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Program Planning Update for  
The Santa Clara County  
Probation Department,  
Juvenile Services

NCJRS

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ACQUISITIONS

November 30, 1990

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Probation Department,  
Juvenile Services**

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## Introduction and Summary

## I. INTRODUCTION AND SUMMARY

Santa Clara County contracted with the Institute for Law and Policy Planning (ILPP), hereafter referred to as "Consultants," to update its 1987 Program Plan for Juvenile Justice System Development. This report presents Consultants' major findings and recommendations to the county of Santa Clara's probation department.

Consultants conducted analyses in three areas: 1) Profile and tracking; 2) Population projections; and 3) Program description and analysis. Findings for each of these areas are briefly summarized below. These summaries are followed by Consultants' recommendations for controlling population growth and improving overall system management.

### A. Profile and Tracking

Consultants sampled 508 referrals from the first six months of 1989. Of these, the majority were male, Hispanic or white, and resided in San Jose. Property-related felonies were the largest single offense category. Average lengths of stay were 8 days for misdemeanors, 18 days for felonies and 23 days for technical offenses. Most of the cases were settled at intake or the petition was sustained. Almost half of the youth in the sample were characterized as "recyclers" having at least four prior and/or subsequent offenses.

Consultants also compared the findings of the present study with those made in 1987. Generally, the ratio of Part I to Part II offenses has increased somewhat. For most types of offense, ALS has decreased since 1987. However, length of stay for the Part III Other category has tripled.

The following major conclusions were reached in the profile and tracking analysis:

- Over half of the juveniles are released in five days or less, corresponding with the maximum time allowed before the detention hearing.
- A secondary peak in the distribution occurs at 20-25 days, corresponding with the time of the jurisdictional hearing.
- Small peaks occur at 60 and 90 days, corresponding with 30- and 60-day sentences after the second hearing.

### B. Population Projections

The juvenile population for Santa Clara County fell throughout the 1980s, relieving growth pressures on the juvenile justice system. This population is now expected to rise rapidly. If the juvenile system maintains its current operating practices, the population of the Juvenile Hall will rise by 35 percent by the year 2000, requiring a bed capacity of 432.

However, improvement in such system operations as intensive screening, crisis intervention and programs which will reduce "recycling" can reduce the population at the Hall from this projected number. Consultants detail a number of such programs which are practicable and have support among probation department managers. If such improvements are instituted, bed capacity by 2000 would need to be only 308.

As with all projections, the numbers presented should be taken as a guide, an "envelope of possibilities" rather than firm values; there are always too many uncertainties in the forecasting process to allow a literal interpretation of the results.

### **C. Facility Placements and Programs Description / Analysis**

Consultants described all juvenile facilities and programs currently in operation in Santa Clara County and then briefly analyzed each of the programs to estimate their short- and long-term effects on Hall population. It appears that the programs which have been recently instituted will help keep the population down, but their impact overall may not be enough to prevent system growth. Consultants suggest further alternatives which could be used in conjunction with those already in operation to maintain Hall population at its current level for a number of years. A comprehensive system involving programs of this sort would be both less expensive and probably more beneficial in terms of long-range crime reduction than the policy of ever-increasing incarceration.

### **D. Recommendations**

Consultants' recommendations were divided into two groups, those with long-term impacts and those with short-term impacts.

#### **Long-Term Impact Recommendations**

1. Implement a population management system (PMS).
2. Operate a 24-hour family crisis intervention unit at the entrance to Juvenile Hall.
3. Expand the juvenile diversion program in police departments to parallel the family crisis-oriented approach, seeking at all costs (other than public safety) to keep juveniles out of the justice system.
4. The Juvenile Hall staff, particularly unit supervisors, should be formally involved in the PMS - specifically, in decisions about intake and release, not just the Probation Services Unit (PSU).
5. The district attorney's office should establish and meet explicit criteria for charging and be involved in the PMS.
6. Contracts with group homes and other noncounty service providers should be reviewed by the probation department.
7. Mental health staff should be increased at the Juvenile Hall and all three ranches.

#### **Short-Term Impact Recommendations**

1. Establish an accelerated court processing unit to reduce lengths of stay between the detention hearing and jurisdictional hearing.
2. Ranch stays should be reduced to four months from the current average of six months.

3. An adjustment center of 12-15 secure management beds should be established (these are not net new beds).
4. The county should seek 50-100 new placement beds.
5. Electronic monitoring should be used increasingly as an alternative to some ranch placements and before jurisdictional hearings.
6. If the above recommendations fail to limit crowding, the following new beds should be developed in the the order given: a) Smith Creek (40 beds); b) a new ranch unit (60 beds); c) a new Hall unit (20 beds).

## Profile and Tracking

## II. PROFILE AND TRACKING

The tracking sample used in this study came from January 1 through June 30, 1989, which allowed for a full year follow-up of cases. Every sixth referral was gathered with information provided by a computer run of selected data. This yielded a total of 508 cases (some incomplete, duplicate or purged files were deleted). Consultants also obtained additional profile information from case files for approximately half of the sample, 257 cases, by pulling every other case in the sample. It should be noted that the following profile information consists of a longitudinal profile which is based on tracking juveniles from referral to release rather than on a "snapshot" profile which would represent the population of the Hall at a given moment of time. Characteristics of the admitted juveniles are described in the following.

### A. Socio-Demographic Characteristics<sup>1</sup>

SEX: 400 males, 108 females (21%)<sup>2</sup>

AGE: Average age was 15 years, 3 months.

RACE: Hispanics and whites were about equally represented and constituted 75% of the sample, the balance being blacks, Vietnamese, and all others.

RESIDENCE: Although San Jose has a little more than half of the population of the county (57%), slightly over 70% of the detained juveniles were from San Jose (excluding those residing out-of-county). Morgan Hill and Gilroy were the only other cities for which the percentage of detained juveniles exceeded their cities' share of county population. For the cities of Sunnyvale, Santa Clara, Palo Alto and Mountain View, the proportion was substantially less.

### B. Criminal Characteristics

The offenses for which minors were detained cover too wide a range to allow a description of each, so they were grouped into broader categories. Unfortunately, there is no accepted standard for this operation. Three incompatible types of grouping are used by the county at various times. Consultants follow these conventions:

- Admissions are divided into felonies, misdemeanors and "technical" violations. Many of the "technical" admissions are more or less unique to juveniles; this group includes probation violations, ranch escapes, placement failures, warrants, holds, court admits (as for weekenders) and transfers. Felonies and misdemeanors are further classified according to the scheme used by the Department of Corrections (e.g., murder/rape, other violent, burglary, other property crimes, drug use, drug sale, drunkenness, automotive violations).

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<sup>1</sup>See Figure 1 for complete demographic breakdowns.

<sup>2</sup>Figures compiled by Santa Clara County show that females comprised 18.6% of the total population referred to Juvenile Hall for March 1989 through March 1990.

**Figure 1**  
**Tracking Sample Data**

**Males Admitted**

Age	White	Black	Hispanic	Vietnam	Other Asian	Other	Total	Total M & F
10	2	0	0	1	0	0	3	3
11	1	2	0	0	0	1	4	4
12	3	4	5	1	0	1	14	17
13	15	4	19	2	0	1	41	49
14	19	7	21	4	0	1	52	74
15	29	11	27	5	1	2	75	105
16	31	16	26	10	0	5	88	112
17	43	15	35	8	3	4	108	126
18	3	0	8	1	0	0	12	14
19	1	0	1	1	0	0	3	4
Total	147	59	142	33	4	15	400	508
Avg age	15.4	15.2	15.4	15.5	16.5	15.2	15.4	15.3

**Females Admitted**

10	0	0	0	0	0	0	0	
11	0	0	0	0	0	0	0	
12	0	0	2	1	0	0	3	
13	3	1	4	0	0	0	8	
14	7	4	10	1	0	0	22	
15	10	5	12	3	0	0	30	
16	10	2	11	0	0	1	24	
17	8	3	7	0	0	0	18	
18	0	0	1	0	0	1	2	
19	0	0	1	0	0	0	1	
Total	38	15	48	5	0	2	108	
Avg age	15.3	15.1	15.2	14.2	NA	17.0	15.2	
Pct. fem. Total, M + F	20.5%	20.3%	25.3%	13.2%	0.0%	11.8%	21.3%	
Avg age all	185	74	190	38	4	17	508	
ALS male	15.4	15.2	15.3	15.3	16.5	15.4	15.3	
ALS female	13.3	19.0	21.1	18.8	3.4	14.7	17.3	
ALS all	15.1	12.0	8.9	2.8	NA	1.5	11.1	
	13.7	17.6	18.0	16.7	3.4	13.1	16.0	

