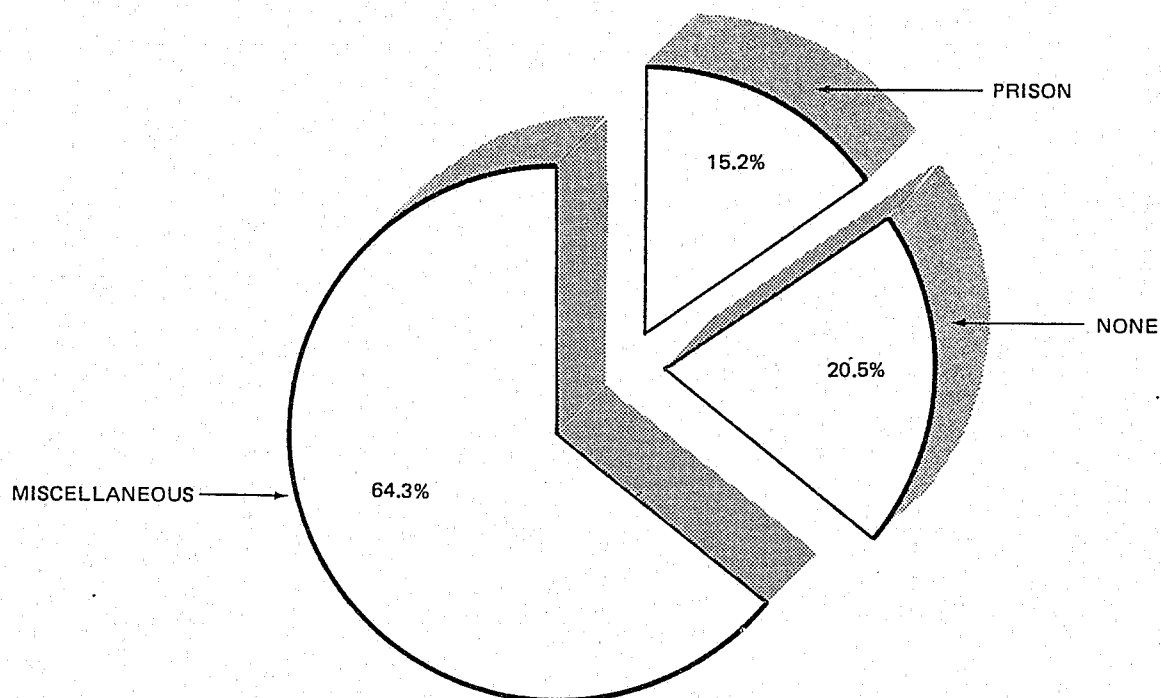
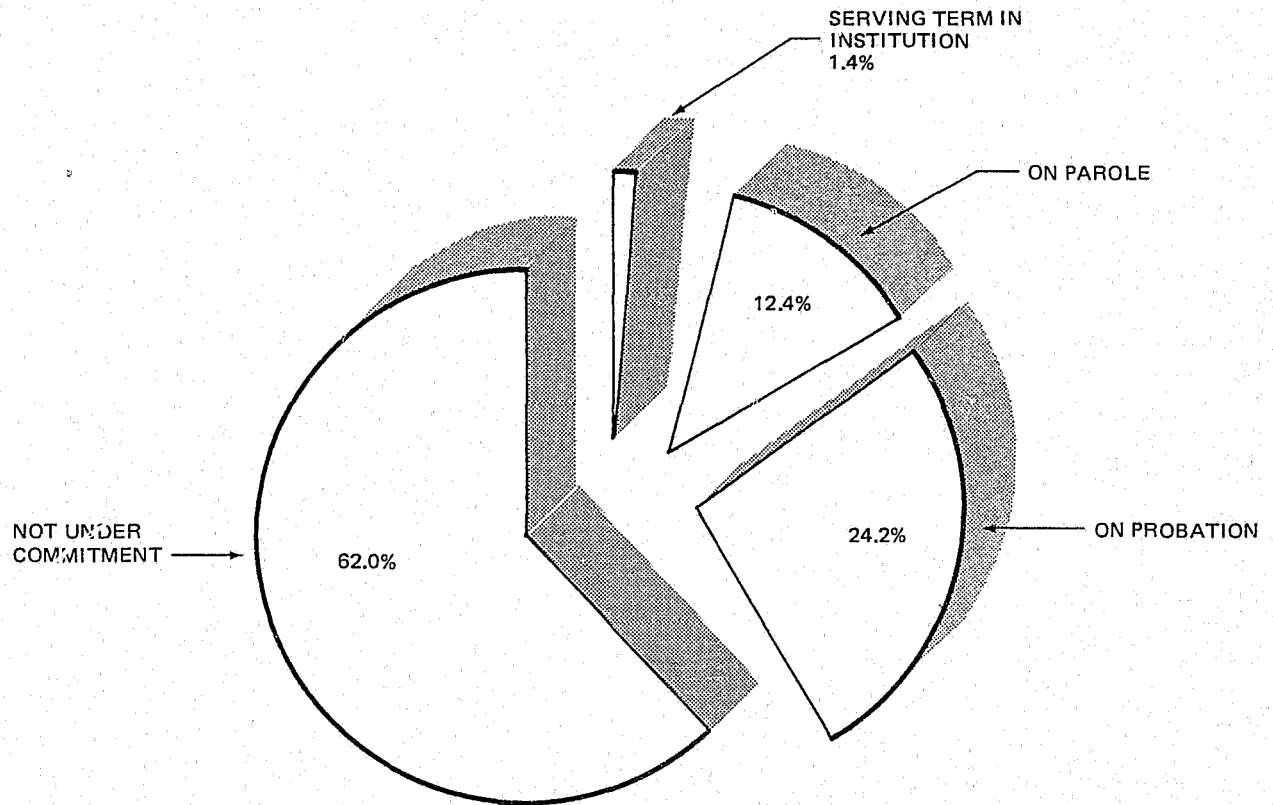




CHART D

**EXISTING CRIMINAL STATUS OF ADULT FELONY ARRESTEES DISPOSED OF IN SUPERIOR COURTS, 1978**



Existing criminal status describes the type of correctional supervision an offender was under at the time of arrest. The majority (62.0 percent) of the felony arrestees who received a final disposition in superior court in 1978 were not under any form of supervision. Of the remaining defendants, 24.2 percent were on probation, 12.4 percent on parole, and 1.4 percent were serving a term in an institution at the time of arrest. Those persons on probation comprised the largest single group under supervision (Chart D).

## Arrestee/Defendant Characteristics

The adult felony arrestees processed through California's criminal justice system in 1978 typically were young. As shown in Table 11, the median age in 1978 of those whose ages were known was 26.4 years. Approximately seven out of ten of these arrestees were under 30 years of age, 12.7 percent were under 20, and 58.3 percent were in the 20-29 age group.

Whites constituted the largest racial group, comprising 47.8 percent of the total where race was known. Negroes accounted for 30.4 percent, Mexican-Americans comprised 20.1 percent, and "others" 1.7 percent.

As in previous years, there were about six male arrestee/defendants for every female. Of the arrestees whose sex was reported, 85.3 percent were male and 14.7 percent were female.

TABLE 11

### ADULT FELONY ARRESTEES DISPOSED OF IN 1978

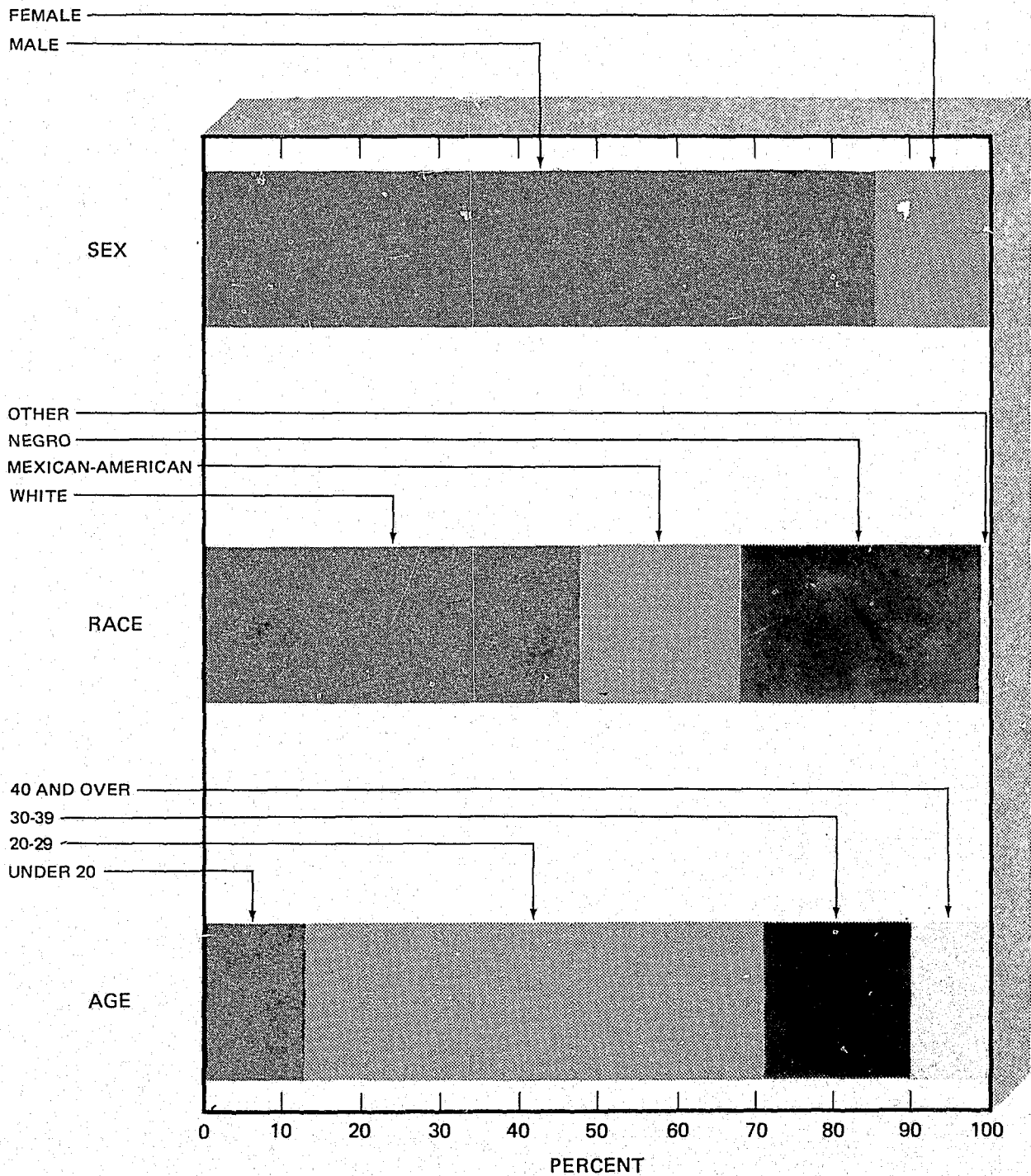
By Sex, Race, and Age

Sex, race, and age	Number	Percent
TOTAL . . . . .	150,004	
Sex		
Unknown . . . . .	769	
Total known . . . . .	149,235	100.0
Male . . . . .	127,325	85.3
Female . . . . .	21,910	14.7
Race		
Unknown . . . . .	2,092	
Total known . . . . .	147,912	100.0
White . . . . .	70,681	47.8
Mexican-American . . . . .	29,743	20.1
Negro . . . . .	44,990	30.4
Other . . . . .	2,498	1.7
Age		
Unknown . . . . .	803	
Total known . . . . .	149,201	100.0
Under 20 . . . . .	18,970	12.7
20-29 . . . . .	87,055	58.3
30-39 . . . . .	27,952	18.7
40 and over . . . . .	15,224	10.2
Median . . . . .	26.4	

Notes: Percents may not total 100.0 due to rounding.

The median is the midpoint of a set of numbers arranged in order of magnitude and is used instead of the mean (average) because it is not as affected by extremes.

CHART E  
ADULT FELONY ARRESTEES DISPOSED OF IN 1978



## Adult Corrections

Adults convicted in California courts enter the correctional process at both state and local levels. The state programs within the California Department of Corrections (CDC), California Youth Authority (CYA), and the California Department of Health provide for the confinement and rehabilitation of defendants sentenced to their jurisdiction. Local correctional programs accommodate both superior and lower court defendants placed on probation, and those sentenced to serve time in county and city jails and camps.

Statistics on adults under state supervision include persons in state institutions, those on parole, and those on outpatient status. State supervision figures presented in this section were compiled by CDC, CYA, and the Department of Health. Local supervision figures, as compiled by BCS, include persons sentenced and confined in local jails and camps, unsentenced persons held in pre-trial detention, and defendants placed on probation by superior and lower courts.

### Status of Adults Under State and Local Supervision

As shown in Table 12, approximately 1 percent (221,460) of the state's adult population (ages 18 and over) in 1978 was under state or local correctional supervision according to a one-day population count. Of these, 81.5 percent (180,497) were supervised by local agencies, while 18.5 percent (40,963) were in state institutions or on parole or outpatient status from state institutions. State prisons (CDC) accounted for most of the adults incarcerated in state institutions (19,994 of 24,068) as well as most adults on parole from state institutions (9,343 of 16,895). (The proportions of the types of supervision are shown in Chart F.)

The state supervision population declined from 1973 to 1978 while the local supervision population increased during this same period. Table 12 shows there was a 7.2 percent decrease in the number of adults under state supervision from 1977 to 1978. This overall decline was largely due to a decrease of 5,111 (from 22,006 to 16,895) or 23.2 percent in the total parole caseload. The *Uniform Determinate Sentence Act of 1976*, which is described in the State Corrections section of this publication, provided for the application of its provisions to persons sentenced prior to the effective date of the Act. As a result, CDC and CYA parolees convicted and sentenced under the old law, but who had served their sentences according to the new law, were required to be discharged from parole no later than June 30, 1978. This resulted in the release of substantial numbers of parolees in 1978. The total number of adults under state supervision would have increased for the first time in several years because of increased numbers of adults committed to state institutions (up 8.8 percent) if the 23.2 percent reduction in the parole caseload had not occurred.

**TABLE 12**  
**STATUS OF ADULTS UNDER STATE AND LOCAL SUPERVISION, 1973, 1977,**  
**AND 1978**

Type of Supervision by Year

Type of supervision	Number			Percent			Percent change	
	1973	1977	1978	1973	1977	1978	1973— 1978	1977— 1978
<b>TOTAL</b> . . . . .	222,757	220,266	<b>221,460</b>	100.0	100.0	<b>100.0</b>	-0.6	0.5
State supervision <sup>a</sup> . . . . .	48,104	44,133	<b>40,963</b>	21.6	20.0	<b>18.5</b>	-14.8	-7.2
Institutions . . . . .	24,984	22,127	<b>24,068</b>	11.2	10.0	<b>10.9</b>	-3.7	8.8
Department of Corrections . . . . .	20,545	17,810	<b>19,994</b>	9.2	8.1	<b>9.0</b>	-2.7	12.3
California Rehabilitation Center . . . . .	1,897	1,803	<b>1,331</b>	0.9	0.8	<b>0.6</b>	-29.8	-26.2
State hospital (mentally disordered sex offender) . . . . .	675	770	<b>780</b>	0.3	0.3	<b>0.4</b>	15.6	1.3
California Youth Authority . . . . .	1,867	1,744	<b>1,963</b>	0.8	0.8	<b>0.9</b>	5.1	12.6
Parole caseload . . . . .	23,120	22,006	<b>16,895</b>	10.4	10.0	<b>7.6</b>	-26.9	-23.2
Department of Corrections . . . . .	12,996	13,258	<b>9,343</b>	5.8	6.0	<b>4.2</b>	-28.1	-29.5
California Rehabilitation Center (outpatient) . . . . .	5,642	4,956	<b>4,502</b>	2.5	2.3	<b>2.0</b>	-20.2	-9.2
California Youth Authority . . . . .	4,482	3,792	<b>3,050</b>	2.0	1.7	<b>1.4</b>	-32.0	-19.6
Local supervision . . . . .	174,653	176,133	<b>180,497</b>	78.4	80.0	<b>81.5</b>	3.3	2.5
County jails <sup>b</sup> . . . . .	16,410	20,761	<b>21,565</b>	7.4	9.4	<b>9.7</b>	31.4	3.9
Sentenced . . . . .	5,492	9,267	<b>9,344</b>	2.5	4.2	<b>4.2</b>	70.1	0.8
Not sentenced . . . . .	10,918	11,494	<b>12,221</b>	4.9	5.2	<b>5.5</b>	11.9	6.3
City jails <sup>b</sup> . . . . .	1,915	1,196	<b>1,691</b>	0.9	0.5	<b>0.8</b>	-11.7	41.4
Sentenced . . . . .	279	103	<b>235</b>	0.1	0.0	<b>0.1</b>	-15.8	128.2
Not sentenced . . . . .	1,636	1,093	<b>1,456</b>	0.7	0.5	<b>0.7</b>	-11.0	33.2
County and city camps <sup>b</sup> . . . . .	6,036	4,589	<b>4,128</b>	2.7	2.1	<b>1.9</b>	-31.6	-10.0
Sentenced . . . . .	5,853	4,372	<b>3,907</b>	2.6	2.0	<b>1.8</b>	-33.2	-10.6
Not sentenced . . . . .	183	217	<b>221</b>	0.1	0.1	<b>0.1</b>	20.8	1.8
Active probation caseload <sup>a</sup> . . . . .	150,292	149,587	<b>153,113</b>	67.5	67.9	<b>69.1</b>	1.9	2.4
Superior court . . . . .	72,539	61,303	<b>61,371</b>	32.6	27.8	<b>27.7</b>	-15.4	0.1
Lower court . . . . .	77,753	88,284	<b>91,742</b>	34.9	40.1	<b>41.4</b>	18.0	3.9

<sup>a</sup>One day count taken December 31 of each year, except mentally disordered sex offender one day count taken June 30 for 1973.

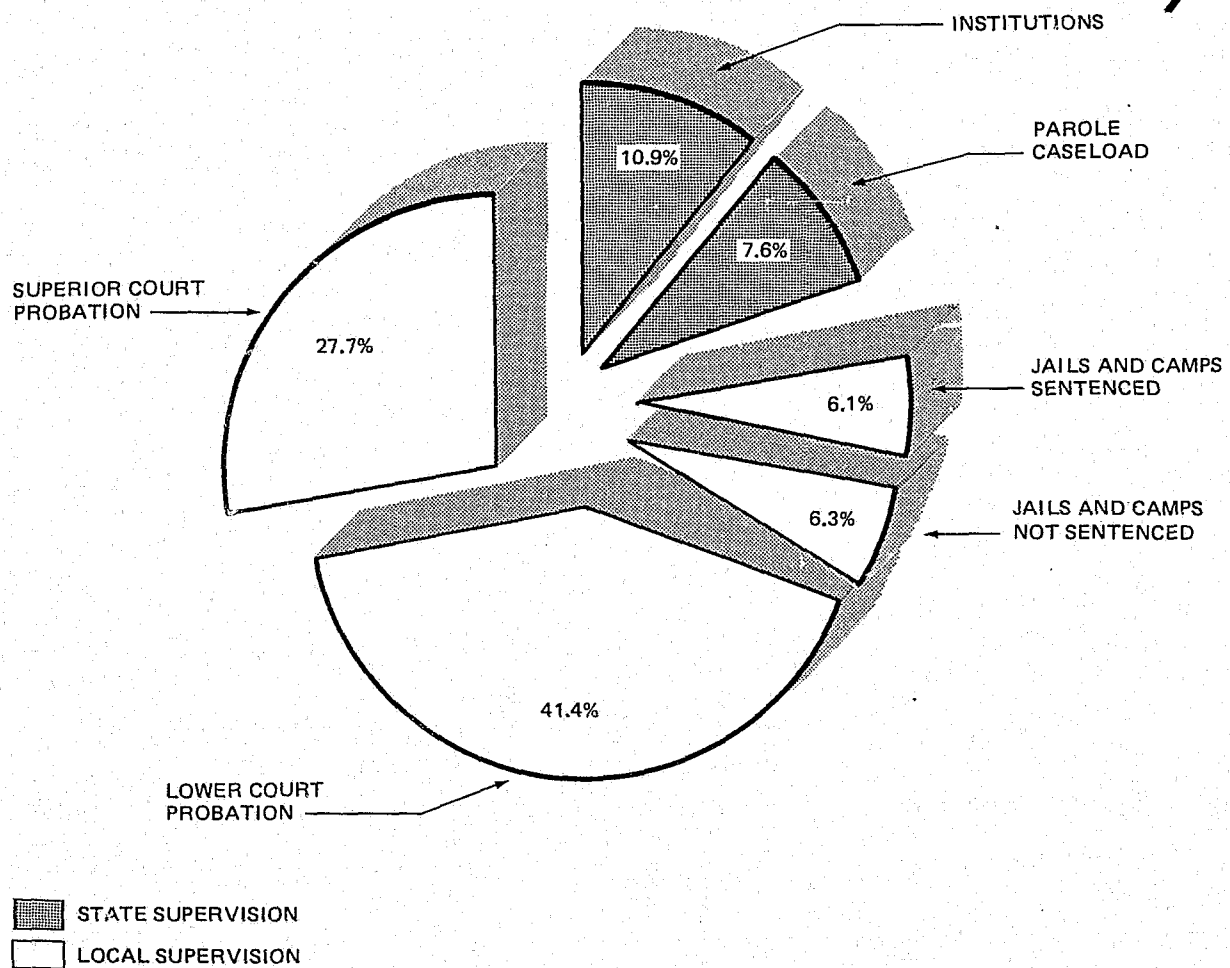
<sup>b</sup>One day count taken each year on the fourth Thursday of September.

Note: Percents may not total 100.0 due to rounding.

Source: Prison, parole, and Rehabilitation Center data are provided by the California Department of Corrections, mentally disordered sex offender data by the California Department of Health, and Youth Authority data by the California Youth Authority.



CHART F  
**STATUS OF ADULTS UNDER STATE AND LOCAL SUPERVISION, 1978**  
 Type of Supervision



## State Corrections

The Director of CDC has jurisdiction over those adults convicted of felonies in California superior courts and committed to prison, and those adults committed to the California Rehabilitation Center (CRC). The court may suspend criminal proceedings after a conviction and commit the defendant to CRC for treatment and rehabilitation if it appears the person is an addict or in danger of becoming one.

CYA has jurisdiction over juveniles (under 18 years of age) and young adults (through age 25) who are convicted and committed for institutional care. (Data in this section on admissions to CYA include only those juveniles prosecuted as adults and those adults convicted, sentenced, and committed by superior courts.)

State hospitals, administered by the Director of the California Department of Health, are authorized as treatment centers for defendants classified as mentally disordered sex offenders (MDSO). If after conviction a defendant is found to be an MDSO, the defendant may be placed in a state hospital for an indeterminate period of time.

Adults committed to state prisons and CYA were affected by implementation of the *Uniform Determinate Sentence Act of 1976* (Senate Bill 42, 1976 Legislative Session) and subsequent implementation statutes. In this Act, which was implemented on July 1, 1977, the Legislature declared that the term of imprisonment should be proportionate to the seriousness of the crime and that sentences for like crimes should be uniform in length. Also, the length of parole was reduced from two or more years to one year, except for special cases.

In enacting the new statute, the Legislature set a low, intermediate, and high sentence for each felony offense. For example, the pattern is three, five, or seven years in prison for those convicted and sentenced for kidnapping. By law, the court is to impose the middle sentence unless there are mitigating or aggravating circumstances (Penal Code Section 1170[b]).

Some circumstances which may affect the sentence are: the number of felonies involved in the crime; if the crime occurred in prison; if the property damaged or stolen exceeded \$25,000; if there was great bodily injury; and, if a deadly or dangerous weapon was used.

### *Adults Committed to State Institutions*

In 1978, the total number of adults committed to CDC, CRC, and CYA increased 13.3 percent, from 12,273 in 1977 to 13,903 in 1978. During this period, commitments to state prison (CDC) increased 23.8 percent, while commitments to CRC decreased 28.0 percent and adult commitments to CYA decreased 2.4 percent. From 1973 to 1978, both CDC and CYA commitments increased while CRC commitments declined. Adult commitments to CDC increased by a dramatic 78.6 percent while commitments of young adults to CYA increased 14.0 percent (Table 13).

TABLE 13

# ADULTS COMMITTED TO THE CALIFORNIA DEPARTMENT OF CORRECTIONS, CALIFORNIA REHABILITATION CENTER, AND CALIFORNIA YOUTH AUTHORITY, 1973, 1977, AND 1978

Type of Commitment by Year

Type of commitment	Number			Percent			Percent change	
	1973	1977	1978	1973	1977	1978	1973— 1978	1977— 1978
<b>TOTAL</b> . . . . .	10,016	12,273	<b>13,903</b>	100.0	100.0	<b>100.0</b>	38.8	13.3
Newly received from court . . . . .	8,417	10,536	<b>11,874</b>	84.0	85.8	<b>85.4</b>	41.1	12.7
Parolees/outpatients returned with new commitment . . . . .	1,599	1,737	<b>2,029</b>	16.0	14.2	<b>14.6</b>	26.9	16.8
<b>State prison<sup>a</sup></b> . . . . .	6,102	8,801	<b>10,899</b>	60.9	71.7	<b>78.4</b>	78.6	23.8
Newly received from court . . . . .	5,147	7,558	<b>9,325</b>	51.4	61.6	<b>67.1</b>	81.2	23.4
Parolees returned with new commitment . . . . .	955	1,243	<b>1,574</b>	9.5	10.1	<b>11.3</b>	64.8	26.6
<b>California Rehabilitation Center<sup>b</sup></b> . . . . .	2,225	1,498	<b>1,078</b>	22.2	12.2	<b>7.8</b>	-51.6	-28.0
Newly received from court . . . . .	1,976	1,365	<b>970</b>	19.7	11.1	<b>7.0</b>	-50.9	-28.9
Outpatients returned with new commitment . . . . .	249	133	<b>108</b>	2.5	1.1	<b>0.8</b>	-56.6	-18.8
<b>California Youth Authority</b> . . . . .	1,689	1,974	<b>1,926</b>	16.9	16.1	<b>13.9</b>	14.0	-2.4
Newly received from court <sup>c</sup> . . . . .	1,294	1,613	<b>1,579</b>	12.9	13.1	<b>11.4</b>	22.0	-2.1
Parolees returned with new commitment <sup>d</sup> . . . . .	395	361	<b>347</b>	3.9	2.9	<b>2.5</b>	-12.2	-3.9

<sup>a</sup>Includes felons newly received from court and returned from parole with new felony commitment.<sup>b</sup>Includes civil narcotic addicts newly received from court with a felony charge and returned from outpatient status with a new felony charge.<sup>c</sup>Includes first commitments of adults from criminal court.<sup>d</sup>Includes commitments of adults from criminal court who had previous Youth Authority commitments and who may have been under Youth Authority jurisdiction at the time of the new commitment.

Notes: Percents may not add to the total due to rounding.

Unit of count for state prison and California Rehabilitation Center is persons received by the California Department of Corrections.

Unit of count for California Youth Authority is persons coming under their jurisdiction from criminal court.

Sources: California Department of Corrections, Management Information Section, Policy and Planning Division, and California Youth Authority, Information Systems Section.

## Local Corrections

Local corrections data include adults under probation supervision as well as those incarcerated in city and county jails and camps. Based on a one-day count of all persons in local correctional programs in 1978, 153,113 of 180,497 (84.8 percent) were persons under probation supervision. Of the remaining persons, 1,691 were incarcerated in city jails, 21,565 in county jails, and 4,128 in county and city camps (Table 12).

The number of individuals confined in city and county jails and camps includes persons serving sentences as well as those awaiting trial. Of the 27,384 persons confined in city and county jails and camps on September 28, 1978, 13,898 or 50.8 percent were unsentenced.

## Probation

Probation is an alternative to incarceration. It allows a convicted individual to remain in the community, usually under the supervision of a probation officer, as long as the probationer evidences good behavior. It is the most frequently used disposition for those convicted, and exceeds the combined dispositions of prison, jail, and fine. In California, the administration of probation is a county government function. The county probation officer serves the court in preparing presentence reports for convicted persons and supervises those placed on probation.

The unit of count in the Bureau of Criminal Statistics (BCS) adult probation data system is the individual offender placed on supervised probation by a superior or lower court. During 1978, 57 county probation departments submitted individual case reports to BCS on the adults placed on (grants) and removed from (removals) probation during each month. Los Angeles County accumulated detailed summarized statistics and submitted them to BCS. (See Appendix B for a description of the limitations of adult probation data.)

### Comparison of 1977 and 1978 Adult Probation Data

While probation continues to be the most frequently used court disposition, Table 14 shows the total number of persons placed on probation by superior and lower courts combined decreased 1.6 percent from 73,089 in 1977 to 71,923 in 1978. The number of persons placed on superior court probation in 1978 rose 2.7 percent over 1977. However, during the same time, the number of defendants placed on lower court probation decreased 3.5 percent. At the end of 1978, there were 153,113 adults on probation throughout the state. This represented a 2.4 percent increase over 1977.

TABLE 14

### ADULT PROBATION ACTIVE CASELOADS ON DECEMBER 31, 1977 AND 1978 AND PROBATION GRANTS AND REMOVALS, 1977—1978

By Type of Court

Probation caseloads, adults placed on probation and removed from probation	1977			1978			Percent change 1977-1978		
	Total	Superior court	Lower court	Total	Superior court	Lower court	Total	Superior court	Lower court
Caseload, December 31 . . . .	149,587	61,303	88,284	153,113	61,371	91,742	2.4	0.1	3.9
Placed on probation . . . . .	73,089	22,736	50,353	71,923	23,339	48,584	-1.6	2.7	-3.5
Removed from probation . . . .	70,358	23,915	46,443	71,583	23,897	47,686	1.7	-0.1	2.7
Terminated . . . . .	47,076	14,914	32,162	47,517	14,729	32,788	0.9	-1.2	1.9
Violated probation <sup>a</sup> . . . . .	21,241	8,201	13,040	21,147	8,056	13,091	-0.4	-1.8	0.4
Other <sup>b</sup> . . . . .	2,041	800	1,241	2,919	1,112	1,807	43.0	39.0	45.6

<sup>a</sup>Includes probationers who absconded from supervision, and those who committed other technical violations and new offenses that resulted in revocations of probation.

<sup>b</sup>Included are transfers from jurisdiction, deceased, sentence vacated, appeal, etc.

TABLE 15

**ADULT PROBATION ACTIVE CASELOAD ON DECEMBER 31, 1978**

Type of Court by Convicted Offense

Convicted offense	Total		Type of court			
			Superior court		Lower court	
	Number	Percent	Number	Percent	Number	Percent
TOTAL . . . . .	153,113	100.0	61,371	100.0	91,742	100.0
Felony . . . . .	78,420	51.2	58,157	94.8	20,263	22.1
Homicide . . . . .	833	0.5	828	1.3	5	0.0
Forcible rape . . . . .	586	0.4	585	1.0	1	0.0
Robbery . . . . .	3,327	2.2	3,320	5.4	7	0.0
Assault . . . . .	8,017	5.2	5,605	9.1	2,412	2.6
Kidnapping . . . . .	185	0.1	138	0.2	47	0.1
Burglary . . . . .	14,362	9.4	10,780	17.6	3,582	3.9
Theft . . . . .	15,888	10.4	10,879	17.7	5,009	5.5
Motor vehicle theft . . . . .	2,510	1.6	1,497	2.4	1,013	1.1
Forgery, checks, credit cards . . . .	6,637	4.3	3,961	6.5	2,676	2.9
Marijuana . . . . .	3,957	2.6	3,433	5.6	524	0.6
Other drug law violations . . . . .	10,862	7.1	9,364	15.3	1,498	1.6
Unlawful sexual intercourse . . . .	426	0.3	310	0.5	116	0.1
Lewd and lascivious . . . . .	1,147	0.7	1,124	1.8	23	0.0
Other sex law violations . . . . .	1,098	0.7	868	1.4	230	0.3
Weapons . . . . .	1,146	0.7	761	1.2	385	0.4
Drunk-driving . . . . .	1,868	1.2	1,045	1.7	823	0.9
Hit-and-run . . . . .	414	0.3	245	0.4	169	0.2
Escape . . . . .	182	0.1	158	0.3	24	0.0
Bookmaking . . . . .	142	0.1	115	0.2	27	0.0
Arson . . . . .	464	0.3	404	0.7	60	0.1
All other . . . . .	4,369	2.9	2,737	4.5	1,632	1.8
Misdemeanor . . . . .	74,693	48.8	3,214	5.2	71,479	77.9
Assault and battery . . . . .	5,760	3.8	484	0.8	5,276	5.8
Petty theft . . . . .	3,672	2.4	182	0.3	3,490	3.8
Checks and credit cards . . . . .	1,272	0.8	57	0.1	1,215	1.3
Drug law violations . . . . .	4,152	2.7	471	0.8	3,681	4.0
Sex law violations . . . . .	1,861	1.2	155	0.3	1,706	1.9
Drunk . . . . .	1,405	0.9	7	0.0	1,398	1.5
Disturbing the peace . . . . .	2,237	1.5	59	0.1	2,178	2.4
Drunk-driving . . . . .	31,896	20.8	217	0.4	31,679	34.5
Other traffic . . . . .	5,079	3.3	46	0.1	5,033	5.5
Nonsupport . . . . .	3,382	2.2	2	0.0	3,380	3.7
All other . . . . .	13,977	9.1	1,534	2.5	12,443	13.6

Note: Percents may not total 100.0 due to rounding.