- For comparison with Consultants' 1987 study, the offenses were grouped according to the January 1987 classification scheme by the National Council on Crime and Delinquency (NCCD). The categories of Part I and Part II offenses correspond approximately to felonies and misdemeanors, but there is some interchange between them (e.g., all drug sales are Part I and all drug use is Part II, yet either of these may be a felony or a misdemeanor). Part III offenses are the technical violations. Apart from the above mentioned studies, it appears that the county does not use this classification scheme.
- The county prepares a summary sheet entitled "Reasons for Entry into Juvenile Hall" in which the chief subdivisions are crimes of victimization (violent and property together), substance abuse and sale, and the technical violations. No distinction is made between felonies and misdemeanors because this report is compiled from the intake information provided by the referring officer, who does not know how the offense will be charged. Consultants have studied these sheets but have made no further use of them.

**ARRESTING AGENCY:** Most of the referrals (72%) were made by the San Jose Police Department or the probation department.

**PRIMARY CHARGE:** Many of the juveniles were charged with several offenses. In most cases, the most serious offense was used for the analysis. Admissions to the Hall were about 37 percent each for felonies and misdemeanors and about 25 percent for technical violations. The largest single category was for property-related felonies (burglary, larceny and car theft). The average length of stay was 23 days for technical, 18 days for felonies, and 8 days for misdemeanors. Thus, a profile of the Hall population would show a much smaller proportion of misdemeanors than the sample. (See Figure 2 for complete breakdowns of offenses and lengths of stay.)

To a considerable extent, the decision to detain is correlated with the risk assessment score (RAS, see Figure 3). About 5 percent of the sample had an RAS score under 10 yet were detained over three days; almost the same number had RAS scores of 10 or more but stayed less than this time. For nearly all of the low scorers who were detained, there was an override listing a combination of several reasons, such as gang activity, weapon, parents unavailable/unwilling, etc.

**AVERAGE LENGTH OF STAY:** Consideration of the average length of stay (ALS) distribution in the current sample leads to the following conclusions:

- Well over half of the juveniles are released in five days or less (most of these within one day). Five days is the maximum time allowed before the detention hearing.
- There is a secondary peak in the distribution at 20-25 days, which is at the time of the jurisdictional hearing.
- There seem to be smaller peaks at around 60 and 90 days, which could correspond to 30- and 60-day sentences after the second hearing.

Figure 2

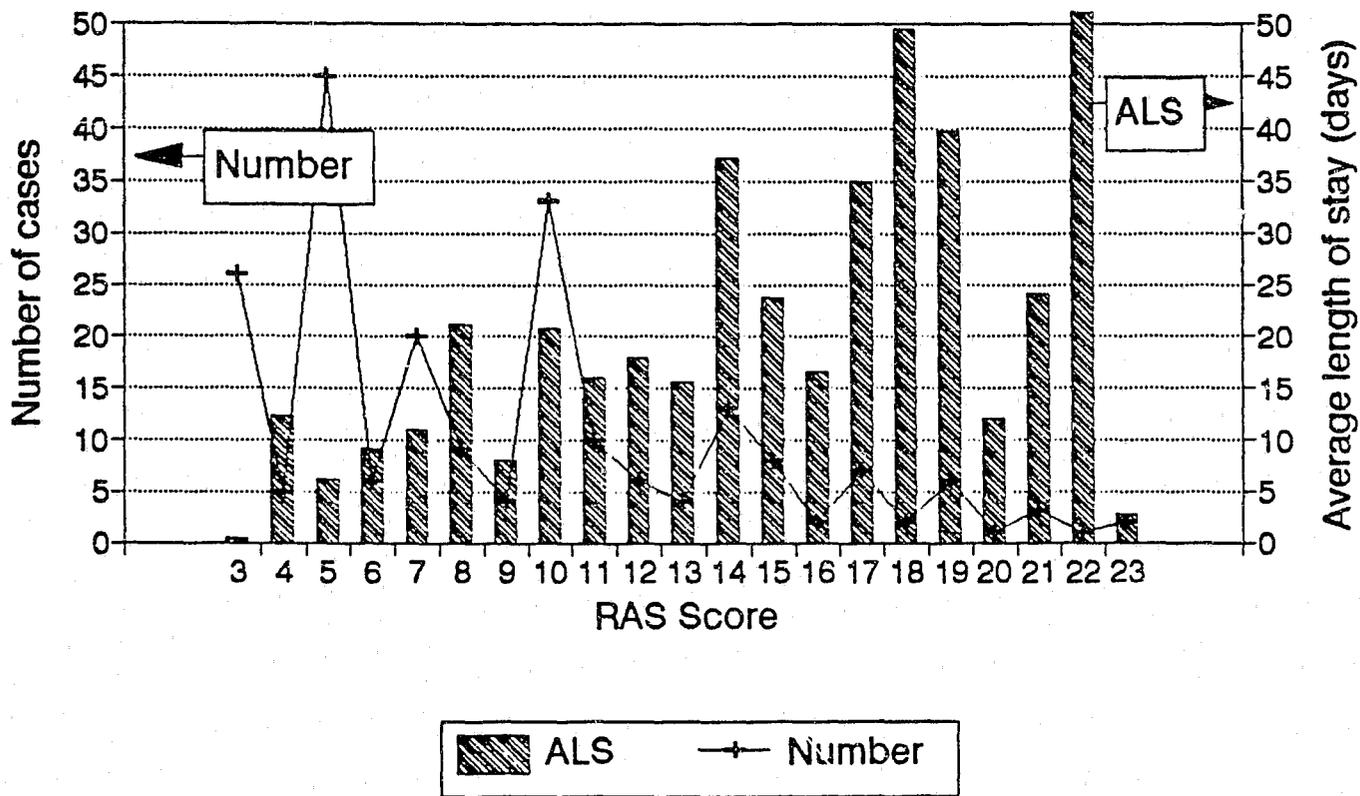
Distribution of Offenses

Offense	Number of cases	ALS	NCCD Category
Murder/rape	1	3.0	I-V
Other violent	15	33.7	I-V
Violent-police	7	22.1	I-V
Sex	3	41.0	II-O
Commercial sex	1	2.0	II-O
Burglary	60	12.8	I-Pr
Weapons	8	15.1	II-O
Other property	37	16.8	I-Pr
Auto theft	30	15.9	I-Pr
Drug use	7	22.3	II-CS
Drug Sale	12	34.3	I-CS
Felony automotive	3	23.7	II-O
Arson	1	0.0	I-Pr
Misc. felony	6	17.1	II-O
Total felonies	191	18.4	
Violent-civil	27	8.6	II-Pe
Violent-police	26	14.0	II-Pe
Burglary-related	10	3.6	II-Pr
Sex	1	0.0	II-O
Weapons	7	11.7	II-O
Other property	54	9.1	II-Pr
Nuisance	5	1.3	II-O
Public drinking	19	4.3	II-CS
Drug use	18	12.0	II-CS
Auto/alcohol	9	0.7	II-CS
Auto/nonalcohol	6	0.9	II-O
Other misdemeanors	3	7.7	II-O
Total misdemeanors	185	8.3	
Placement failure	23	23.0	III-S
Warrant	19	22.9	III-S
Probation viol.	36	20.3	III-S
Court admit	18	19.9	III-O
602	21	14.0	III-O
Ranch escape	15	47.6	III-O
Total "Technical"	132	23.2	
<b>TOTAL OFFENSES</b>	<b>508</b>	<b>16.0</b>	

V-Violent    Pr-Property    CS-Controlled Substances  
 Pe-Personal    S-Status    O-Other

Figure 3

# SANTA CLARA JUVENILE ALS and RAS Score



**DISPOSITION:** Most of the cases were either settled at intake (SAI) or the petition was sustained. Half the misdemeanors were settled at intake, which explains the short ALS. However, more than half of the technical violations were sustained. Sixteen percent of all cases were dismissed, and roughly a quarter of the felonies and misdemeanors (not the technicals) were sent home on probation or informal supervision.