### Convicted Offense of 1978 Caseload

As shown in Table 15, of the 153,113 individuals on active probation caseload on December 31, 1978, 61,371 (40.1 percent) were sentenced from superior court and 91,742 (59.9 percent) were sentenced from lower court. Theft (17.7 percent), burglary (17.6 percent), and "other drug law violations" (15.3 percent) comprised the largest convicted offense categories of the superior court probation population, while misdemeanor drunk driving (34.5 percent) was the largest category for the lower court population.

### Type of Court by Length of Probation

The median length of probation sentence for adults in 1978 was 2.9 years; the median sentence was 3.5 years for superior court probationers and 2.5 years for those placed on lower court probation (Table 16). Since the serious offenders are adjudicated in superior court, they are more likely to receive longer probation sentences.

Most superior court probationers (64.4 percent) received terms of more than three years but less than four years. The most prevalent term (42.4 percent) for lower court probationers was two years but less than three years.

TABLE 16

### ADULTS GRANTED PROBATION, 1978

Type of Court by Length of Probation

Length of probation	Total	Type of court			
		Superior court		Lower court	
		Number	Percent	Number	Percent
TOTAL . . . . .	71,923	23,339	100.0	48,584	100.0
Less than 1 year . . . . .	788	106	0.5	682	1.4
1 year but less than 2 . . . . .	13,283	743	3.2	12,540	25.8
2 years but less than 3 . . . . .	24,039	3,440	14.7	20,599	42.4
3 years but less than 4 . . . . .	29,687	15,029	64.4	14,658	30.2
4 years but less than 5 . . . . .	1,554	1,512	6.5	42	0.1
5 years but less than 6 . . . . .	2,491	2,450	10.5	41	0.1
6 or more years . . . . .	81	59	0.3	22	0.0
Median . . . . .	2.9	3.5		2.5	

Notes: Percents may not total 100.0 due to rounding.

The median is the midpoint of a set of numbers arranged in order of magnitude and is used instead of the mean (average) because it is not as affected by extremes.

## Jail as a Condition of Probation

In 1978, approximately eight out of ten superior court probationers were required to serve a jail sentence as a condition of probation (Table 17). This is illustrated by the fact that 79.2 percent of the persons placed on probation by superior courts were ordered to serve a jail sentence as a condition, while 20.8 percent were sentenced to straight probation without jail. Among persons granted probation in lower courts, 46.0 percent were ordered to serve a jail sentence as a condition of probation.

Jail sentences as a condition of probation were generally longer for superior court probationers than for lower court probationers. For superior court probationers 4.8 months was the median jail sentence compared with a 0.7 month median for lower court probationers.

TABLE 17  
**ADULTS GRANTED PROBATION, 1978**  
Type of Court by Length of Jail Sentence as a Condition of Probation

Length of jail sentence as a condition of probation	Total	Type of court			
		Superior court		Lower court	
		Number	Percent	Number	Percent
TOTAL . . . . .	71,923	23,339	100.0	48,584	100.0
Straight probation . . . . .	31,114	4,862	20.8	26,252	54.0
Probation with jail . . . . .	40,809	18,477	79.2	22,332	46.0
Months of jail					
1 month . . . . .	19,682	3,852	16.5	15,830	32.6
2 months . . . . .	4,410	2,377	10.2	2,033	4.2
3 months . . . . .	3,947	2,064	8.8	1,883	3.9
4 months . . . . .	1,739	1,243	5.3	496	1.0
5 months . . . . .	669	534	2.3	135	0.3
6 months . . . . .	4,336	3,140	13.5	1,196	2.5
7 months . . . . .	292	264	1.1	28	0.1
8 months . . . . .	549	483	2.1	66	0.1
9 months . . . . .	1,062	961	4.1	101	0.2
10 months . . . . .	319	281	1.2	38	0.1
11 months . . . . .	151	130	0.6	21	0.0
12 months . . . . .	3,593	3,099	13.3	494	1.0
Over 12 months . . . . .	60	49	0.2	11	0.0
Median . . . . .	2.2	4.8		0.7	

Note: The median is the midpoint of a set of numbers arranged in order of magnitude and is used instead of the mean (average) because it is not as affected by extremes.

TABLE 18

**ADULTS REMOVED FROM PROBATION, 1978**

Type of Court by Reason for Removal and Length of Time on Probation

Reason for removal and length of time on probation	Total	Type of court			
		Superior court		Lower court	
		Number	Percent	Number	Percent
TOTAL . . . . .	71,583	23,897		47,686	
Terminated (completed probation)	47,517	14,729	100.0	32,788	100.0
Less than 1 year . . . . .	2,296	278	1.9	2,018	6.2
1 year but less than 2 . . . . .	13,778	1,483	10.1	12,295	37.5
2 years but less than 3 . . . . .	13,519	2,828	19.2	10,691	32.6
3 years but less than 4 . . . . .	14,357	7,027	47.7	7,330	22.4
4 years but less than 5 . . . . .	1,451	1,169	7.9	282	0.9
5 or more years . . . . .	2,116	1,944	13.2	172	0.5
Median . . . . .	2.6	3.4		2.2	
Absconded (violated probation) . .	14,398	5,440	100.0	8,958	100.0
Less than 6 months . . . . .	1,847	509	9.4	1,338	14.9
6 months but less than 1 year . .	2,359	695	12.8	1,664	18.6
1 year but less than 2 . . . . .	3,463	1,148	21.1	2,315	25.8
2 years but less than 3 . . . . .	2,763	777	14.3	1,986	22.2
3 years but less than 4 . . . . .	2,840	1,345	24.7	1,495	16.7
4 or more years . . . . .	1,126	966	17.8	160	1.8
Median . . . . .	1.9	2.5		1.6	
Revoked (violated probation) . . .	6,749	2,616	100.0	4,133	100.0
Less than 6 months . . . . .	664	178	6.8	486	11.8
6 months but less than 1 year . .	1,216	342	13.1	874	21.1
1 year but less than 2 . . . . .	1,954	705	26.9	1,249	30.2
2 years but less than 3 . . . . .	1,402	482	18.4	920	22.3
3 or more years . . . . .	1,513	909	34.7	604	14.6
Median . . . . .	1.8	2.2		1.6	
Other <sup>a</sup> . . . . .	2,919	1,112	100.0	1,807	100.0

<sup>a</sup>Includes removals because defendant was deceased, defendant was transferred to another county, or appeal was approved.

Notes: Percents may not total 100.0 due to rounding.

The median is the midpoint of a set of numbers arranged in order of magnitude and is used instead of the mean (average) because it is not as affected by extremes.



When jail is a condition of probation, the jail sentence is considered as the initial part of the probation term. For example, a typical sentence of 36 months probation with six months of jail requires the probationer to serve 30 months under probation supervision in the community after completing the six-month jail sentence. The jail sentence may be shortened by credits for work performance or good behavior. However, in such instances, the time under probation supervision will be longer to cover the 36-month probation sentence.

### *Removals From Probation*

Of the 71,583 defendants removed from probation in 1978, 47,517 had completed their terms of probation, 14,398 absconded, and 6,749 were removed because they committed a new offense or a technical violation. The remaining 2,919 probationers were removed for other reasons such as death, transfer to another county, or the granting of an appeal. The probationer who absconds is one who leaves his place of residence without giving notice to his probation officer. Examples of technical violations are: gambling, drinking liquor, associating with known criminals, nonpayment of fine, etc.

For superior court probationers who completed their probation terms the median time on probation was 3.4 years, compared with 2.2 years for lower court probationers (Table 19).

**TABLE 19**  
**ADULTS REMOVED FROM PROBATION BECAUSE OF COMPLETION OF PROBATION TERM, 1978**

Type of Court by Type of Termination

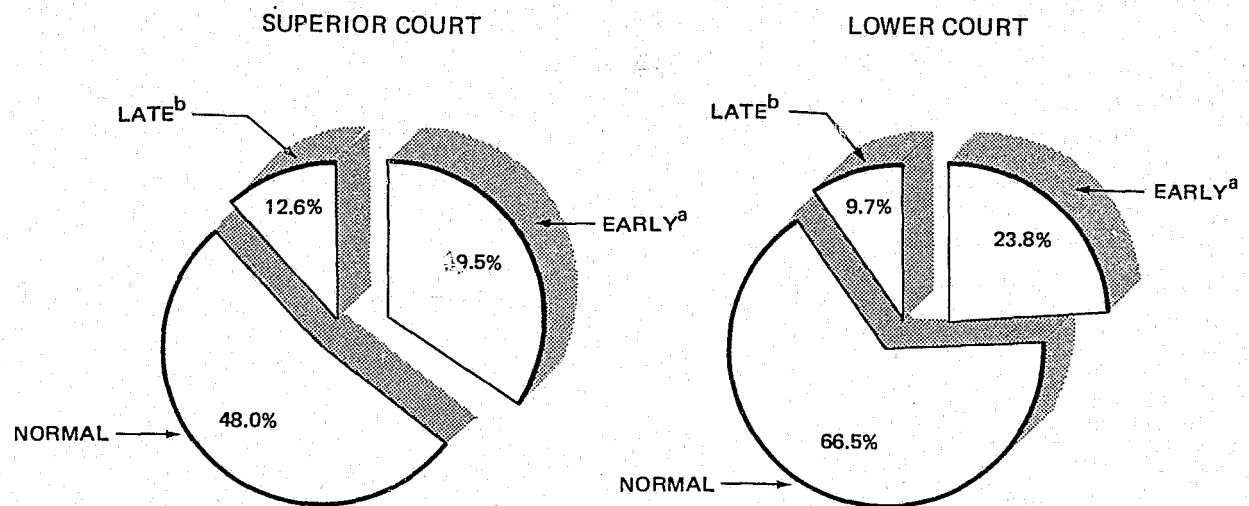
Type of termination	Total	Type of court			
		Superior court		Lower court	
		Number	Percent	Number	Percent
TOTAL . . . . .	47,517	14,729	100.0	32,788	100.0
Early <sup>a</sup> . . . . .	13,627	5,812	39.5	7,815	23.8
Normal . . . . .	28,870	7,068	48.0	21,802	66.5
Late <sup>b</sup> . . . . .	5,020	1,849	12.6	3,171	9.7

<sup>a</sup>Probation terminated prior to completion of initial term of probation, as set forth by the court.

<sup>b</sup>Probation terminated later than initial term of probation as set forth by the court due to subsequent court action against the defendant.

Note: Percents may not total 100.0 due to rounding.

**CHART G**  
**ADULTS REMOVED FROM PROBATION BECAUSE OF COMPLETION OF**  
**PROBATION TERM, 1978**



<sup>a</sup>Probation terminated prior to completion of initial term of probation as set forth by the court.

<sup>b</sup>Probation terminated later than initial term of probation as set forth by the court due to subsequent court action against the defendant.

Chart G shows data on both lower and superior court terminations in 1978. Of the superior court defendants who completed their probation terms, 48.0 percent served their original terms (normal termination); 39.5 percent were released early from probation jurisdiction; and 12.6 percent were released later than the initial terms set forth by the court. In contrast to this, the distribution of lower court probationers removed from supervision was as follows: 66.5 percent normal terminations; 23.8 percent early releases; and 9.7 percent late releases.

## JUVENILE JUSTICE ADMINISTRATION

The philosophy of juvenile justice administration in California is summarized in Section 202 of the Welfare and Institutions Code (W&I): "The purpose . . . is to secure for each minor under the jurisdiction of the juvenile court such care and guidance, preferably in his own home, as will serve the spiritual, emotional, mental, and physical welfare of the minor and the best interests of the state; to protect the public from criminal conduct by minors; to impose on the minor a sense of responsibility for his own acts; to preserve and strengthen the minor's family ties whenever possible, removing him from the custody of his parents only when necessary for his welfare or for the safety and protection of the public; and, when the minor is removed from his own family, to secure for him custody, care, and discipline as nearly as possible equivalent to that which should have been given by his parents . . . ."

"The purpose . . . also includes the protection of the public from the consequences of criminal activity, and to such purpose probation officers, peace officers, and juvenile courts shall take into account such protection of the public in their determination . . . ."

A juvenile (under 18 years of age) may be handled under Section 601 or 602 of the Welfare and Institutions (W&I) Code. If handled under 601 W&I, the juvenile is referred to as a "status offender." Status offenders are juveniles charged with offenses which would not be considered crimes if committed or engaged in by adults. These status offenses, also referred to as "delinquent tendencies," include behavior such as runaway, truancy, incorrigibility, and violation of curfew. Section 602 W&I offenders are referred to as law violators. They may be charged with any criminal offense covered by a state law or county or city ordinance.

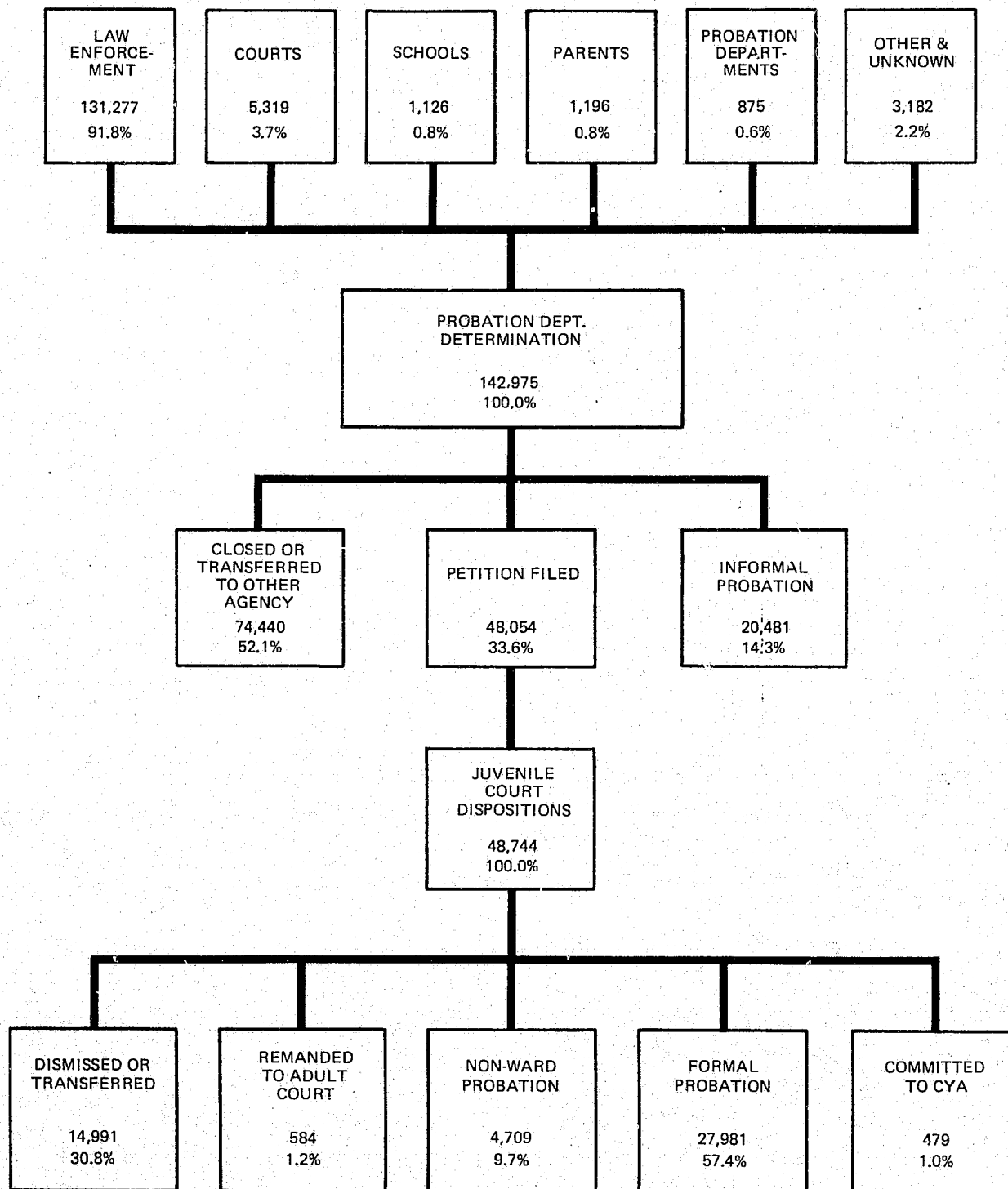
The administration of juvenile justice in California involves the combined efforts of various segments of the criminal justice system. Law enforcement agencies are primarily responsible for the investigation of offenses and the apprehension and referral of the juvenile offender to the probation department. Probation departments determine whether to close or transfer the case, handle the case informally, or seek a petition in juvenile court. In those cases where a petition is sought on a law violator charged under 602 W&I, the prosecuting attorney makes the final determination, files the petition, and presents the case in juvenile court. If a status offender or law violator is placed on probation, the probation department is responsible for supervising the juvenile in a local rehabilitation or correctional program. In some situations, law violators are committed to state correctional facilities under the jurisdiction of the California Youth Authority (CYA). Others are remanded to an adult court for processing within the adult criminal justice system.