**PRIOR CONVICTIONS:** The tracking sample provides further insights on the population problem. Almost half of the youth in the sample were characterized as "recyclers" having at least four prior and/or subsequent offenses (see Figure 4). The preponderant type of charge against recyclers fell into the "technical" category, including placement failures, ranch escapes, probation violations, etc. They were charged with less than one-third of the felonies and about two-thirds of the misdemeanors in the total sample. Thus, they are not the most serious offenders in the present sample.

Recyclers originally entered the system because they committed a crime, of course, and many of them are chronic offenders who have committed several. Yet fully half of the recyclers had at least two of their priors or subsequent offenses falling in the Part III or "technical" category (i.e., not a new external offense). (They may have escaped, but that became an offense only because they were in custody in the first place.) Consultants have observed (although they have not quantified) that in quite a number of cases most of a youth's prior and subsequent offenses fell into this third category. These youth appear to be failing as much within the juvenile justice system as in the outside world.

**LONG-TERM DETAINEES:** Average length of stay for the recyclers was 25 days, while it was 9 days for all the others. Recyclers form a high proportion of the youth remaining in custody over 50 days; these, though numerically few, are the major contributors to average daily population (ADP). The long-term detainees consist primarily of those whose petitions have been sustained and of recyclers who have failed placements or ranch commitments. Thus, improvements in case processing will not be of great help in reducing the numbers or stays of these juveniles. (See Figure 4A.)

### C. Comparison with 1987 Study

Consultants have compared some of the findings of the present study with those made in 1987. Figure 5 shows the offense categories in the original study and in the present work. Note that the current sample of 508 cases is more than twice as large as the previous 213, and is thus a more reliable sample. The categories correspond to those used in the 1987 study. Broadly, the categories are as follows: Part I = felonies; Part II = misdemeanors; Part III = technical violations (see Appendix A for a complete breakdown of Parts I, II and III).

**PRIMARY CHARGE:** The most visible difference is that by the time of the current sample, the number of Part III offenders had been dramatically reduced. To allow comparison of the remaining offenses, the Part III offenses are removed and the remaining charges are broken down into personal violence, property, controlled substances, and others (Part II only). (See Figures 6 and 7.) Although the organization of the figures does not show it clearly, the ratio of Part I to Part II offenses has increased somewhat because the serious property crimes have risen sharply. However, the difference in this ratio between the two studies is not statistically significant.

Figure 4

Recyclers

	Recyclers			Nonrecyclers			Recyclers as % of:	
	Total	Female	Avg age	Total	Female	Avg age	Total	Females
White	72	13	15.4	113	25	15.4	38.9%	34.2%
Black	37	3	15.2	37	12	15.1	50.0%	20.0%
Hispanic	97	17	15.3	93	31	15.3	51.1%	35.4%
Vietnam	13	1	16.2	25	4	14.9	34.2%	20.0%
Other Asian	0	0	NA	4	0	16.5	0.0%	NA
Other	8	1	15.9	9	1	15.0	47.1%	50.0%
Total	227	35	15.4	281	73	15.3	44.7%	32.4%

(No. of boys = 192)                      (No. of boys = 208)

Distribution of Offenses

	Recyclers		Nonrecyclers	
	Number	Percent	Number	Percent
Felony	69	30.4%	121	42.9%
Misdemeanor	58	25.6%	128	45.4%
Technical	100	44.1%	33	11.7%
Total	227	100.0%	282	100.0%

Percent of All Offenses in the Category

Felony	36.3%	63.7%
Misdemeanor	31.2%	68.8%
Technical	75.2%	24.8%
Total	44.6%	55.4%
ALS	24.9 days	8.4 days

Figure 4A

# SANTA CLARA JUVENILE HALL LOS & Contribution to Crowding

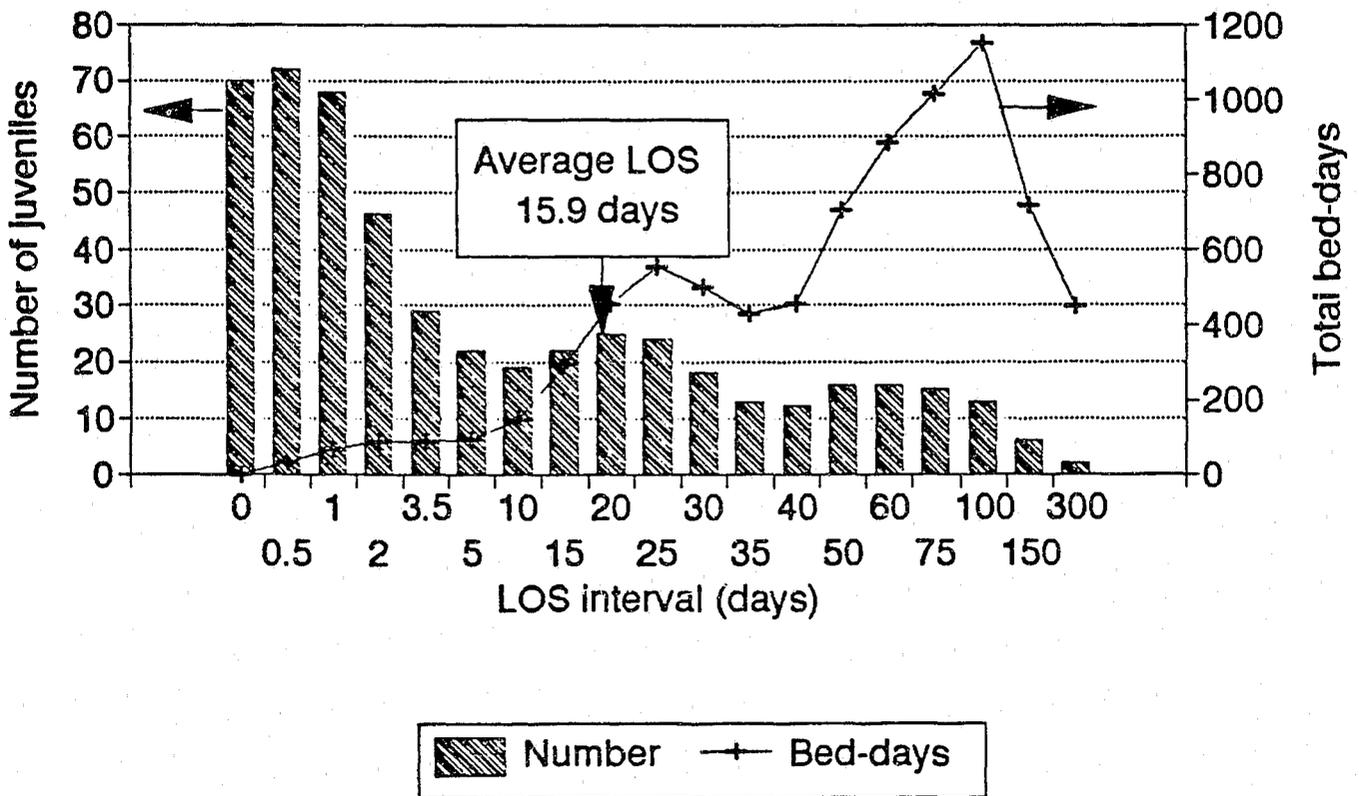


Figure 5

# SANTA CLARA JUVENILE

## Comparison of Offense Distribution

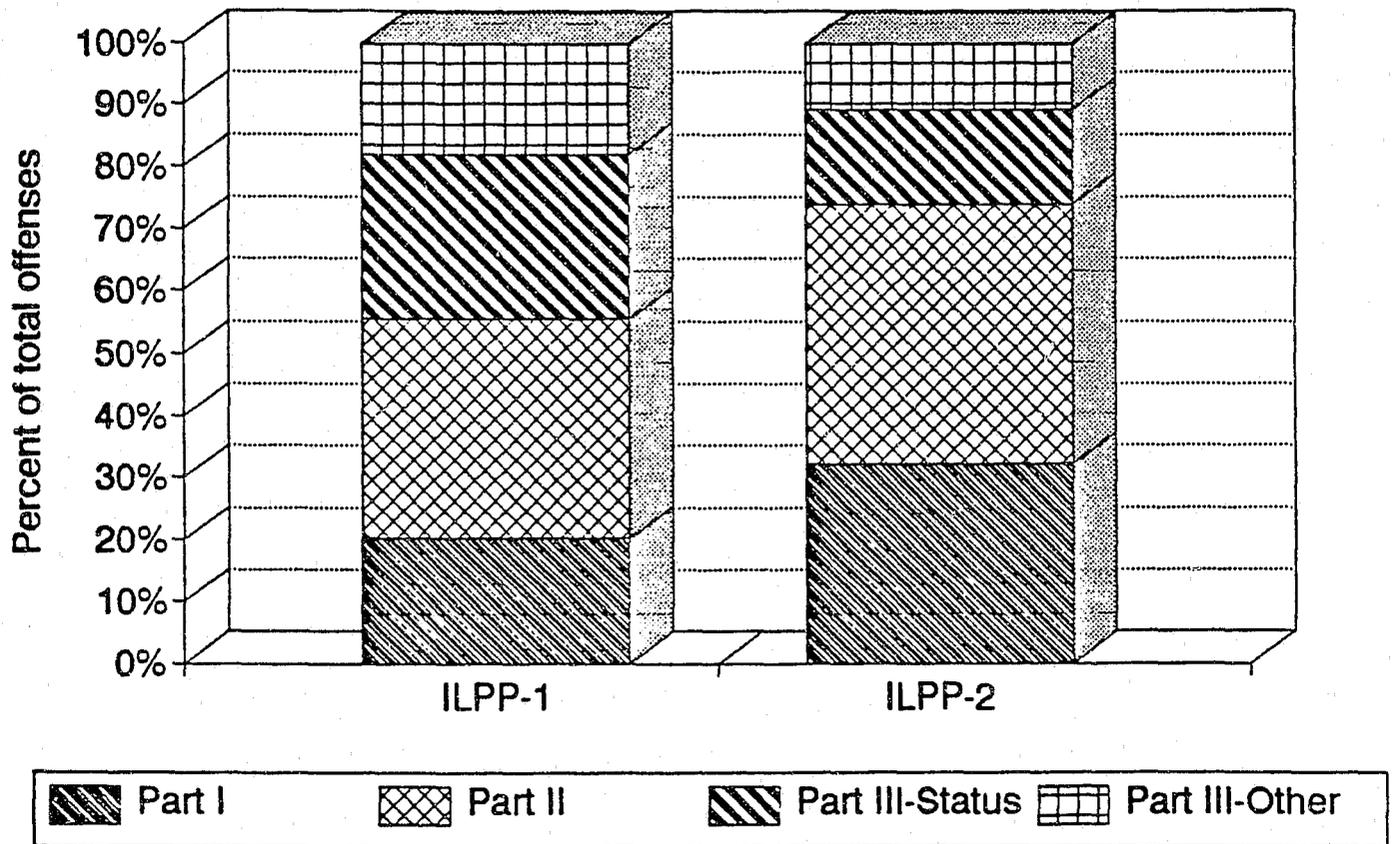


Figure 6

# SANTA CLARA JUVENILE Offense Categories - Previous Study

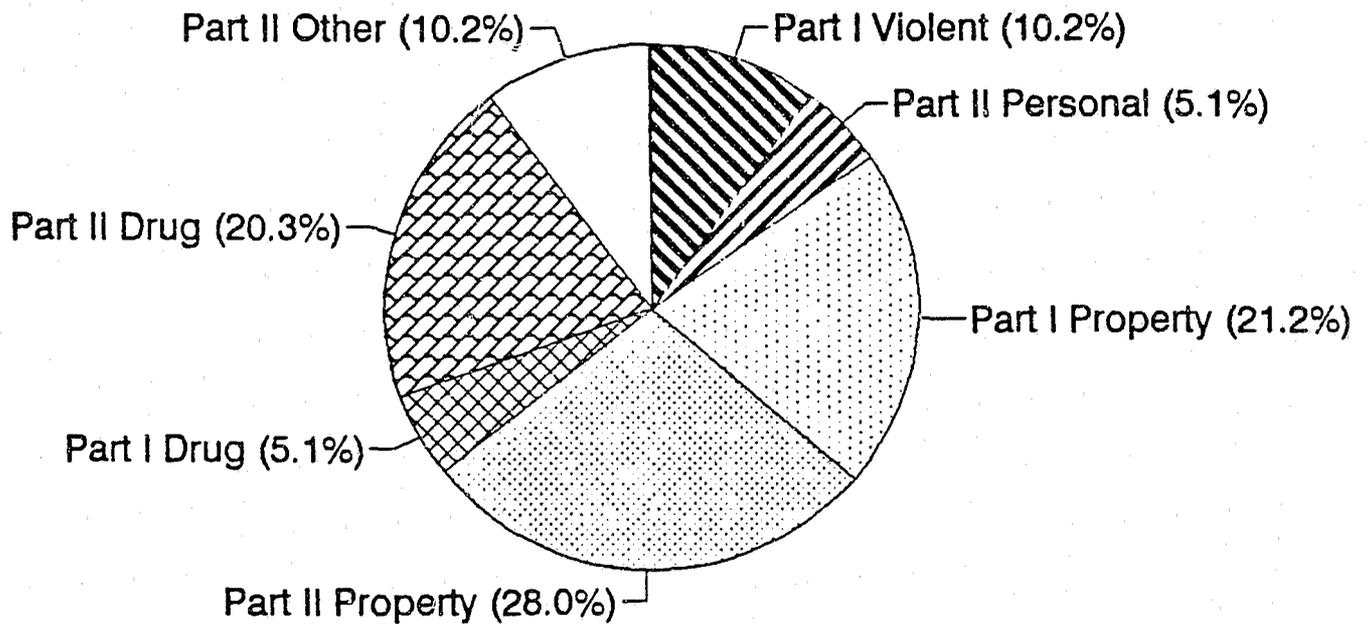
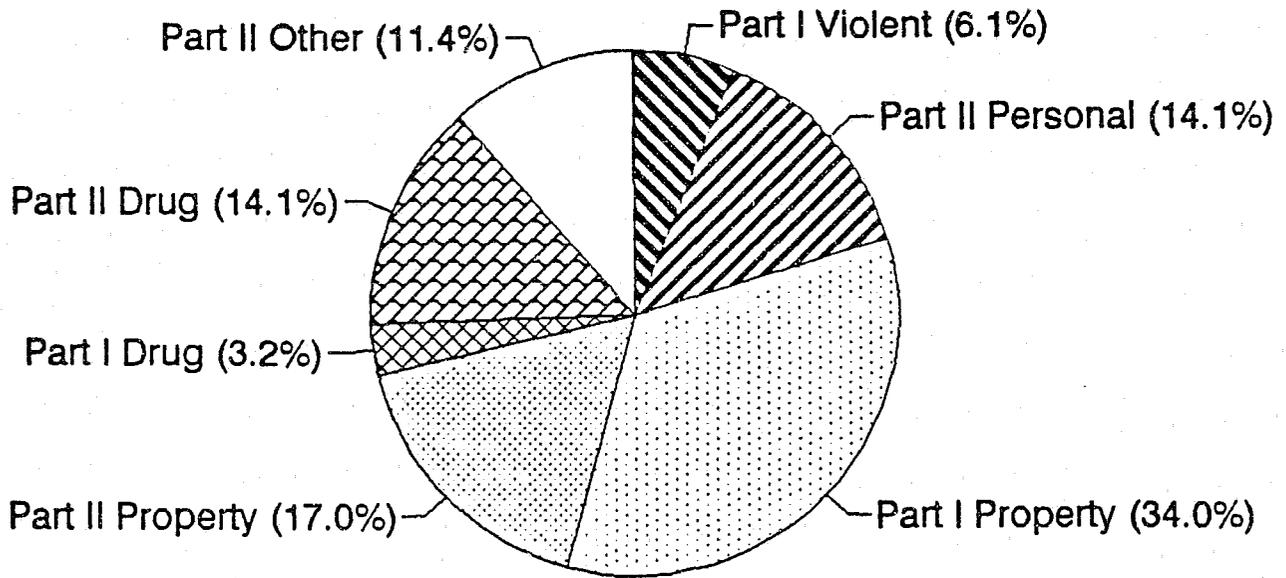


Figure 7

# SANTA CLARA JUVENILE Offense Categories - Current Study



Overall, crimes against persons have increased proportionally but decreased in severity. Almost half of the Part II personal offenses are violence against police (misdemeanor level). Controlled substances offenses (shown more compactly as "Drugs") have decreased. Property crimes remain at about half of all offenses.