Chart H shows the flow of juveniles through the justice system in 1978. Numbers and percent distributions are included for new referrals disposed of at various points within the system. (Los Angeles County probation data were estimated for 1978. See Appendix B.)

# CHART H

## DISPOSITION OF INITIAL REFERRALS, 1978

*Sources from which delinquent juveniles were initially referred to California probation departments.*



Notes: The difference of 690 cases between the petition filed and juvenile court disposition figures is due to the varying time differential between filing and disposition.  
Percents may not total 100.0 due to rounding.

## Legislation

Major changes to California's juvenile court laws were enacted on January 1, 1977 (Assembly Bill 3121). These changes have greatly affected the processing of juveniles through the system. One of the changes provides that status offenders (601 W&I) be processed by probation officers and law violators (602 W&I) by prosecuting attorneys when court action becomes necessary. Juveniles who are 16 years of age or older and charged with the felony offenses of murder, arson, armed robbery, forcible rape, kidnapping for ransom, aggravated assault, or certain violations involving discharge of a firearm, must be handled in adult court unless "fitness" for juvenile court can be determined. Prior to this change, "unfitness" for juvenile court had to be determined.

Another change prohibits escalating a 601 W&I case (status offender) to a 602 W&I case (law violator) solely because the juvenile fails to obey an order of the court. Detention of a status offender in a juvenile hall, jail, ranch, camp, or school considered a "secure" facility is also prohibited. The California Youth Authority defines a "secure" facility as one in which a juvenile is held behind a locked door, gate or fence, or in which some person is responsible for physically preventing the juvenile's escape or departure from the facility. If status offenders are detained, it must be in "nonsecure" facilities such as shelter care, crisis resolution homes, and other facilities designated as "nonsecure." (This provision of the law was subsequently modified [9/78] to allow "temporary" detention of status offenders in "secure" facilities in certain circumstances.) The change further provides that law violators committed to "secure" detention facilities cannot spend more time in custody than adults committed to jail or prison for similar charges.

An additional change greatly expands the scope of informal supervision. Under the new provision, juveniles are to be diverted to informal probation in lieu of juvenile court proceedings whenever possible. Alternatives allow the more frequent use of community resources such as shelter care facilities, crisis resolution homes, and counseling and educational centers for status offenders.

## Summary of Data, 1977 and 1978

As shown in Table 20, juvenile arrests decreased 8.7 percent from 1977 to 1978. There were decreases in all three levels of arrests: felony level, 1.4 percent; misdemeanor level, 9.1 percent; and delinquent tendencies, 24.2 percent. Following is a summary of changes in the processing of juveniles at subsequent levels in the system from 1977 to 1978:

- Initial referrals to county probation departments decreased by 4.2 percent.
- Initial referral petition filings decreased 8.5 percent.
- The probation caseload increased 1.1 percent.

## Juvenile Justice Trends, 1973 Through 1978

Chart I shows four juvenile justice trend lines from 1973 through 1978. These trends include juvenile population (10–17 years), juvenile arrests, initial referrals, and initial petitions.

According to the Department of Finance, the juvenile population dropped 3.0 percent from 1973 to 1978 (from 3,141,000 to 3,046,614). As shown in Table 20, juvenile arrests dropped 20.7 percent during the same period.

TABLE 20

### ARRESTS REPORTED, 1973–1978

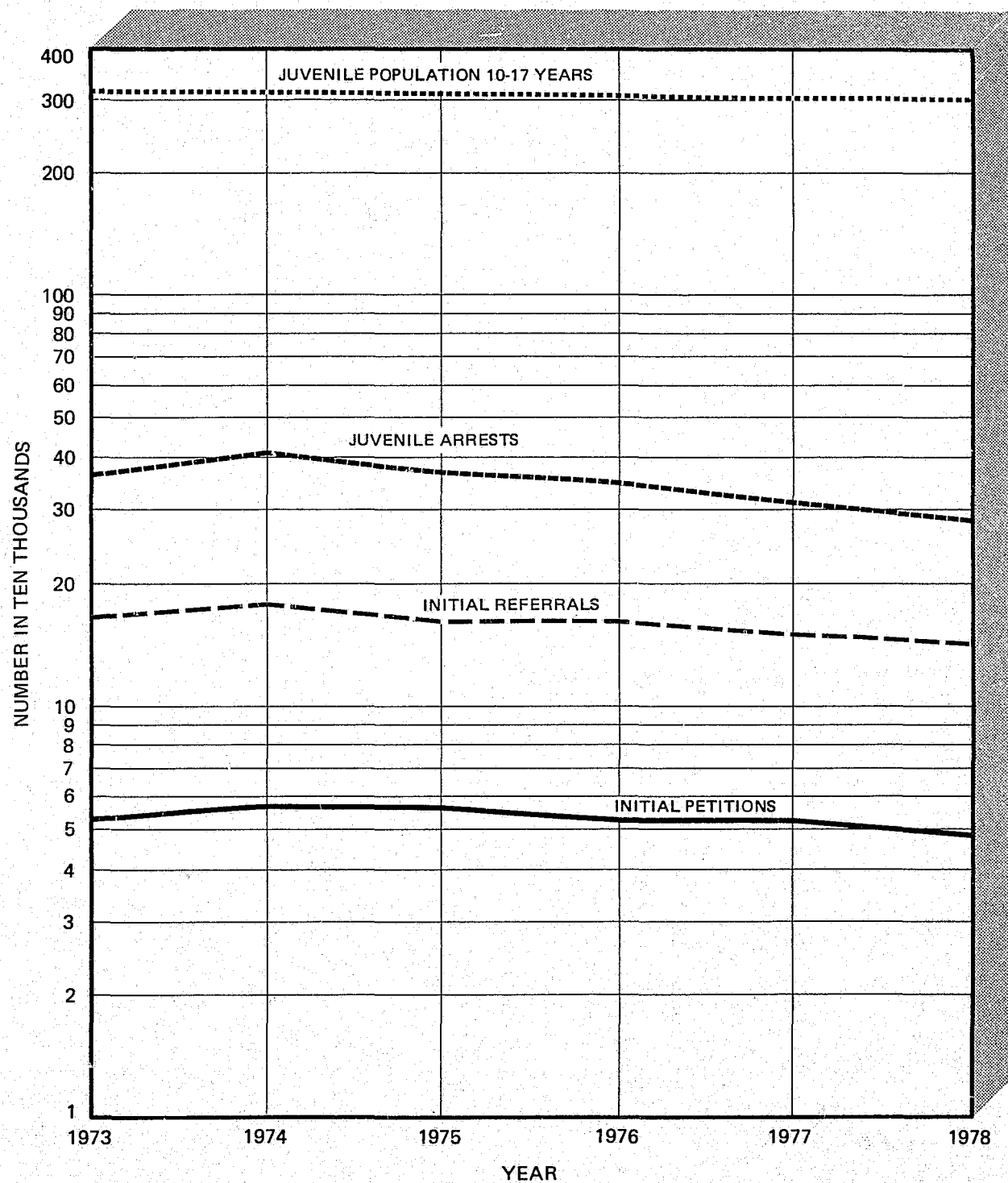
Offense Level and Law Enforcement Disposition of Juvenile Arrests by Year

Offense level and law enforcement disposition	1973	1974	1975	1976	1977	1978	Percent change	
							1973– 1978	1977– 1978
TOTAL . . . . .	1,383,234	1,488,102	1,439,857	1,447,750	1,454,300	1,432,852	3.6	–1.5
Adult . . . . .	1,020,617	1,079,971	1,068,907	1,093,998	1,139,425	1,145,323	12.2	0.5
Juvenile . . . . .	362,617	408,131	370,950	353,752	314,875	287,529	–20.7	–8.7
Percent juvenile . . . . .	26.2	27.4	25.8	24.4	21.7	20.1		
Felony-level . . . . .	118,629	134,517	127,842	103,003	102,473	101,008	–14.9	–1.4
Misdemeanor-level . . . . .	140,931	165,716	156,971	169,987	168,689	153,393	8.8	–9.1
Delinquent tendencies . . . . .	103,057	107,898	86,137	80,762	43,713	33,128	–67.9	–24.2
Law enforcement disposition . . . . .	362,617	408,131	370,950	353,752	314,875	287,529	–20.7	–8.7
Handled within department . . . . .	145,155	160,114	144,297	136,478	120,270	103,333	–28.8	–14.1
Other jurisdiction . . . . .	12,145	13,108	9,396	7,517	6,971	6,127	–49.6	–12.1
Juvenile court or probation department . . . . .	205,317	234,909	217,257	209,757	187,634	178,069	–13.3	–5.1

Initial referrals decreased 13.1 percent from 1973 to 1978 (Table 21). Total petition filings resulting from initial referrals also decreased (5.2 percent) during this period.

The following sections provide detailed information on juveniles processed through the justice system from 1973 through 1978.

CHART I  
JUVENILE JUSTICE TRENDS, 1973-1978



## Juvenile Arrests

Arrests by California law enforcement agencies account for most entries into the juvenile justice system. There were 287,529 juvenile arrests in 1978, representing 20.1 percent of the total 1,432,852 arrests reported in the state.

After reaching a peak in 1974, juvenile arrests have steadily declined each year. Total juvenile arrests dropped 8.7 percent from 1977 to 1978 (from 314,875 to 287,529) and 20.7 percent from 1973 to 1978 (from 362,617 to 287,529). Arrests for felony offenses decreased 1.4 percent from 1977 to 1978 and 14.9 percent from 1973 to 1978. There has been no consistent trend in juvenile arrests for misdemeanors. Although there was an overall increase of 8.8 percent from 1973 to 1978, juvenile misdemeanor arrests decreased 9.1 percent from 1977 to 1978. Arrests for delinquent tendencies declined 24.2 percent from 1977 to 1978 and 67.9 percent from 1973 to 1978.

Although some of the decreases in total juvenile arrests may be attributed to a drop in juvenile population, the greatest contributing factor was the sharp drop in arrests for delinquent tendencies. Juveniles exhibiting delinquent tendencies are now being handled more often outside the confines of the formal criminal justice system.

## Juvenile Probation Initial Referrals

California probation departments, as shown on Table 21, receive referrals from various sources including law enforcement agencies, courts, schools, and parents. Initial referrals include juveniles who are not already on probation or parole at the time of referral. "Initial referral" does not imply that the juvenile has not been in trouble before.

Traditionally, law enforcement agencies have been the predominant source of initial referrals, accounting for 87.7 percent (144,255 of 164,436) of the referrals in 1973 and 91.8 percent (131,277 of 142,975) in 1978. As shown in Table 21, there was a 4.2 percent decrease in initial referrals from 1977 to 1978, and a 13.1 percent drop from 1973 to 1978. The largest decrease (79.9 percent) from 1973 to 1978 was in school referrals. This was primarily due to the implementation of the School Attendance Review Board (SARB) program in 1975, which provided for habitually truant juveniles to be channeled away from the probation department referral process previously used. While schools were the source of 3.0 percent of the total initial referrals in 1974 (5,415 of 178,332), the proportion dropped to 0.9 percent in 1975 (1,467 of 163,621) and 0.8 percent in 1978 (1,126 of 142,975).



TABLE 21

**INITIAL REFERRALS TO PROBATION DEPARTMENTS, 1973—1978**

Source of Referral, Disposition, Sex, and Race by Year

Source of referral, disposition, sex, and race	1973	1974	1975	1976	1977	1978	Percent change	
							1973— 1978	1977— 1978
<b>TOTAL</b> . . . . .	164,436	178,332	163,621	161,170	149,215	142,975	-13.1	-4.2
<b>Source of referral</b>								
Law enforcement . . . . .	144,255	159,286	149,469	147,766	137,108	131,277	-9.0	-4.3
Courts . . . . .	5,655	5,957	5,888	5,584	5,516	5,319	-5.9	-3.6
Schools . . . . .	5,598	5,415	1,467	1,015	1,210	1,126	-79.9	-6.9
Parents . . . . .	4,230	3,580	3,056	2,682	1,952	1,196	-71.7	-38.7
Probation departments . . . . .	1,834	1,706	1,129	1,286	1,223	875	-52.3	-28.5
Other and unknown . . . . .	2,864	2,388	2,612	2,837	2,206	3,182	11.1	44.2
<b>Disposition</b>								
Closed, transferred . . . . .	89,889	98,657	88,060	89,937	76,192	74,440	-17.2	-2.3
Informal probation . . . . .	23,868	25,951	23,444	22,252	20,493	20,481	-14.2	-0.1
Petition filed . . . . .	50,679	53,724	52,117	48,981	52,530	48,054	-5.2	-8.5
<b>Sex</b>								
Male . . . . .	118,394	127,329	121,016	119,396	114,261	110,283	-6.9	-3.5
Female . . . . .	46,042	51,003	42,605	41,774	34,954	32,692	-29.0	-6.5
<b>Race</b>								
White . . . . .	109,802	116,015	103,905	102,001	93,555	88,822	-19.1	-5.1
Mexican-American . . . . .	23,226	26,534	27,112	29,036	28,672	26,100	12.4	-9.0
Negro . . . . .	23,991	26,574	24,550	22,374	20,450	20,106	-16.2	-1.7
Other . . . . .	2,980	3,311	3,270	3,533	3,209	2,943	-1.2	-8.3
Unknown . . . . .	4,437	5,898	4,784	4,226	3,329	5,004	12.8	50.3

There is a difference between data shown in Tables 20 and 21. Referrals to "juvenile court or probation department" shown in Table 20 are reported by law enforcement agencies. In Table 21, the number of referrals received from law enforcement agencies are reported by probation departments. This difference is due, in part, to the different programs and definitions used by law enforcement agencies and probation departments for submitting data to the Bureau of Criminal Statistics (BCS). However, the primary reason for the difference is the lack of provision in BCS' present juvenile justice data collection system for the reporting of "rereferrals closed at intake" in probation departments. This situation occurs when a juvenile is already on probation or parole at the time of referral to a probation department for a new offense, and some intake disposition other than a petition filing is made (e.g., closed, prior status maintained, etc.).

## New BCS Juvenile Justice Reporting System

BCS has designed a new reporting system scheduled to go into operation January 1, 1980. This system will account for all delinquency referrals to probation departments, thus eliminating the "rereferrals closed at intake" shortcoming mentioned above. In addition, the new system has been designed to account for "secure" and "nonsecure" pre-court detention actions and "prosecuting attorney" actions brought about by the January 1, 1977 law change. A ten-county pilot project to test the new system went into effect January 1, 1979. The Crime and Delinquency publication for 1979 will address this issue further.

### Dispositions of Initial Referrals

Initial referrals to probation departments are presented in Tables 21 and 22 and Charts I and J. Table 21 and Chart I present statewide data whereas Table 22 and Chart J present data from only 57 counties.

TABLE 22

### INITIAL REFERRALS TO PROBATION DEPARTMENTS, 1973, 1977, AND 1978<sup>a</sup>

Disposition and Offense Category by Year

Disposition and offense category	1973	1974	1975	1976	1977	1978	Percent change	
							1973-1978	1977-1978
<b>TOTAL<sup>b</sup></b>	130,937	140,944	126,763	128,873	120,266	<b>115,946</b>	-11.4	-3.6
Status offenses	42,521	41,260	33,515	33,178	16,600	<b>12,382</b>	-70.9	-25.4
Law violations	88,416	99,684	93,248	95,695	103,666	<b>103,564</b>	17.1	-0.1
Percent law violations	67.5	70.7	73.6	74.3	86.2	<b>89.3</b>		
<b>Closed, transferred</b>	79,633	87,476	77,111	79,214	67,938	<b>66,514</b>	-16.5	-2.1
Status offenses	28,313	27,725	23,511	23,910	12,744	<b>9,913</b>	-65.0	-22.2
Law violations	51,320	59,751	53,600	55,304	55,194	<b>56,601</b>	10.3	2.5
Percent law violations	64.4	68.3	69.5	69.8	81.2	<b>85.1</b>		
<b>Informal probation</b>	17,044	17,648	15,666	15,362	14,465	<b>13,612</b>	-20.1	-5.9
Status offenses	4,947	4,876	3,617	3,815	2,096	<b>1,246</b>	-74.8	-40.6
Law violations	12,097	12,772	12,049	11,547	12,369	<b>12,366</b>	2.2	0.0
Percent law violations	71.0	72.4	76.9	75.2	85.5	<b>90.8</b>		
<b>Petition filed</b>	34,260	35,820	33,986	34,297	37,863	<b>35,820</b>	4.6	-5.4
Status offenses	9,261	8,659	6,387	5,453	1,760	<b>1,223</b>	-86.8	-30.5
Law violations	24,999	27,161	27,599	28,844	36,103	<b>34,597</b>	38.4	-4.2
Percent law violations	73.0	75.8	81.2	84.1	95.4	<b>96.6</b>		

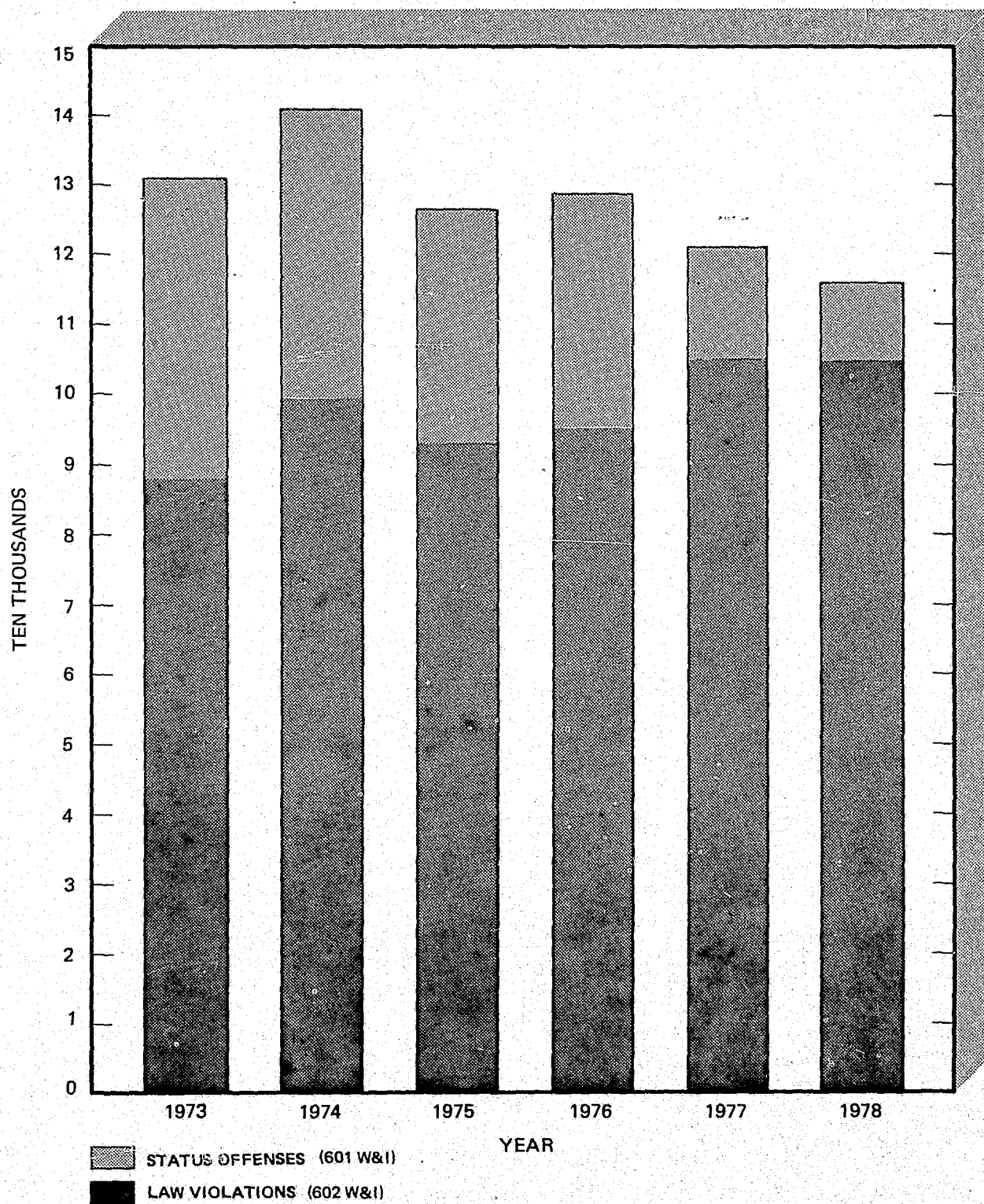
<sup>a</sup>Data for Los Angeles County are not included.

<sup>b</sup>Includes only those cases where offense category was known.

Note: Status offenses are those offenses described in Welfare and Institutions Code Section 601. Law violations are described in Welfare and Institutions Code 602.

CHART J

INITIAL REFERRALS TO PROBATION DEPARTMENTS, 1978 <sup>a</sup>



<sup>a</sup>Los Angeles County data are not included.

Of the 142,975 initial referrals in 1978, probation departments disposed of 74,440 (52.1 percent) by closing the cases or transferring the juveniles to another agency. Another 20,481 (14.3 percent) were placed on informal probation (654 W&I) for a period of up to six months. The remaining 48,054 (33.6 percent) had petitions filed in juvenile court (Table 21).

Table 22 and Chart J show 1973 through 1978 data on initial referral dispositions of status offenders (601 W&I) and law violators (602 W&I) in 57 counties (excluding Los Angeles). Total initial referrals to 57 county probation departments dropped 11.4 percent from 1973 to 1978. In 1978, initial referrals of status offenders were 70.9 percent lower than in 1973, while referrals of law violators were up 17.1 percent. Total petition filings resulting from initial referrals increased 4.6 percent from 1973 to 1978. While there was a 38.4 percent increase in petition filings for law violators, filings for status offenders dropped 86.8 percent. The 1975 SARB program and changes to the juvenile court law in 1977 resulted in the diverting of a large share of status offenders to other community resources. Since these alternative community resources do not report to BCS, status offender information in this section is not fully reflective of the magnitude of California's delinquency problem.

From 1973 to 1978, petitions filed was the only initial referral disposition category to show an increase. However, all disposition categories showed decreases for 601 W&I offenses and increases for 602 W&I offenses.

These trends demonstrate the effects of two major provisions of the January 1, 1977 juvenile court law changes — that status offenders be diverted from the court process whenever possible and that law violators be handled in a more formal manner, when the nature of the offense so warrants.

## **Juvenile Court Dispositions**

Juvenile court petition filings are classified by BCS into two categories: initial petitions and subsequent petitions. An initial petition may be filed on a minor who is not under active formal (ward) or non-ward probation supervision, or on parole from CYA. A subsequent petition may be filed on a minor who is already under active supervision and has committed a new delinquent act.

Data on subsequent petition dispositions in 1978 are not included in this report. The Los Angeles County Probation Department revised its subsequent petition accounting method in 1978 to conform to BCS standards. This resulted in a new statistical series which is not compatible with data published in the past.

As shown in Table 23, there was an 8.0 percent decrease in the number of initial court petition dispositions from 1977 to 1978. This nearly equaled the 8.7 percent decrease from 1973 to 1978. In 1978, the number of petition dispositions was at the lowest level for the 1973 through 1978 period. However, the proportion of dispositions that resulted in formal probation reached its highest level for the six years. Initial petition dispositions resulting in commitments to the California Youth Authority increased 58.6 percent from 1973 to 1978 (from 302 to 479). Dispositions remanding cases to adult court for prosecution decreased by 14.0 percent.

TABLE 23

**DISPOSITION OF INITIAL PETITIONS, 1973—1978**

Juvenile Court Disposition by Year

Juvenile court disposition	1973	1974	1975	1976	1977	1978	Percent change	
							1973— 1978	1977— 1978
<b>TOTAL</b> . . . . .	53,385	57,420	56,150	52,795	52,998	48,744	-8.7	-8.0
Dismissed, transferred . . . . .	17,584	18,896	18,158	18,346	18,052	14,991	-14.7	-17.0
Remanded to adult court. . . . .	679	666	667	518	544	584	-14.0	7.4
Probation — non-ward . . . . .	5,545	6,517	7,544	6,282	4,617	4,709	-15.1	0.2
Probation — formal . . . . .	29,275	31,004	29,390	27,321	29,336	27,981	-4.4	-4.6
Committed to California Youth Authority . . . . .	302	337	391	328	449	479	58.6	6.7

**Juvenile Probation Caseload**

Three levels of juvenile probation supervision (informal, non-ward, and ward) are prescribed by the California Welfare and Institutions (W&I) Code. Table 24 displays the individual caseload counts on December 31 of each year from 1973 through 1978. The total caseload on the last day of 1978 was 53,894. This was a 1.1 percent increase over the 53,322 active cases on the same day a year earlier. This small annual increase is in contrast to the decreases in caseload size in 1975, 1976, and 1977.

Informal probation is a form of supervision following a contractual agreement among the juvenile, parent or guardian, and the probation department (as specified in Section 654 W&I) for a maximum six-month period of supervision in lieu of formal court processing. There was a 0.1 percent decrease in the number of juveniles under informal probation supervision from 1977 to 1978. A 17.8 percent decrease was recorded from 1973 to 1978.

Juveniles are placed on non-ward or formal (ward) probation by the juvenile court. Non-ward probation, as specified in Section 725a W&I, requires the minor to undergo up to six months of supervision without becoming a ward of the court. In 1978, the number of juveniles on non-ward probation increased 5.7 percent from December 31, 1977. However, from 1973 to 1978 there was a decrease of 16.6 percent in the non-ward caseload.

By far the largest proportion of the caseload, 77.5 percent for both 1977 and 1978 (41,314 of 53,322 and 41,769 of 53,894), was composed of juveniles placed under the jurisdiction of the court (formal probation) following an adjudgement of wardship. On December 31, 1978, the number of juveniles on formal probation had increased 1.1 percent over the caseload size on the same day a year earlier. However, a decrease of 7.8 percent was recorded from 1973 to 1978.

TABLE 24

**STATUS OF ACTIVE JUVENILE CASES ON DECEMBER 31, 1973—1978**

Probation Status by Year

Type of probation	1973	1974	1975	1976	1977	1978	Percent change	
							1973— 1978	1977— 1978
TOTAL <sup>a</sup> . . . . .	59,997	63,599	57,963	55,859	53,322	53,894	-10.2	1.1
Informal . . . . .	11,861	13,825	11,616	10,481	9,762	9,751	-17.8	-0.1
Non-ward . . . . .	2,847	2,901	2,788	2,540	2,246	2,374	-16.6	5.7
Formal . . . . .	45,289	46,873	43,559	42,838	41,314	41,769	-7.8	1.1

<sup>a</sup>Those cases pending court action are not included.

## Removals From Juvenile Probation

The term "removal from probation," as used here, refers to any change in probation supervision status. It can mean a release or discharge from probation, escalation to a more formal level of supervision, remand to adult court, or commitment to the California Youth Authority. A juvenile may have more than one change in status (removal) while on probation caseload.

As shown in Table 25, there were 51,737 removals from probation caseloads in 1978, a decrease of 6.8 percent from 1977. This corresponds to the decline in referrals and petitions during the same period. From 1975 to 1978, total removals declined 13.3 percent. Of the three levels of probation supervision (informal, non-ward, and formal), the largest decreases were in removals from informal supervision status, 25.4 percent from 1975 to 1978 and 12.0 percent from 1977 to 1978.

**TABLE 25**  
**REMOVALS FROM JUVENILE PROBATION, 1975—1978**  
 Type of Removal by Year

Type of removal	1975	1976	1977	1978	Percent change	
					1975— 1978	1977— 1978
<b>TOTAL</b> . . . . .	59,689	55,344	55,538	<b>51,737</b>	-13.3	-6.8
Probation — informal . . . . .	25,907	22,592	21,951	<b>19,319</b>	-25.4	-12.0
Terminated . . . . .	22,311	19,468	18,806	<b>16,411</b>	-26.4	-12.7
Petition filed . . . . .	3,596	3,124	3,145	<b>2,908</b>	-19.1	-7.5
Probation — non-ward . . . . .	5,203	4,911	4,648	<b>4,475</b>	-14.0	-3.7
Terminated . . . . .	4,464	4,253	3,993	<b>3,986</b>	-10.7	-0.2
To formal supervision . . . . .	728	651	638	<b>481</b>	-33.9	-24.6
Other . . . . .	11	7	17	<b>8</b>	—	—
Probation — formal . . . . .	28,579	27,841	28,939	<b>27,943</b>	-2.2	-3.4
Terminated . . . . .	27,126	26,576	27,012	<b>26,474</b>	-2.4	-2.0
Remanded to adult court . . . . .	237	141	176	<b>116</b>	-51.1	-34.1
Committed to California Youth Authority . . . . .	1,216	1,124	1,751	<b>1,353</b>	11.3	-22.7

Note: Percent changes from one given year to a subsequent year are not calculated when the given base year number is less than 50.

## Juvenile Detention and Corrections

One of the changes brought about by legislation in 1977 was the provision that both "secure" and "nonsecure" facilities had to be provided for the detention of juveniles. Under the 1977 changes, all juveniles detained under 601 W&I (status offenders) must be held in "nonsecure" facilities. California counties had to make provisions for these changes effective January 1, 1977. In some cases an entire detention facility was redesignated as "secure" or "nonsecure."

The BCS data collection system historically relied on a definition that all juvenile detention facilities were "secure." However, because of the legislative changes in 1977, BCS differentiated between "secure" and "nonsecure" facilities in 1978. In September 1978, each county-operated juvenile detention facility in the state was requested to complete a form showing a one-day population count, including the number of juveniles detained, the sex of those detained, and the type of facility ("secure" or "nonsecure"). Some counties contract with privately-run organizations to provide the proper type of facility if public facilities are not available. Private organizations are not required to report to BCS, and therefore are not included in detention statistics.

TABLE 26

# **JUVENILE POPULATION IN COUNTY PROBATION DETENTION FACILITIES ON SEPTEMBER 28, 1978**

Type of Facility by Sex

Type of facility	Total		Sex			
			Male		Female	
	Number	Percent	Number	Percent	Number	Percent
TOTAL . . . . .	6,028	100.0	5,307	100.0	721	100.0
Nonsecure facility	2,101	34.9	1,951	36.8	150	20.8
Secure facility . .	3,927	65.1	3,356	63.2	571	79.2

The resident juvenile detention facility population on September 28, 1978 was 6,028. There were 2,101 juveniles (34.9 percent) detained in "nonsecure" facilities and 3,927 (65.1 percent) detained in "secure" facilities. Of those female juveniles under detention, 79.2 percent were in "secure" facilities compared to 20.8 percent in "nonsecure" facilities.

On September 25, 1978, legislation went into effect which allowed for the secure detention of juveniles referred to probation departments for status offense violations. The legislation did, however, specify strict limitations in the circumstances and length of detention for such cases. It is too soon to determine if this legislation has had any effect on the manner in which status offenders were processed in the system during 1978. Data for 1979, however, should indicate any significant change in trends.



## **CRIMINAL JUSTICE PERSONNEL**

California's criminal justice agencies employed 97,525 full-time employees in 1978, according to a one-day count. As shown in Table 27, this represented a 1.3 percent decrease from 1977. However, an overall increase of 12.2 percent was registered from 1973 to 1978.

Total law enforcement personnel decreased 1.6 percent from 1977 to 1978. The number of sworn police department personnel dropped 0.6 percent, while sworn personnel in the sheriffs' departments declined 0.9 percent. This slight drop was partially due to some personnel being reclassified from sworn to civilian status, such as warrant clerks, dispatchers, and correctional officers.

The decreases in justice court personnel and corresponding increases in municipal court personnel were the result of the consolidation of justice courts into the municipal court system.

In 1978, the California Youth Authority reported a slight decrease of 0.2 percent from 1977. From 1973 to 1978, there was an increase of 11.8 percent. The Department of Corrections showed increases in personnel of 2.6 percent from 1977 and 15.3 percent from 1973. Probation department personnel decreased 4.1 percent from 1977 to 1978.