**AVERAGE LENGTH OF STAY:** For most types of offense, ALS has decreased from its value in 1987 (see Figure 8). Exceptions are Part I drug sales (12 cases) and all Part III offenses (132 cases). Length of stay for the Part III "Other" category has tripled.

#### **D. Conclusions**

Clearly, the department has improved its intake procedures so that it can handle the less serious and less troublesome offenders expeditiously. These now constitute only a minor fraction of the Hall population, so that further streamlining of the process would be of minimal help to the overcrowding problem.

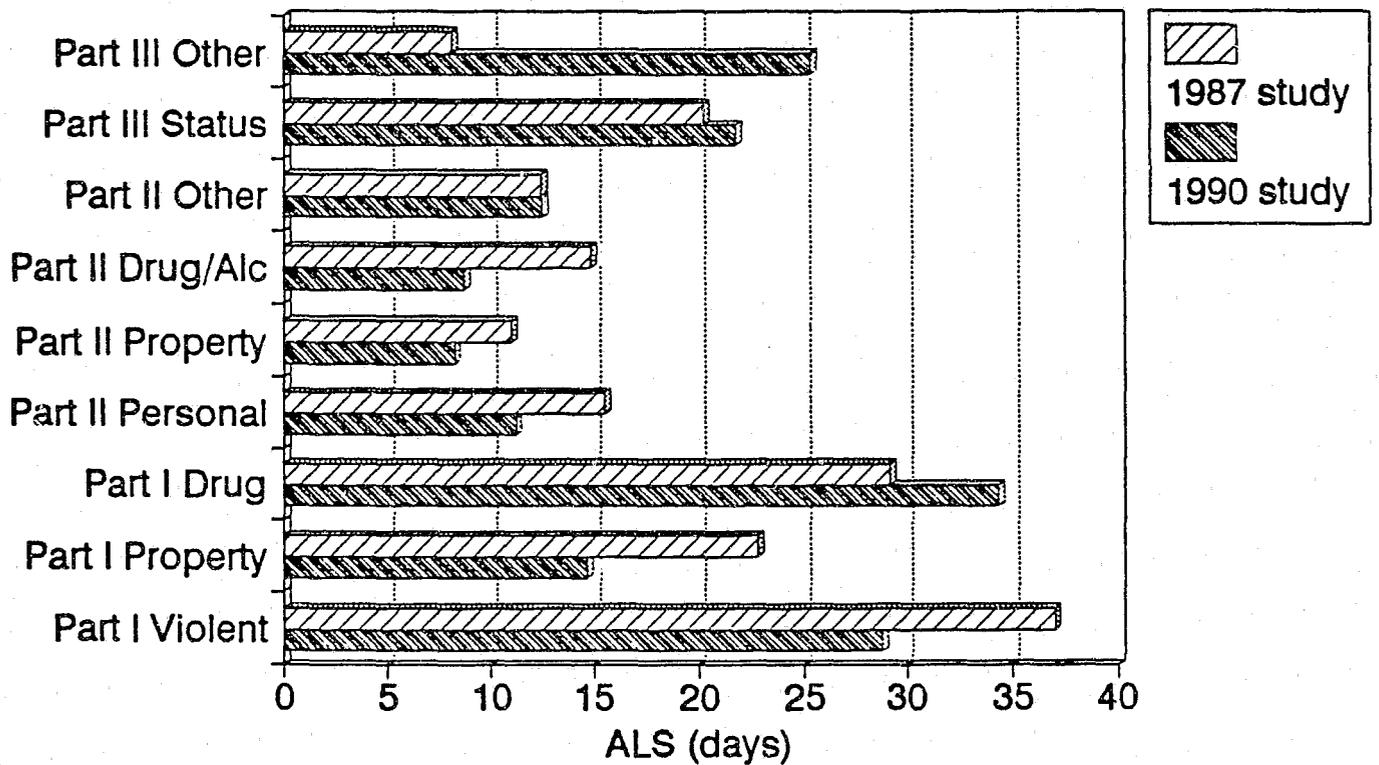
It appears that in many cases, the jurisdictional hearing does not occur until the maximum time prescribed. Quite a number of cases are dismissed in the first three weeks; there would be a moderate savings if improved procedures (e.g., more intensive screening by the prosecution) could identify and release these cases earlier.

The county will substantially relieve its overcrowding if it can reduce the recycling problem. Youth who go through the system a few times tend both to be defined and to define themselves as "offenders," and they are likely to recidivate. For both of these reasons, it is in the interest of the county to intervene aggressively with these minors and their families at the earliest possible date, and to maintain this intervention for those who do not respond well. Intervention and population management cross jurisdictional boundaries within the probation department, so they can really be successful only in the context of a comprehensive and integrated management plan which is subscribed to by all significant actors within the system.

Figure 8

# SANTA CLARA JUVENILE

## Average Length of Stay



## Population Projections

### III. POPULATION PROJECTIONS

#### A. Summary

The juvenile population for Santa Clara County fell throughout the 1980s, relieving growth pressures on the juvenile justice system. This population will now begin to rise rapidly, starting sometime around 1990. If the juvenile system maintains its current operating practices, the population of the Juvenile Hall will rise by 35 percent by the year 2000. This will require a bed capacity of 432. The county would have to rehabilitate the present Hall and construct an additional 100 beds elsewhere.

However, improvement in operations can lead to reductions in Hall population. Intensive screening to shorten the stay of those who will be dismissed or released to their parents anyway can lead to a drop of about 15 percent in this population. Crisis intervention, adjustment centers, and other programs which will reduce "recycling" moderately can subtract a further 15 percent or so from the needed capacity. Consultants detail a number of such programs which are practicable and have support among probation department managers. In this more favorable scenario, bed capacity by 2000 would need to be only 308; the current Hall capacity would be large enough.

As with all projections, the numbers presented should be taken as a guide, an "envelope of possibilities" rather than firm values; there are always too many uncertainties in the forecasting process to allow a literal interpretation of the results.

#### B. Projection of the Juvenile Detention Population

Consultants have made projections of the population detained in the Santa Clara County Juvenile Hall for the period 1990 - 2000. These projections are Consultants' best estimates of what the Hall's population will be, but any projection is subject to a number of uncertainties. Therefore, Consultants warn that the values presented here are no more than the most likely points within an envelope of possibilities. Any plan or program which depends crucially upon the exact values of the projections will not be grounded in reality.

The projections are based on a set of reasonable hypotheses about juvenile delinquency and the juvenile justice system in Santa Clara County. The primary hypothesis is this:

**The most important factor in determining the amount of juvenile crime or criminal behavior in Santa Clara County is the population of juveniles in the county.**