TABLE 27

**CRIMINAL JUSTICE AGENCY AUTHORIZED FULL-TIME PERSONNEL, 1973—1978**

Agency	1973	1974	1975	1976	1977	1978	Percent change	
							1973—1978	1977—1978
TOTAL . . . . .	86,933	90,661	94,720	96,450	98,842	97,525	12.2	-1.3
Law enforcement . . . . .	59,697	62,020	64,177	64,060	65,971	64,891	8.7	-1.6
Police departments . . . . .	33,477	34,811	36,246	36,030	37,011	36,158	8.0	-2.3
Sworn . . . . .	25,979	26,597	27,047	26,976	27,286	27,118	4.4	-0.6
Civilian . . . . .	7,498	8,214	9,199	9,054	9,725	9,040	20.6	-7.0
Sheriffs' departments . . . . .	18,173	18,961	19,915	20,253	21,309	21,215	16.7	-0.4
Sworn . . . . .	13,570	14,132	14,763	14,790	15,535	15,390	13.4	-0.9
Civilian . . . . .	4,603	4,829	5,152	5,463	5,774	5,825	26.5	0.9
California Highway Patrol . . . . .	7,565	7,484	7,243	7,012	6,930	6,722	-11.1	-3.0
Sworn . . . . .	5,695	5,555	5,398	5,203	5,130	5,044	-11.4	-1.7
Civilian . . . . .	1,870	1,929	1,845	1,809	1,800	1,678	-10.3	-6.8
University of California Police . . . . .	386	372	383	371	344	382	-1.0	11.0
Sworn . . . . .	294	281	294	278	273	280	-4.8	2.6
Civilian . . . . .	92	91	89	93	71	102	10.9	43.7
Bay Area Rapid Transit . . . . .	96	98	88	92	96	128	33.3	33.3
Sworn . . . . .	80	82	70	74	78	103	28.8	32.1
Civilian . . . . .	16	16	18	18	18	25	—	—
California State Police . . . . .	—	294	302	302	281	286	—	1.8
Sworn . . . . .	—	278	279	275	219	246	—	12.3
Civilian . . . . .	—	16	23	27	62	40	—	-35.5
Prosecution <sup>a</sup> . . . . .	4,416	4,329	4,852	6,159	6,786	6,766	53.2	-0.3
Attorneys . . . . .	1,488	1,671	1,728	1,824	2,014	1,956	31.5	-2.9
Investigators . . . . .	726	655	709	975	967	902	24.2	-6.7
Clerical . . . . .	1,873	1,649	1,880	2,558	2,771	2,824	50.8	1.9
All other . . . . .	329	354	535	802	1,034	1,084	229.5	4.8
Public defense . . . . .	1,385	1,559	1,574	1,679	1,782	1,780	28.5	-0.1
Attorneys . . . . .	883	978	998	1,066	1,107	1,123	27.2	1.4
Investigators . . . . .	158	171	180	199	214	222	40.5	3.7
Clerical . . . . .	321	362	358	381	405	391	21.8	-3.5
All other . . . . .	23	48	38	33	56	44	—	-21.4

TABLE 27— Continued  
**CRIMINAL JUSTICE AGENCY AUTHORIZED FULL-TIME PERSONNEL, 1973—1978**

Agency	1973	1974	1975	1976	1977	1978	Percent change	
							1973—1978	1977—1978
Courts . . . . .	1,213	1,215	1,266	1,278	1,269	1,276	5.2	0.6
Superior . . . . .	573	573	601	619	647	646	12.7	-0.2
Judgeship . . . . .	477	478	503	521	542	551	15.5	1.7
Auxiliary <sup>b</sup> . . . . .	96	95	98	98	105	95	-1.0	-9.5
Municipal . . . . .	414	428	458	483	510	526	27.1	3.1
Judgeship . . . . .	376	384	406	426	447	455	21.0	1.8
Auxiliary <sup>b</sup> . . . . .	38	44	52	57	63	71	—	12.7
Justice — Judgeship . . . . .	226	214	207	176	112	104	-54.0	-7.1
Corrections . . . . .	20,222	21,538	22,851	23,274	23,034	22,812	12.8	-1.0
Probation departments . . . . .	9,172	9,826	10,479	10,950	10,631	10,199	11.2	-4.1
Probation officers . . . . .	6,356	6,598	7,455	8,045	7,678	7,192	13.2	-6.3
All other . . . . .	2,816	3,228	3,024	2,905	2,953	3,007	6.8	1.8
Department of Corrections . . . . .	7,387	7,960	8,360	8,285	8,302	8,519	15.3	2.6
Correctional officers . . . . .	3,558	4,134	4,221	4,134	4,063	4,057	14.0	-0.1
Parole officers . . . . .	647	576	613	606	576	558	-13.8	-3.1
Guidance and counseling . . . . .	328	382	433	421	434	425	29.6	-2.1
All other . . . . .	2,854	2,868	3,093	3,124	3,229	3,479	21.9	7.7
California Youth Authority . . . . .	3,663	3,752	4,012	4,039	4,101	4,094	11.8	-0.2
Correctional officers . . . . .	430	471	662	640	585	601	39.8	2.7
Parole officers . . . . .	438	431	452	478	478	472	7.8	-1.3
Guidance and counseling . . . . .	960	954	995	1,047	1,077	1,054	9.8	-2.1
All other . . . . .	1,835	1,896	1,903	1,874	1,961	1,967	7.2	0.3

<sup>a</sup>Prior to 1976, family support personnel were not fully reported. The percent change in family support from 1975 to 1976 was 2.6 percent.

<sup>b</sup>In order to permit meaningful comparisons of workload, full-time court commissioners and referees employed by courts were included as auxiliary judicial positions. This treatment assumes that these court officers were available to handle matters which would have otherwise required the full-time effort of an equivalent number of judges.

Notes: One day count of personnel taken June 30 with the exception of police departments, sheriffs' departments, California Highway Patrol, and University of California police which were taken October 31, and probation personnel counts which were taken November 1.

Dash indicates either that data are unavailable or percents have not been calculated because the base number is less than 50. Personnel in Department of Justice and other regulatory agencies are not included.

Sources: State of California Governor's Budget.

Annual Report of the Administrative Office of the California Courts, California Judicial Council.

Salary Survey of California Probation Departments, Department of the Youth Authority.

California Public Defender and District Attorney Surveys, and Law Enforcement Personnel Surveys, Bureau of Criminal Statistics.

## CRIMINAL JUSTICE EXPENDITURES

California's criminal justice agencies spent more than \$2.8 billion during Fiscal Year 1977—78. As shown in Table 28, this was an 11.2 percent increase over Fiscal Year 1976—77 expenditures and a 79.1 percent increase since Fiscal Year 1972—73. Financial data were obtained from the Governor's Budget and the State Controller's Office. They do not include monies derived from federal and state grants, or expended for building construction. The effect of inflation should be considered when reviewing the information.

Law enforcement agencies have accounted for over half of the total criminal justice agency expenditures for each fiscal year since 1972—73. From Fiscal Year 1976—77 to Fiscal Year 1977—78, total law enforcement agency expenditures increased 11.4 percent. Police departments registered the largest increase of law enforcement agencies during the one-year period, 12.2 percent.

State and local corrections agencies accounted for over one-fourth (\$826.7 million of \$2,888.4 billion) of the total criminal justice expenditures during Fiscal Year 1977—78. From Fiscal Year 1976—77 to Fiscal Year 1977—78, their expenditures increased 10.5 percent. The California Department of Corrections reported the largest expenditures of the corrections agencies, accounting for almost \$277.2 million of the \$826.7 million total. Of all corrections agencies, those in the jails and rehabilitation sub-category registered the largest annual increase, up 22.6 percent over Fiscal Year 1976—77.

The largest annual increases in expenditures of all agency categories during Fiscal Year 1977—78 were reported for public defense (15.6 percent) and prosecution agencies (15.5 percent). However, these agencies together accounted for only a small percentage of the total expenditures during the year.

Justice courts continued to show a decrease in expenditures. The annual decrease was a modest 1.1 percent for 1977—78. This decrease can be attributed to the consolidation of justice courts into the municipal court system. This is evident since total court expenditures increased 8.3 percent from Fiscal Year 1976—77 to Fiscal Year 1977—78 and 75.7 percent since Fiscal Year 1972—73. During the same periods, total court-related expenditures increased 11.6 percent and 71.6 percent respectively.

**TABLE 28**  
**CRIMINAL JUSTICE AGENCY EXPENDITURES, FISCAL YEARS 1972—73**  
**THROUGH 1977—78 <sup>a</sup>**  
 Data Shown in Thousands of Dollars

Agency	1972— 1973	1973— 1974	1974— 1975	1975— 1976	1976— 1977	1977— 1978	Percent change	
							1973— 1978	1977— 1978
TOTAL . . . . .	\$1,612,369	\$1,829,886	\$2,112,394	\$2,312,906	\$2,596,473	\$2,888,394	79.1	11.2
Law enforcement . . . . .	903,534	1,018,333	1,160,710	1,284,178	1,416,585	1,578,641	74.7	11.4
California Highway Patrol . .	138,706	153,377	170,881	186,423	201,443	219,193	58.0	8.8
Police departments . . . . .	534,373	602,521	699,830	775,264	852,245	956,284	79.0	12.2
Sheriffs' departments . . . .	226,559	257,869	284,193	316,594	356,287	396,063	74.8	11.2
California State Police . . . .	3,896	4,566	5,806	5,897	6,610	7,101	82.3	7.4
Prosecution <sup>b</sup> . . . . .	58,073	67,162	76,426	93,364	128,716	148,676	156.0	15.5
Public defense . . . . .	25,238	29,555	34,528	37,018	47,387	54,795	117.1	15.6
Courts . . . . .	109,166	124,562	146,843	149,532	177,068	191,798	75.7	8.3
Superior . . . . .	43,224	49,973	59,438	57,304	69,955	76,878	77.9	9.9
Municipal . . . . .	57,283	65,108	76,996	81,856	98,657	106,554	86.0	8.0
Justice . . . . .	8,659	9,481	10,409	10,372	8,456	8,366	-3.4	-1.1
Court related . . . . .	51,163	55,937	63,764	67,540	78,684	87,779	71.6	11.6
Constables and marshals . . .	18,661	20,792	23,322	21,481	27,159	29,546	58.3	8.8
Court reporters and transcripts	892	882	898	931	1,073	1,193	33.7	11.2
County clerks . . . . .	24,755	27,266	31,736	35,938	39,734	44,712	80.6	12.5
Grand juries . . . . .	1,398	1,593	1,774	1,969	2,016	2,101	50.3	4.2
Law libraries . . . . .	108	110	116	199	167	158	46.3	-5.4
All other <sup>c</sup> . . . . .	5,349	5,294	5,918	7,022	8,535	10,069	88.2	18.0
Corrections . . . . .	465,195	534,337	630,123	681,274	748,033	826,705	77.7	10.5
Jails and rehabilitation . . . .	87,131	97,405	110,412	114,815	126,576	155,224	78.2	22.6
Probation departments . . . .	156,043	182,719	221,161	237,292	256,019	269,813	72.9	5.4
Department of Corrections . .	140,014	167,148	198,773	218,703	246,764	277,180	98.0	12.3
California Youth Authority . .	82,007	87,065	99,777	110,464	118,674	124,488	51.8	4.9

<sup>a</sup>Expenditures include salaries and employee benefits, services, and supplies. Monies spent for building construction or derived from federal and state grants are not included.

<sup>b</sup>Prior to Fiscal Year 1975—1976, family support expenditures were not fully reported. For example, Fiscal Year 1974—1975 expenditures excluded \$871,922 (1.1 percent of the total Prosecution expenditures).

<sup>c</sup>Includes costs for Juvenile Justice Commission, Delinquency Prevention Commission, jurors and interpreters, examination of the insane, juvenile court referees, Jury Commissioners, and other court-related expenses.

Notes: As a result of additional information, Law Enforcement and Corrections expenditure data have been revised.

Expenditure data for the Department of Justice and other regulatory agencies are not included.

Sources: State of California Governor's Budget.

Annual Report of Financial Transactions Concerning Cities and Counties in California, State Controller's Office.

## CRIMINAL JUSTICE GLOSSARY<sup>1</sup>

**ABSCOND:** to leave the judicial jurisdiction without consent.

**ACQUITTAL:** a judgment of a court, based either on the verdict of a jury or a judicial officer, that the defendant is not guilty of the offense(s) for which he has been tried.

**ADULT:** a person 18 years of age or older.

**APPEAL:** a petition initiated by a defendant for a rehearing in an appellate court of a previous sentence or motion.

**ARREST:** “. . . taking a person into custody, in a case and in the manner authorized by law. An arrest may be made by a peace officer or by a private person.” (P.C. 834)

**CALIFORNIA DEPARTMENT OF CORRECTIONS (CDC):** a state agency which has jurisdiction over the California Rehabilitation Center and the California prison system.

**CALIFORNIA REHABILITATION CENTER (CRC):** an institution operated by the California Department of Corrections which is designated for the treatment of persons addicted to narcotics or in imminent danger of addiction. Commitment to the facility is by civil procedure only.

**CALIFORNIA YOUTH AUTHORITY (CYA):** the state agency which has jurisdiction over and maintains institutions as correctional schools for the reception of wards of the juvenile court and other persons committed from justice, municipal, and superior courts.

**CAMPS, RANCHES, HOMES, AND SCHOOLS:** county-level juvenile correctional facilities used for post-court treatment of juvenile offenders. These facilities are maintained by the various county probation departments.

**CHARGE:** a formal allegation that a specific person has committed a specific offense.

**CIVIL COMMITMENT:** type of commitment in which criminal proceedings are suspended while a defendant undergoes treatment at the California Rehabilitation Center (CRC) as a narcotic addict; or in a state hospital under the Department of Health as a mentally disordered sex offender or as a person declared insane.

<sup>1</sup>The following glossary terms are intended for this specific publication.

**CLOSED AT INTAKE:** case is closed by the probation department at the time the juvenile is referred, following an investigation of the juvenile's circumstances and nature of the alleged offense. No further action is taken.

**COMPLAINT:** a verified written accusation, filed with a local criminal court, which charges one or more persons with the commission of one or more offenses.

**CONTROLLED SUBSTANCE:** a drug, substance, or immediate precursor which is included in Schedules I through V inclusive, as set forth in Health and Safety Code Sections 11054 through 11058. These would include heroin, marijuana, amphetamines, barbiturates, and psychedelics.

**CONVICTION:** a judgment, based either on the verdict of a jury or a judicial officer or on the guilty plea of the defendant, that the defendant is guilty of the offense(s) for which he was tried.

**CORRECTIONS:** see California Department of Corrections.

**COURT:** an agency of the judicial branch of government, authorized or established by statute or constitution, and consisting of one or more judicial officers, which has the authority to decide upon controversies in law and disputed matters of fact brought before it.

**CRC:** see California Rehabilitation Center.

**CRIME:** “. . .an act committed or omitted in violation of a law forbidding or commanding it. . . .” (P.C. 15)

**CRIMINAL COMMITMENT:** type of commitment which results when a defendant is sentenced to prison or the California Youth Authority.

**CYA:** see California Youth Authority.

**DEFENDANT:** a person against whom a criminal proceeding is pending.

**DETERMINATE SENTENCING:** sentencing requiring imposition of a term of imprisonment proportionate to the seriousness of the crime, with sentences uniform for like crimes.

**DELINQUENT TENDENCIES:** unreasonable or incorrigible behavior as described under Welfare and Institutions Code Section 601.

**DISMISSAL:** a decision by a judicial officer to terminate a case without a determination of guilt or innocence.

**DISPOSITION – COURT:** an action taken as the result of an appearance in court by a defendant. Examples would be: adults – dismissed, acquitted, or convicted and sentenced; juveniles – dismissed, transferred, remanded to adult court, placed on probation, or sentenced to the California Youth Authority.

**DISPOSITION – POLICE:** an action taken as the result of an arrest. The police disposition includes the action taken by a prosecutor and accounts for a defendant's entry into lower or superior court or the juvenile justice system. Examples of a police disposition are: adults – released by law enforcement, referred to another jurisdiction, or misdemeanor or felony complaint filed; juveniles – handled within department, referred to another agency, or referred to the probation department or juvenile court. (Uniform Crime Reports)

**DISPOSITION – PROSECUTOR:** an action taken as the result of complaints which were requested by the arresting agency. Dispositions include granting a misdemeanor or a felony complaint, or denying a complaint for such reasons as lack of corpus, lack of probable cause, interest of justice, victim declines to prosecute, witnesses unavailable, illegal search and seizure, combined with other counts, etc.

**DRUGS:** see Controlled Substance.

**EXISTING CRIMINAL STATUS:** type of correctional supervision at the time of the arrest which led to the disposition of the defendant in superior court. Categories include:

**NONE:** not under commitment.

**PROBATION:** at liberty in the community subject to meeting certain conditions and requirements of the disposition rendered at the time of conviction.

**PAROLE:** under supervision in the community after early release from an institution.

**INSTITUTION:** confined in California, federal, or other state penal institution.

**FELONY:** "... a crime which is punishable with death or by imprisonment in the state prison. . . ." (P.C. 17)

**FILING:** a document filed with the municipal court clerk or county clerk by a prosecuting attorney alleging or accusing a person of committing or attempting to commit a crime.

**FINE:** the penalty imposed upon a convicted person by a court requiring that he pay a specified sum of money.



**GRANT:** the act of placing an adult on probation.

**GUILTY PLEA:** a defendant's formal answer in open court to the charge(s) in a complaint, indictment, or information, stating that the charge(s) is true and that he has committed the offense(s) as charged.

**INITIAL PETITION:** a petition filed in juvenile court for a minor who is currently not under active probation supervision or on parole from CYA alleging that the minor has committed a delinquent act.

**INITIAL REFERRAL:** a juvenile who is not actively being supervised or on CYA parole is brought to the attention of the probation department for alleged behavior under Welfare and Institutions Code Section 601 or 602.

**INTAKE DETERMINATION:** the probation department disposition of an initial referral; these are usually "closed or transferred," "informal probation," or "petition filed."

**JAIL:** a county or city facility for incarceration of sentenced and unsentenced persons.

**JUVENILE:** a person under the age of 18.

**JUVENILE COURT:** the court responsible for adjudicating juvenile offenders.

**JUVENILE HALL:** a county-operated facility used for temporary detention of juvenile offenders pending their court appearance, and in some instances, for short-term (up to 180 days) post-adjudication rehabilitative purposes.

**LAW VIOLATIONS:** those acts described under Welfare and Institutions Code Section 602 which involve violations by a juvenile of any law or ordinance defining crime.

**LOWER COURT:** municipal and justice court.

**MANDATORY SENTENCING:** sentencing mandated by law which limits judicial discretion for specific convicted offenders.

**MDSO – MENTALLY DISORDERED SEX OFFENDER:** “. . . any person who, by reason of mental defect, disease, or disorder, is predisposed to the commission of sexual offenses to such a degree that he is dangerous to the health and safety of others . . .” (Welfare and Institutions Code Section 6300)

**MISDEMEANOR:** a crime punishable by imprisonment in the county jail, by a fine, or by both. Under certain conditions defined by Section 17 of the Penal Code, a felony crime can be treated as a misdemeanor.

**MONTHLY ARREST AND CITATION REGISTER:** a reporting system used to collect information on adult and juvenile arrests. The Arrest Register reports detailed data which identify age, sex, and race characteristics of offenders and creates a link to subsequent court activity.

**MUNICIPAL OR JUSTICE COURT:** the court of original or trial jurisdiction for the prosecution of persons accused of misdemeanor or certain felony offenses. Also, municipal and justice courts conduct probable cause preliminary hearings for those felonies which are subject to jurisdiction of superior courts – the felony trial court.

**NONSECURE FACILITY:** shelter care, crisis resolution home, or counseling and educational centers.

**OFFENDER-BASED TRANSACTION STATISTICS (OBTS):** a system designed to collect statistical information on the various processes within the criminal justice system that occur between point of arrest and point of final disposition.

**OFFENSE:** charged offense is the offense for which the defendant was arrested or filed on by the district attorney. Convicted offense is the offense for which the defendant was convicted of or plead guilty to in court. Sustained offense is the offense for which the juvenile court sustains a petition.

**PAROLE:** the supervision in the community after early release from a county jail or a state institution.

**PETITION:** the formal presentation to the juvenile court of information surrounding the alleged offense by a juvenile; similar to a criminal complaint for an adult.

**PRIOR CRIMINAL RECORD (OBTS SYSTEM):** the criminal record prior to the arrest which led to the disposition of the defendant in superior court. Categories include:

**NONE:** no arrests.

**MISCELLANEOUS:** any number of arrests or convictions with a sentence(s) of less than state prison.

**PRISON:** any number of state prison commitments.

**PRISON:** a state correctional facility where persons are confined following conviction of a felony offense.

**PROBATION:** a judicial requirement that a person fulfill certain conditions of behavior in lieu of a sentence to confinement but sometimes including a jail sentence.

**PROBATION WITH JAIL:** a type of disposition rendered upon conviction which imposes a jail term as a condition of probation status.

**PROBATION – FORMAL:** a probation grant in which the minor is declared a ward of the juvenile court and placed on formal probation.

**PROBATION – INFORMAL:** supervision of a minor, in lieu of filing a petition, for a period not to exceed six months. The supervision is based on a contractual agreement between the probation officer and the minor's parents or guardian provided for under Welfare and Institutions Code Section 654.

**PROBATION – NON-WARD:** a probation grant without wardship from juvenile court for a specific time not to exceed six months as described under Welfare and Institutions Code Section 725a.

**PROSECUTOR:** an attorney employed by a governmental agency whose official duty is to initiate and maintain criminal proceedings on behalf of the government against a person accused of committing criminal offenses.

**PUNISHMENT:** minimum sentence for a felony conviction is six months in state prison, maximum is death. Misdemeanor convictions are punishable by imprisonment in the county jail for one day to one year, or by a fine, or both.

**REMAND TO ADULT COURT:** juvenile is referred to adult court because he is unfit for juvenile court under provisions of Welfare and Institutions Code Section 707.

**REMOVAL:** a case removed from the active caseload and no longer under the supervision of the probation department, or a case not removed but escalated to a more advanced level of supervision.

**REREFERRALS CLOSED AT INTAKE:** an intake disposition other than a petition filing made for a juvenile already on probation or parole at the time of referral to a probation department for a new arrest.

**REVOCATION:** cancellation or suspension of parole or probation.

**REVOKE:** withdraw, repeal, or cancel probation or parole for an adult.

**SARB (SCHOOL ATTENDANCE REVIEW BOARD):** a provision for habitually truant juveniles to be channeled away from the probation department referral process.

**SECONDARY GRANT:** a second grant of probation in the same court while still on probation for the initial grant (e.g., a probation grant in superior court followed by a subsequent superior court grant).

**SECURE FACILITY:** a facility in which a juvenile is held behind a locked door, gate or fence, or in which some person is responsible for physically preventing the juvenile's escape or departure from the facility.

**SENTENCE:** the penalty imposed by a court upon a convicted person.

**STATE INSTITUTION:** a facility for housing defendants that are under the jurisdiction of the state correctional or treatment programs.

**STATUS OFFENDER:** a juvenile who has been adjudicated by a judicial officer of a juvenile court, as having committed a status offense, which is an act or conduct which is an offense only when committed or engaged in by a juvenile.

**STATUS OFFENSE:** an act or conduct which is declared by statute to be an offense, but only when committed or engaged in by a juvenile, and which can be adjudicated only by a juvenile court.

**STRAIGHT PROBATION:** probation granted to adults with no condition or stipulation that the defendant serve time in jail as a condition of probation.

**SUBSEQUENT DISPOSITION:** a judicial decision or sentence given at the time of a court return.

**SUBSEQUENT GRANT:** see Secondary Grant.

**SUBSEQUENT PETITION:** a petition filed on behalf of a juvenile who is already under the jurisdiction of the juvenile court.

**SUMMARY SYSTEM:** a method of collecting data based on gross counts as differentiated from one which collects data on an individual incident basis.

**SUPERIOR COURT:** court of original or trial jurisdiction for felony cases and all juvenile hearings. Also, the first court of appeals for municipal or justice court cases.

**TERMINATED:** completes specified term of probation.

**TRANSFER:** a disposition which transfers the juvenile to another agency within the county such as the welfare department, the health department, the legal aid society, etc., or a referral to any agency outside the county including other county probation departments.

**TRIAL:** a determination of guilt or innocence by a trier of fact. There are three types of trials:

**COURT:** the decision is rendered by the judge.

**JURY:** the decision is rendered by a panel of the defendant's peers.

**TRANSCRIPT:** the decision is rendered by the court on a basis of the testimony contained in the transcript of the preliminary hearing held in lower court.

**VIOLATION:** breach or infringement of the terms or conditions of probation.

**YA – YOUTH AUTHORITY:** see California Youth Authority.

## FELONY-LEVEL ARREST OFFENSES<sup>a</sup>

<i>Homicide –</i>	187, 187/12022.5, 189, 192 (except vehicular manslaughter), 192.1, 192.2, 399
<i>Forcible Rape –</i>	220/261, 261, 261/12022.5, 261(1), 261(2), 261(3), 261(4), 261(5), 264.1, 664/261, 664/261/12022.5
<i>Robbery –</i>	211, 211/12022.5, 211a, 213, 214, 220/211, 664/211, 664/211/12022.5
<i>Assault –</i>	69, 71, 148.1(a), 148.1(b), 148.1(c), 148.4(2), 149, 151(a)(2), 203, 216, 217, 217.1, 217/12022.5, 218, 219.1, 219.2, 220/203, 221, 222, 241, 243, 243.1, 243.2, 243.4, 244, 245/12022.5, 245(a), 245(b), 246, 247, 273.5, 273a(1), 273d, 347, 375.4, 401, 405a, 417(b), 422, 588a <sup>b</sup> , 664/187, 4131.5, 4500, 4501, 4501.5, 12303, 12303.1(a), 12303.1(b), 12303.2, 12303.3, 12303.6, 12304, 12305 HS, 12308, 12309, 12310, 12312, 23110b VC
<i>Kidnapping –</i>	207, 207/12022.5, 209, 210, 278, 278.5, 280(b), 664/207/12022.5, 4503
<i>Burglary –</i>	459, 459/460.1, 459/460.2, 459/12022.5, 461, 461.1, 461.2, 464, 664/459, 664/459/12022.5
<i>Theft –</i>	72, 115, 116, 117, 134, 182.4, 220 EC, 334(a) <sup>b</sup> , 424, 474, 481, 484(a), 484(b), 484b <sup>b</sup> , 484c, 485, 487, 487a(a), 487a(b), 487.1, 487.2, 487.3 <sup>c</sup> , 495, 496 <sup>b</sup> , 496a, 497, 499d, 502.7f, 503, 504a, 506, 508, 529, 529.3, 530, 532, 538, 543, 556 IC, 664/487, 666, 1733 IC, 4463 VC, 10238.3 BP, 10238.6 BP, 10855 VC, 11010 BP, 11019 BP, 11022 BP, 11023 BP, 11483(2) WI, 14014 WI <sup>b</sup> , 14107 WI, 14403 EC, 17410 WI, 17551 AC, 18848 AC, 18910 WI, 25110 CC, 25540 CC, 25541 CC, 27443 GC, 31110 CC, 31410 CC
<i>Motor Vehicle Theft –</i>	487.3 <sup>c</sup> , 664/487.3, 664/10851 VC, 10851 VC
<i>Forgery, Checks, Credit Cards –</i>	470, 472, 475, 475a, 476, 476a(a), 476a(b) <sup>b</sup> , 477, 479, 480, 484e(4), 484f(1), 484f(2), 484g, 484h(a), 484h(b), 484i(b), 664/470

## FELONY-LEVEL ARREST OFFENSES<sup>a</sup> - Continued

### *Other Sex Law Violations*

<i>Lewd and Lascivious —</i>	288
<i>All Other —</i>	220/286, 261.5, 265, 266, 266b, 266f, 266g, 266h, 266i, 267, 268, 285, 286(a), 286(b)(1), 286(b)(2), 286(c), 286(d), 286(e), 288a, 288a(b), 288a(c), 288a(d), 288a(e), 311.2(a) <sup>b</sup> , 311.2(b), 311.4(b), 314.1 <sup>b</sup> , 647a <sup>b</sup> , 664/286(b)(1), 664/286(b)(2), 664/286(c), 664/286(d), 664/286(e)

### *Drug Law Violations*

<i>Marijuana —</i>	11354 HS, 11357(a) HS, 11358 HS, 11359 HS, 11360(a) HS, 11361 HS
<i>All Other —</i>	4234 BP, 4390 BP, 11154 HS, 11155 HS, 11156 HS, 11173 HS, 11174 HS, 11350 HS, 11351 HS, 11352 HS, 11353 HS, 11354 HS, 11355 HS, 11363 HS, 11366 HS, 11368 HS, 11371 HS, 11377(a) HS, 11378 HS, 11379 HS, 11380 HS, 11382 HS, 11383 HS, 23106 VC

<i>Weapons —</i>	171(c), 626.9, 4502, 12020, 12021, 12025 <sup>b</sup> , 12090, 12220, 12403.7, 12420, 12450, 12520, 12560
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<i>Drunk-Driving —</i>	23101 VC
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<i>Hit-and-Run —</i>	20001 VC
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<i>Escape —</i>	107, 109, 110, 1257 WI, 2042, 3002 WI, 4011.7 <sup>b</sup> , 4530(a), 4530(b), 4530(c), 4532(a), 4532(b), 4533, 4534, 4535, 4550.1, 4550.2, 6330 WI
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<i>Bookmaking —</i>	337 <sup>a</sup>
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<i>Arson —</i>	447a, 448a, 449a, 449b, 449c, 450a, 451a, 452(a), 452(b), 454, 548
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### *All Other Felony Offenses*

<sup>a</sup>Penal Code Sections unless indicated as follows:

AC — Agricultural Code; BP — Business and Professions Code; CC — Corporations Code; EC — Elections Code; GC — Government Code; HS — Health and Safety Code; IC — Insurance Code; VC — Vehicle Code; WI — Welfare and Institutions Code. All Other Felony Offenses also include code sections in the Financial Code and Revenue and Taxation Code.

<sup>b</sup>Code section can also be shown as a misdemeanor.

<sup>c</sup>Code section can be shown as either theft or motor vehicle theft.

## MISDEMEANOR-LEVEL ARREST OFFENSES <sup>a</sup>

<i>Assault and Battery —</i>	148, 148.4(1), 151(a)(1), 240, 242, 273a(2), 375(1), 375(2), 417, 12304 <sup>b</sup>
<i>Petty Theft —</i>	484b <sup>b</sup> , 487c, 488
<i>Checks and Credit Cards —</i>	476a(b) <sup>b</sup> , 484e(1), 484e(2), 484e(3), 484i(a)
<i>Drug Law Violations —</i>	647(f) <sup>c</sup> , 4143 BP, 4227(a) BP, 4227(b) BP, 4227(c) BP, 4227(d) BP, 4230 BP, 4390.5 BP, 4392 BP, 11162 HS, 11172 HS, 11357(b) HS, 11357(c) HS, 11360(b) HS, 11364 HS, 11365 HS, 11377(b) HS, 11550 HS, 11590 HS, 23105 VC
<i>Indecent Exposure —</i>	314.1 <sup>b</sup> , 314.2
<i>Annoying Children —</i>	647a <sup>b</sup>
<i>Obscene Matter —</i>	311.2(a) <sup>b</sup> , 311.4(a), 311.5, 311.6, 311.7, 313.1
<i>Lewd Conduct —</i>	647(a), 647(d), 647(h), 653g
<i>Prostitution —</i>	315, 316, 647(b), 25601 BP
<i>Drunk —</i>	647(f) <sup>c</sup>
<i>Disorderly Conduct —</i>	647b, 647(c), 647(e), 647(g), 647(i)
<i>Disturbing the Peace —</i>	302, 403, 404, 404.6, 406, 407, 409, 415, 416, 626.8, 653m, 9051 GC
<i>Drunk-Driving —</i>	23102a VC
<i>Hit-and-Run —</i>	20002 VC
<i>Traffic-Custody —</i>	23103 VC, 23104 VC, 23109 VC, 40508 VC, all other traffic
<i>Gambling —</i>	318, 321, 330
<i>Nonsupport —</i>	270 <sup>b</sup> , 270a, 270c



## MISDEMEANOR-LEVEL ARREST OFFENSES<sup>a</sup> - Continued

*Weapons —* 467, 626.10, 653k, 12025<sup>b</sup>, 12031, 12034, 12072, 12093, 12094, 12582

*Glue Sniffing —* 381, 647(f)<sup>c</sup>

*Malicious Mischief —* 587a, 594(c), 603, 604, 606<sup>b</sup>, 622, 625b, 10750(a) VC, 10852 VC, 10853 VC, 10854 VC, 23110a VC

*Liquor Law Violations —* 11200, 23121 VC, 23122 VC, 23123 VC, 23300 BP, 23301 BP, 25604 BP, 25617 BP, 25631 BP, 25632 BP, 25658 BP, 25661 BP, 25662 BP, 25665 BP

*All Other Misdemeanor Offenses*

<sup>a</sup>Penal Code Sections unless indicated as follows:

BP — Business and Professions Code; GC — Government Code; HS — Health and Safety Code; VC — Vehicle Code. All other misdemeanor offenses also include: Agricultural Code; California Administrative Code; City or County Ordinance; Education Code; Elections Code; Fish and Game Code; Harbors and Navigation Code; Labor Code; Public Utility Code; Revenue and Taxation Code; Welfare and Institutions Code.