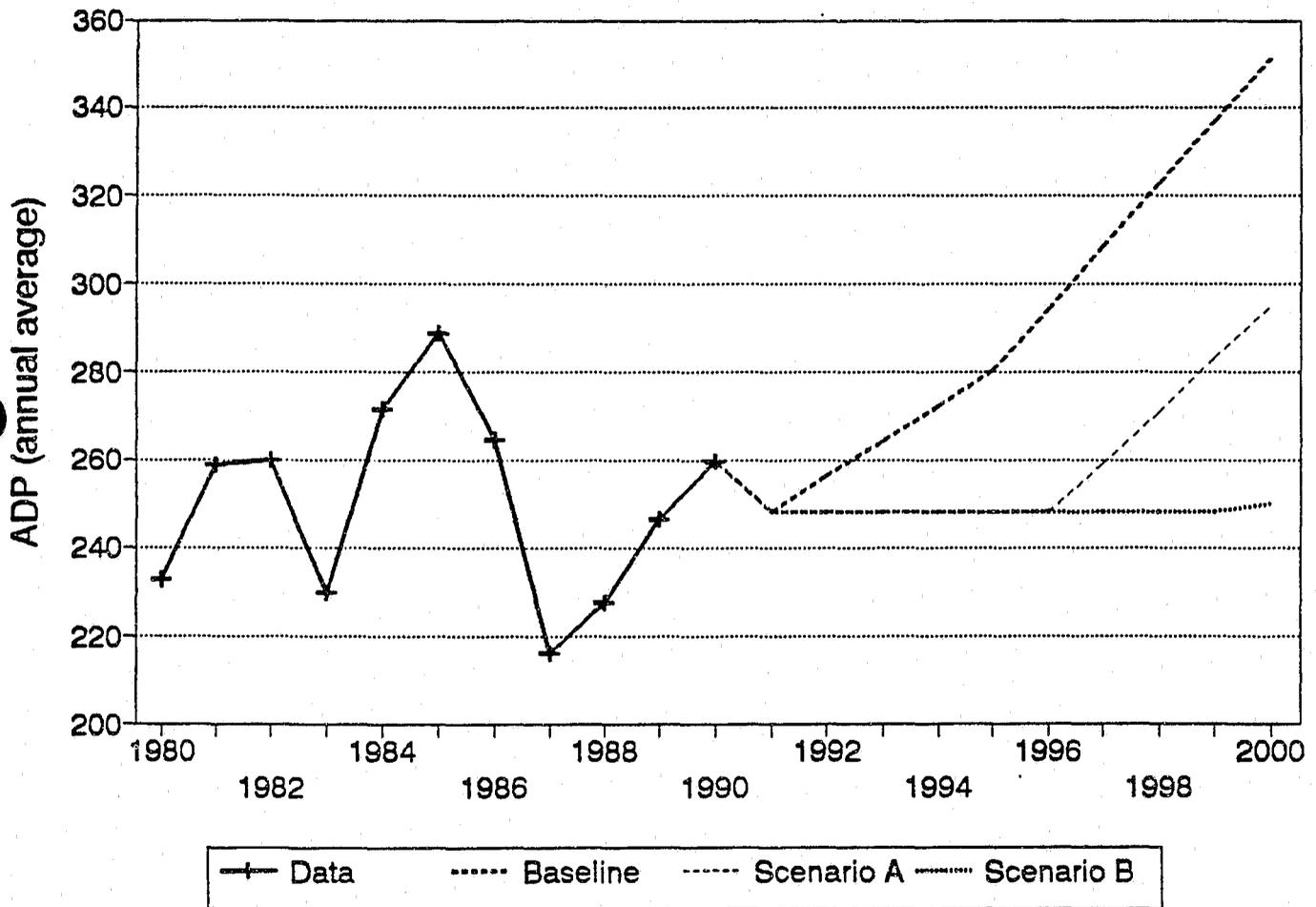
The hypothesis implies that the fundamental nature of delinquent behavior will not change. Figure 9 shows the number of Juvenile Hall admissions (primarily arrests), both as raw figures and as a per capita rate. Total admissions have declined noticeably since 1980, but except perhaps for the aberrant year of 1981, the admissions rate falls within a rather narrow range with no obvious trend, as predicted by the primary hypothesis.

The first working assumption, therefore, is that the admissions for the next decade will continue to follow this pattern; specifically, that per capita admissions will occur at the average rate of admissions for 1980 - 1990.

Figure 9

# SANTA CLARA COUNTY JUVENILE HALL

## Juvenile Hall Population



Given an admissions rate, the next step is to determine the growth of the juvenile population. Projections for the population of every county are prepared by the California Department of Finance (DOF). Using their projections and material from the 1980 U.S. Census, the tracking sample from the present study, and the report by the Santa Clara Justice System Advisory Board entitled "Population Change, Juvenile Delinquency, and Juvenile Justice" (1989), Consultants have projected the "at-risk" juvenile population for the years 1980 - 2000. These population figures are shown in Figure 10.

The values shown are approximately equal to the actual populations, but they have been adjusted to reflect the fact that different age and ethnic groups consistently exhibit different arrest rates. Applying the admissions rate to the population gives the projected Juvenile Hall Admissions (Figure 11). What this calculation shows is that the number of juveniles admitted, which had been falling throughout the eighties, will begin to rise sharply in the nineties. It will be about 35 percent higher in 2000 than it is today. Furthermore the proportion of minorities will be substantially increased. The county must prepare itself for this growth now or it will be unable to handle the increased volume and makeup of delinquents admitted to the Hall.

The Juvenile Hall's average daily population (ADP) is by definition equal to the product of the admissions and the average length of stay (ALS). ALS, even more than arrests, is very much a function of the operating policies of the juvenile system. The annual average ALS for the period 1980 - 1990 is shown in Figure 12. There was an upward trend for the first few years, but after 1983 there seemed to be no consistent pattern to its fluctuations.

Because there appeared to be no reason to expect further systematic changes in ALS, its value in 1990 was taken as the basis for the projections. Applied to the expected (adjusted) admissions, it yields the projection for ADP shown as "Baseline" in Figure 13. ADP grows from 260 in 1990 to 280 in 1995 and 351 in 2000. Growth in the juvenile population will cause a substantial increase in the detained population if current juvenile justice policies and practices are maintained.

### C. Improvements over the Baseline Projections

The baseline ADP is Consultants' best estimate of what the population would be in the absence of substantial juvenile system changes. Next are suggested certain changes which seem feasible and which would serve to lower the ADP measurably. These are shown as "Scenarios A" and "B" in Figure 13. It is evident that they do indeed constitute improvements over the baseline. Scenario B in fact says that no additional bed capacity will be needed before the end of the century. (Consultants have chosen not to display population projections which temporarily fall below the 1990 level of 260 beds.)

The ADP can be reduced either by lowering the number of admissions to the Hall or by shortening the ALS. A number of ways to do this have been suggested. Any of them could be carried out to a greater or lesser extent, and most could be combined with others. Thus hundreds of scenarios are possible, many of which would give very similar results. For simplicity, Consultants present only two examples of what might reasonably be done to lower Hall population.