<sup>b</sup>Code section can also be shown as a felony (e.g., with prior).

<sup>c</sup>This code may include those found in any public place under the influence of intoxicating liquor, or any drug, toluene, any substance defined as a poison in Schedule D of Section 4160 BP, or any combination of the above.

# **APPENDIX A**

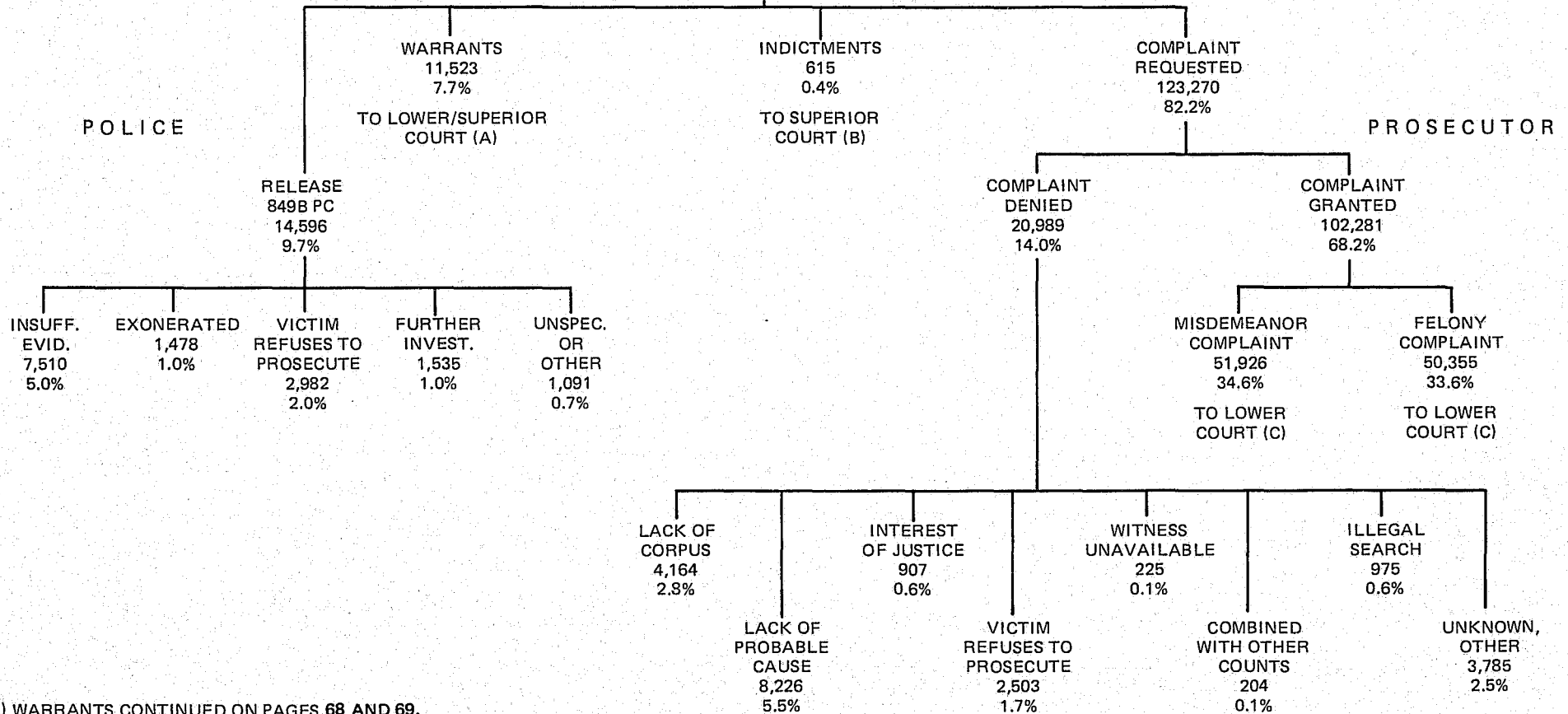
CHART A-1

1978 DISPOSITIONS OF ADULTS ARRESTED FOR FELONY OFFENSES

Felony Arrest Disposition Summary  
Police and Prosecutor Processing

TOTAL ARREST DISPOSITIONS

150,004  
100.0%



(A) WARRANTS CONTINUED ON PAGES 68 AND 69.

(B) GRAND JURY INDICTMENTS CONTINUED ON PAGE 69.

(C) LOWER COURT PROCESSING CONTINUED ON PAGE 68.

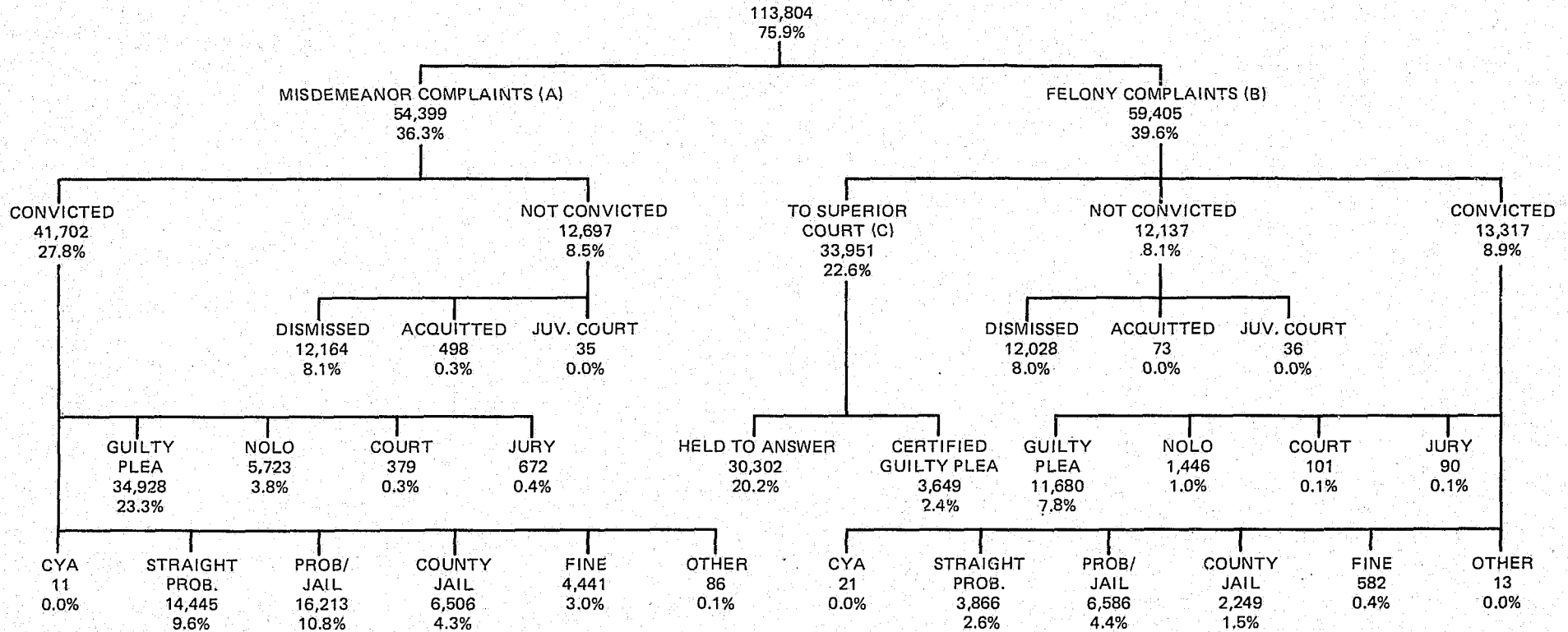
NOTE: THE NUMBERS AND PERCENTS OF COMPLAINTS GRANTED (FILED) AND MISDEMEANOR AND FELONY COMPLAINTS GRANTED DIFFER FROM THOSE SHOWN ON TABLES 4 AND 5. THIS IS BECAUSE THE TABLES INCLUDE MISDEMEANOR AND FELONY WARRANTS AND INDICTMENTS WHICH ARE SHOWN SEPARATELY ON THIS CHART.

# CHART A-2

## 1978 DISPOSITIONS OF ADULTS ARRESTED FOR FELONY OFFENSES

Felony Arrest Disposition Summary  
Lower Court Processing

LOWER COURT DISPOSITIONS (A) (B)



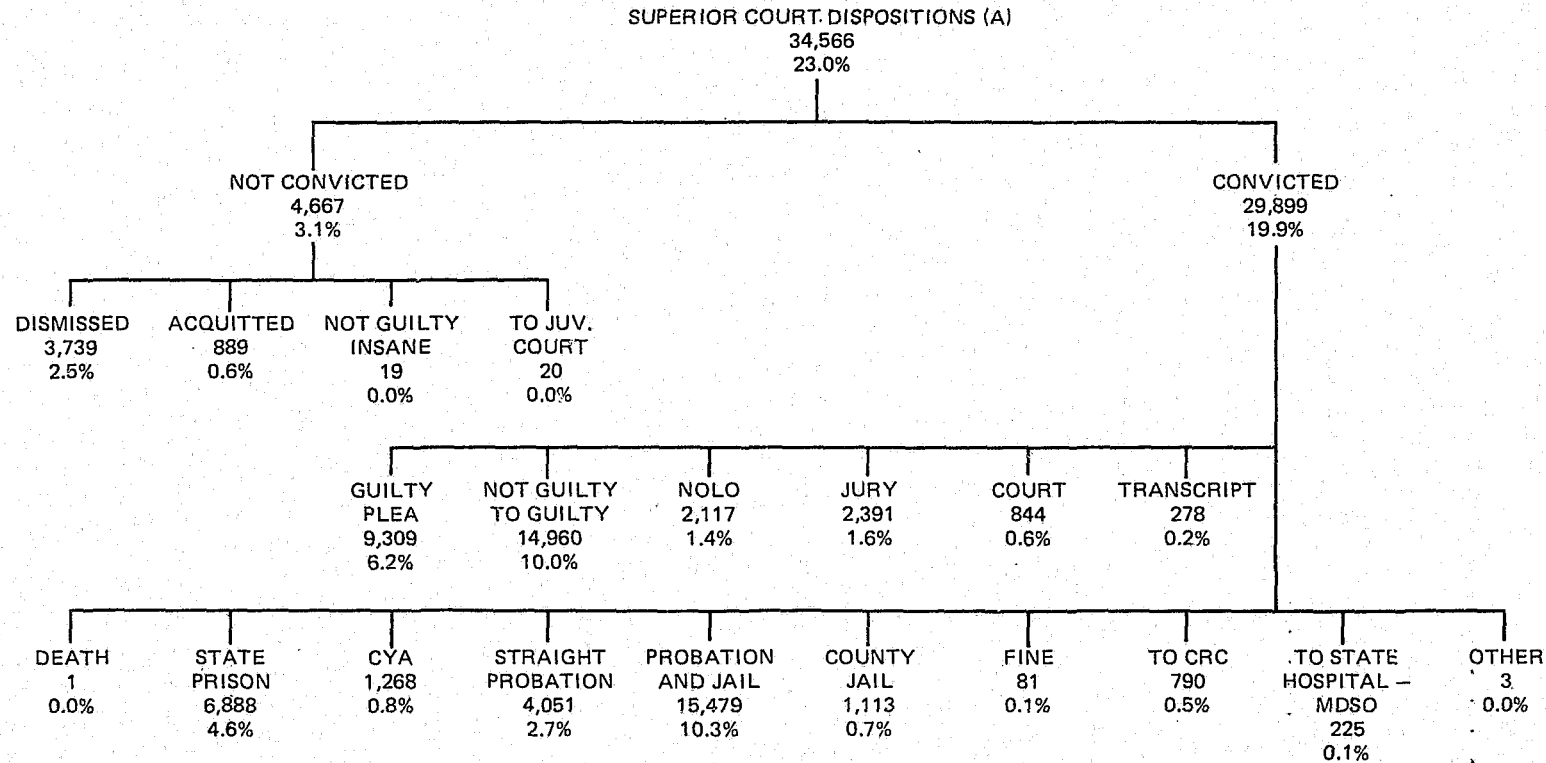
(A) INCLUDES 51,926 MISDEMEANOR COMPLAINTS GRANTED AND 2,473 MISDEMEANOR WARRANTS FROM PAGE 67.

(B) INCLUDES 50,365 FELONY COMPLAINTS GRANTED AND 9,050 FELONY WARRANTS FROM PAGE 67.

(C) SUPERIOR COURT PROCESSING CONTINUED ON PAGE 69.

# CHART A-3 1978 DISPOSITIONS OF ADULTS ARRESTED FOR FELONY OFFENSES

Felony Arrest Disposition Summary  
Superior Court Processing



(A) INCLUDES 33,951 DEFENDANTS RECEIVED FROM LOWER COURT(PAGE 68)AND 615 GRAND JURY INDICTMENTS FROM PAGE 67.

## **APPENDIX B**

## APPENDIX B

### Characteristics and Limitations of 1978 OBTS Data

The following general information and data limitations should be taken into consideration when using 1978 OBTS data:

- There is an important difference between arrests compiled through the Bureau of Criminal Statistics (BCS) arrest reporting system and OBTS data on the dispositions of adult felony arrests. Arrest data, as reported on the Monthly Arrest and Citation Register, are based on the year the arrest occurred. OBTS data pertain to the year of final disposition regardless of when the felony arrest occurred, and may be reported a year or more after the actual arrest was made.
- OBTS data do not reflect the total number of adult felony arrests or the total number of dispositions at any particular level of the criminal justice system during a given disposition year. It is estimated that in 1978, OBTS reports were received by BCS for about two-thirds of the total adult felony arrests which received a final disposition during the calendar year. In spite of the underreporting, those arrest dispositions which were received generally describe the annual statewide processing of adult felony arrestees through California's criminal justice system. However, county and local data should be used with caution since the extent of underreporting may vary between jurisdictions and from year to year.
- In cases where an individual is arrested and charged with multiple offenses, the OBTS system records only the most serious offense at both the time of arrest and the point of final court conviction. The seriousness of the offense is based on the severity of possible punishment. This accounts for the differences between OBTS counts and statistics generated by the Administrative Office of the Courts, which counts individual acts.
- It is not advisable to make statistical comparisons between OBTS data (1975—1978) and felony filing and court disposition data published by BCS prior to 1975 because these data were collected through different reporting systems.
- OBTS data for the 1975 disposition year do not include Alameda and Santa Clara counties. Data for the 1976 and 1977 disposition years do not include Santa Clara County. All 58 counties reported OBTS data in 1978.
- OBTS data on commitments to state institutions from lower and superior courts may vary from data compiled and reported by other state agencies because of differences in the data collection systems. For example, the California Department of Corrections (CDC) counts the number of defendants actually received by CDC institutions (e.g., prison), even though a defendant may have been committed from one or more counties. The OBTS system, on the other hand, counts each commitment.

## Characteristics and Limitations of Adult Probation Data

The Adult Probation data collection system has some limitations that should be noted:

- Persons on probation in more than one county or under the jurisdiction of both superior and lower courts are counted more than one time.
- Data are not collected for subsequent grants of probation to persons already under probation supervision in a given county.
- Data are not collected on changes of terms or conditions of grants due to violations of probation.
- Even though the system provides data on the number of probationers who abscond during a given year, it does not give a count of multiple absconds by a single probationer.
- The system includes data on only those adults placed on supervised probation.
- One month of data for Santa Cruz County is not included.
- Los Angeles County provided summary data (counts only) for 1973, 1977, and 1978. Alameda County provided summary data in 1977. All other counties provided individual reports on each probationer during the three years.



### **Estimation of Juvenile Probation Data for Los Angeles County**

Due to a variance in reporting by the Los Angeles County Probation Department, some underreporting occurred in the latter part of 1978. By agreement with that agency, estimates were developed that more fully represent the number of initial referrals, initial petitions, and case removals handled by the department. Statewide data for these three types of transactions reflect Los Angeles County adjustments. However, data on offense distributions could not be estimated and the Los Angeles County Probation data are not shown in Table 22 or Chart J. Therefore they contain data for only 57 counties.

The number of Los Angeles County juvenile arrests referred to probation was used as a base to determine the approximate number of initial referrals, initial petitions, and removals during the year. For the first seven months of 1978, Los Angeles County initial referrals were in consistent proportion to juvenile arrests referred to the probation department. The last five months of initial referrals were estimated to retain that level of consistency.

The same process was used to estimate four months of initial petition data and three months of probation removal data. These annual estimates for Los Angeles County were added to data for the other 57 counties to produce statewide figures.

**END**