Figure 10

### SANTA CLARA COUNTY JUVENILE HALL Average Length of Stay

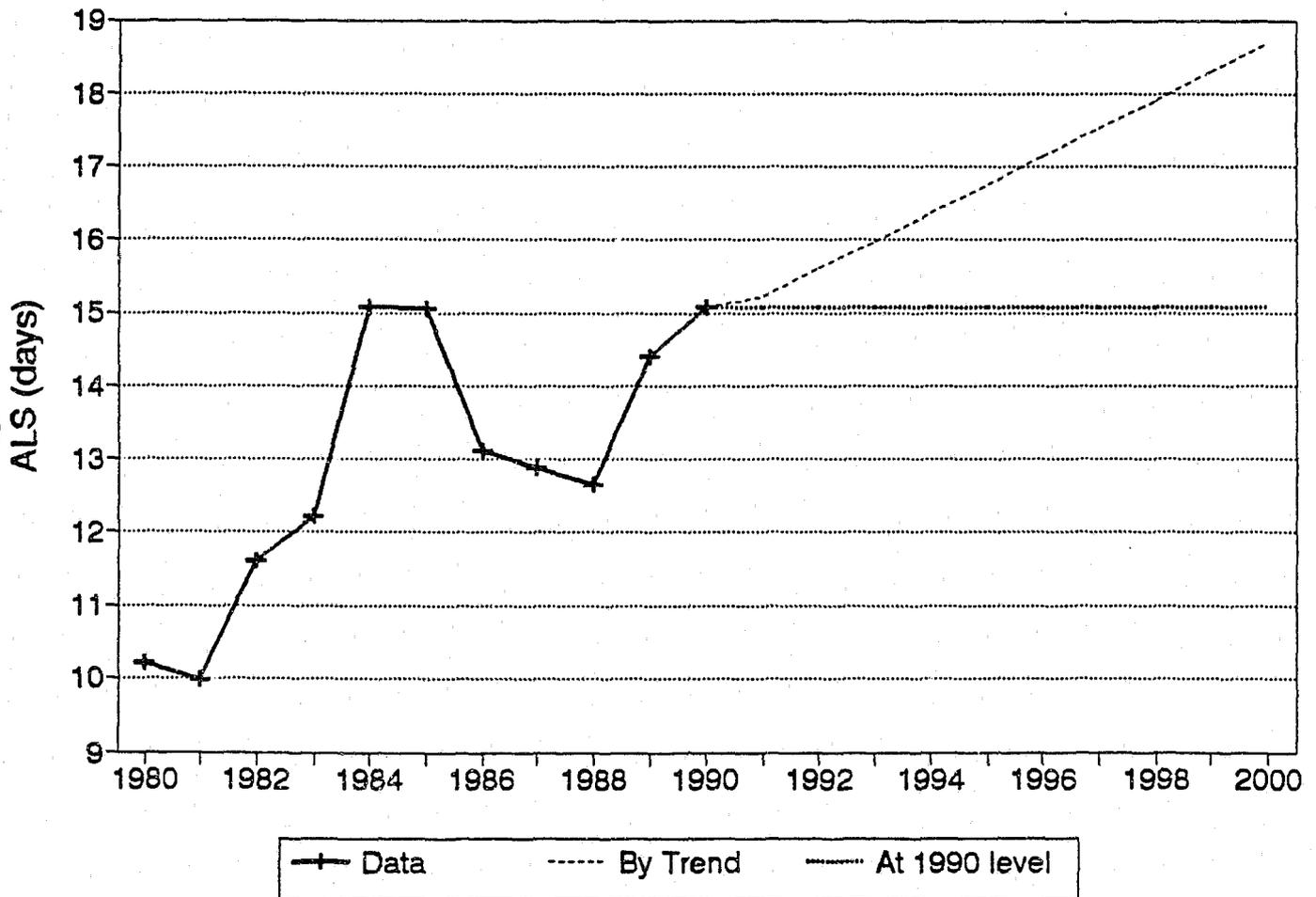


Figure 11

# SANTA CLARA COUNTY JUVENILE HALL Projected Admissions

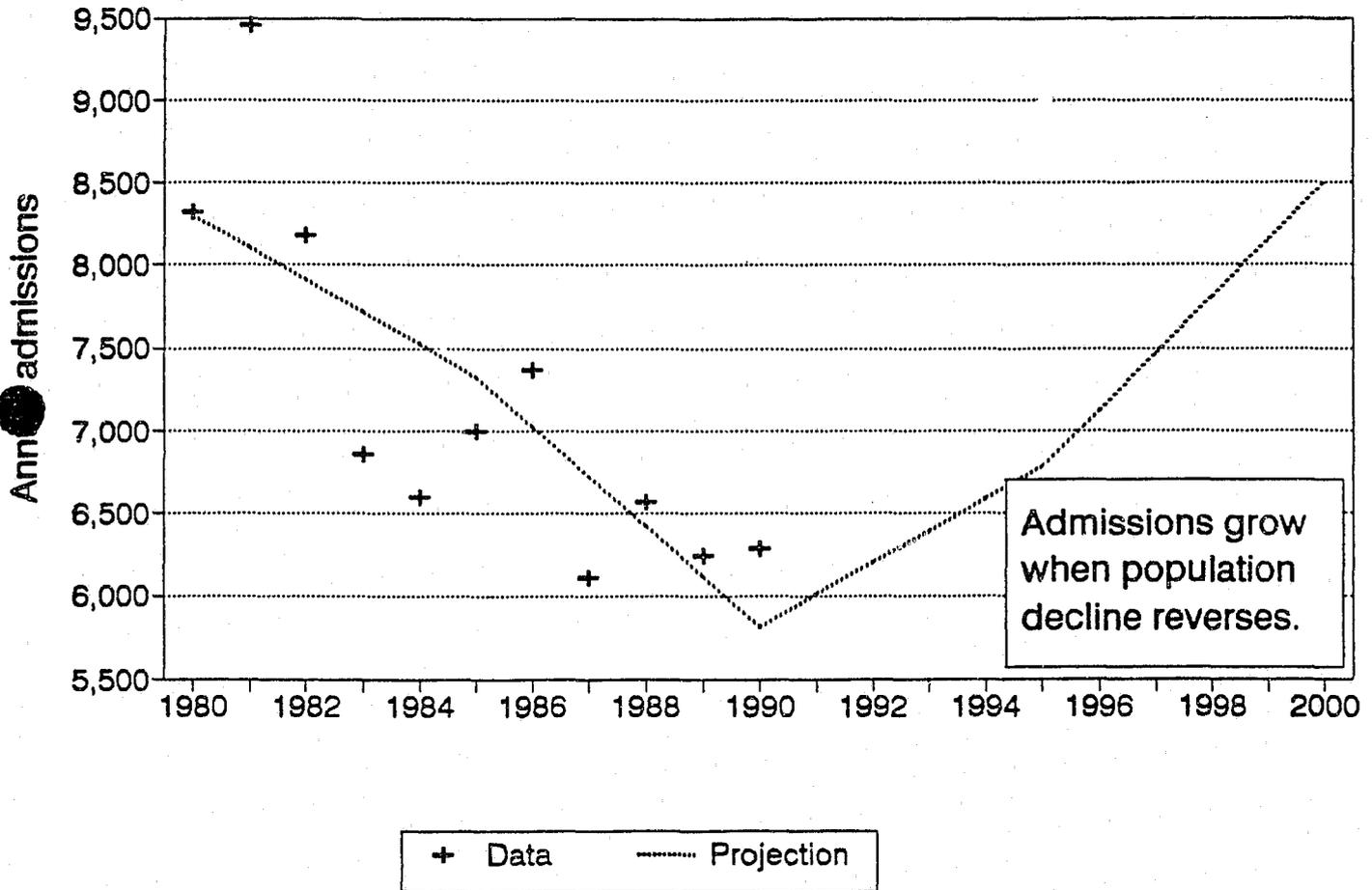


Figure 12

### SANTA CLARA COUNTY JUVENILE HALL Admissions - Actual & Per Capita

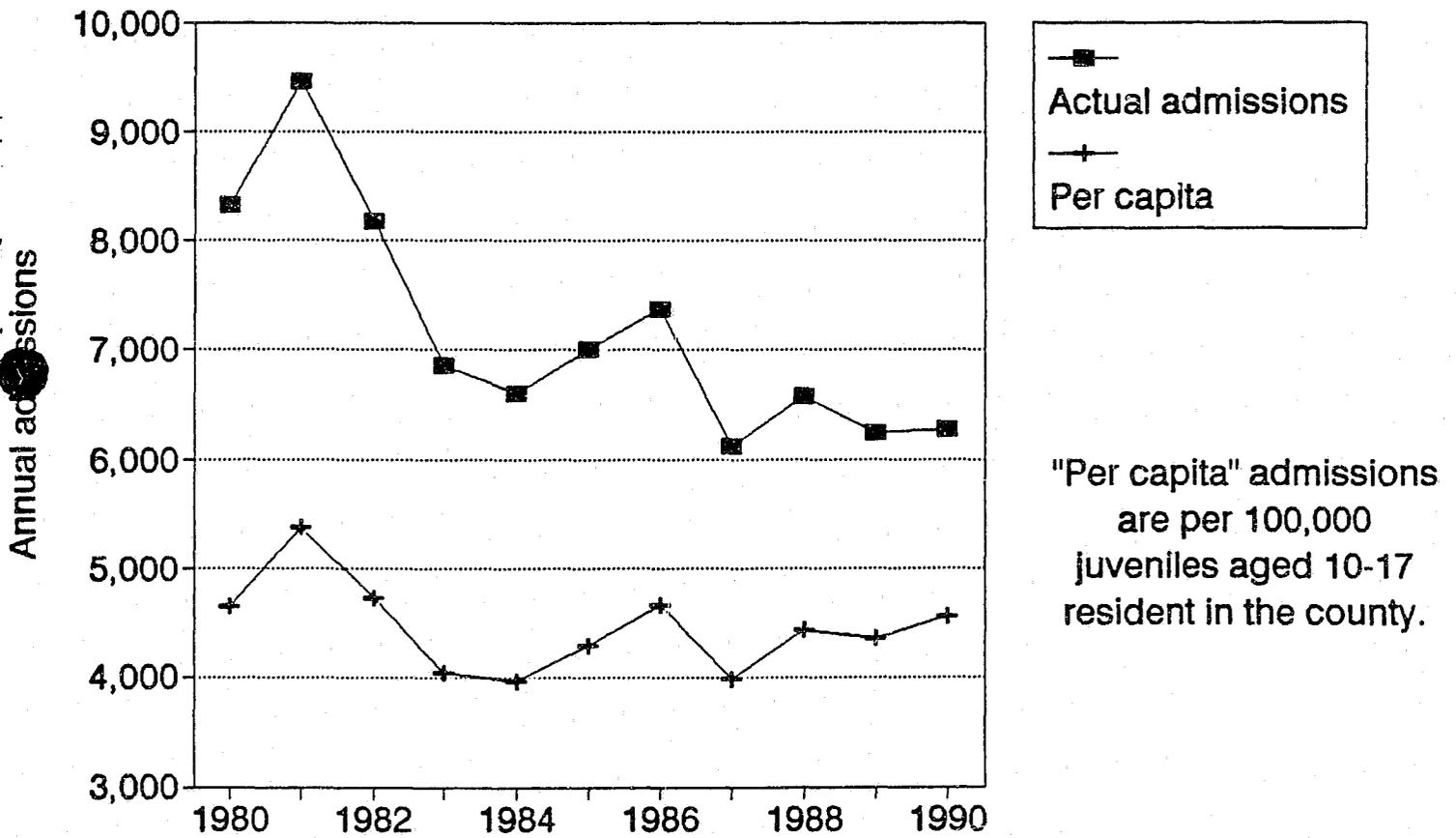
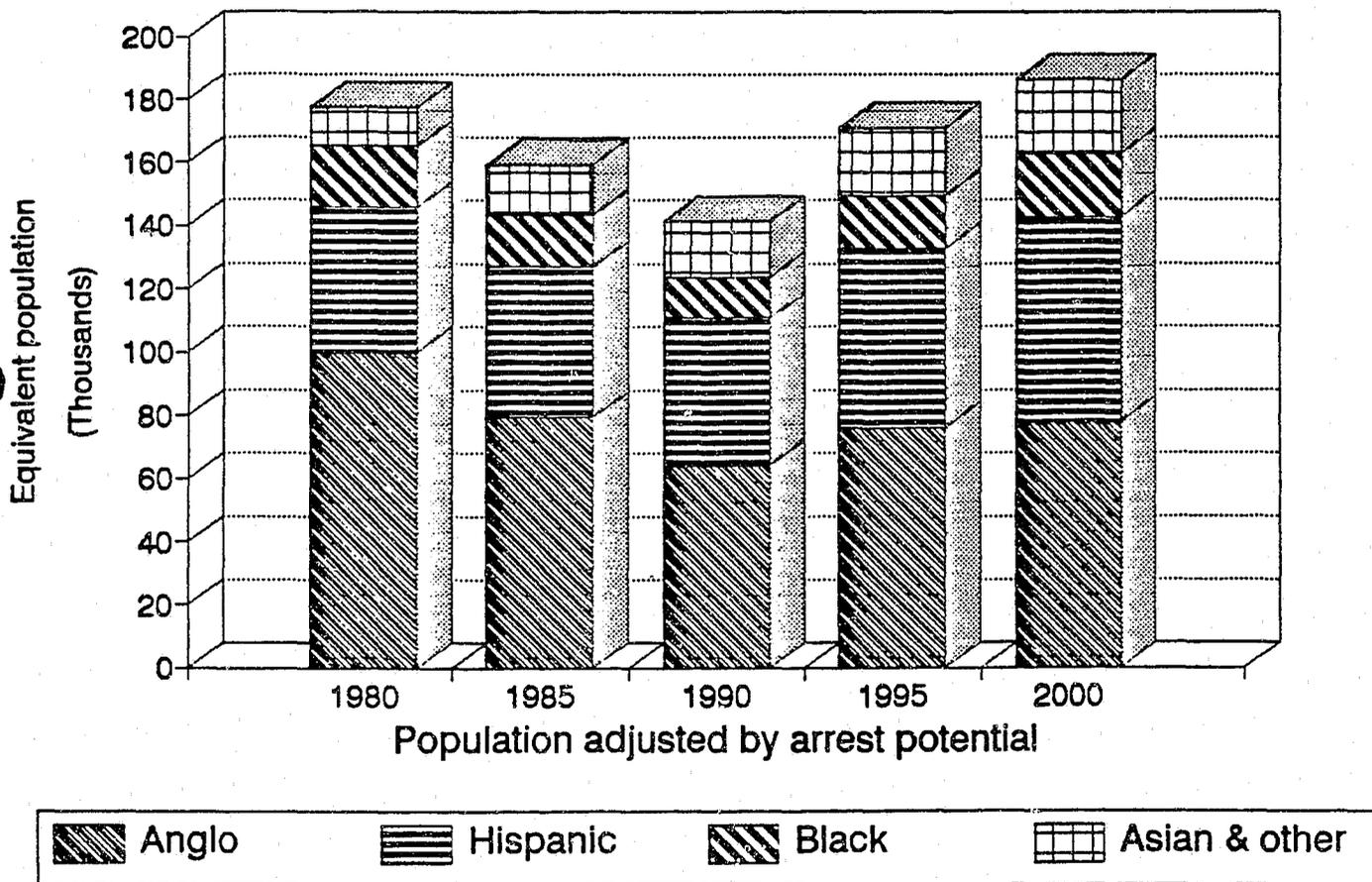


Figure 13

### SANTA CLARA COUNTY "At-Risk" Juvenile Population



Elsewhere in this report Consultants describe several programs which could lessen the overcrowding problem. The impact of two such programs on admissions and ALS is estimated here. The examples are intended as hypothetical but realistic illustrations of the types of change that could occur; other approaches which have a similar impact on admissions or ALS could be equally useful.

The effects of the changes are calculated using information obtained from the tracking sample of 508 juveniles admitted to the Hall during the first six months of 1989. The sample was partitioned into three groups on the basis of each youth's length of stay (LOS). Group S (short) comprised all those with an LOS up to 4.5 days, corresponding to the time from admission to the detention hearing. Group M (medium) ran from 5 to 25 days (the jurisdictional hearing), and Group L (long) was those with LOS greater than 25 days. ADP based on the sample would have been 264.

Group S, though it contained 60 percent of the cases, made only a minor contribution to ADP and was not considered further in the calculation of direct short-term effects. This does not mean that Group S is insignificant; appropriate intervention at this stage could have an important influence on subsequent delinquency. Group M was 18 percent of ADP and Group L was 77 percent; obviously it is this last group where efforts to reduce population can be most fruitfully applied.

### *Scenario A*

Examination of the case files revealed that the petitions in many of the cases in Groups M and L were dismissed. A number of juveniles were sent home on probation, or were under informal supervision; and some were court admits, including weekenders. All of these cases were thus either released outright or were deemed good enough risks that they were allowed to spend at least some of their time outside of the Hall. The question then is: could their processing be accelerated to the point where they could be released earlier?

Half of Group M and 18 percent of Group L fell into this "releasable" category. If an intensive early screening program were instituted for new arrivals (presumably with the participation of the Court) it could speed their release. In this first model ("Scenario A") the ALS for the Group M releasables was lowered to 5 days, and for those in Group L, to 10 days. With this improvement ADP dropped by 16 percent, from 264 to 221. Note that this improvement is based on a reduction of ALS alone; the number of juveniles admitted to the Hall has not changed.

### *Scenario B*

It has been shown that the "recyclers" (minors with at least four prior and/or subsequent offenses) are a major contributor to ADP. Recyclers seem to fall into several, not clearly-defined categories. Some are truly chronic offenders with repeated Hall admissions for law violations. The security and program needs of youth in this category vary depending upon factors such as the severity of the delinquent behavior, risk and need, and the availability of appropriate options.

In other cases, however, a number of the charges after the initial offense are not actually new crimes but rather reflect the youth's maladjustment within the justice system. These include charges such as placement failure and ranch runaway. There are also some juveniles just beginning the recycling pattern. Youth with three or four offenses are somewhat more likely to be deterred from future misbehavior

than are those with fifteen or twenty. This grouping might even be extended to include those who are about to become recognized as recyclers. All of these are targets for population-reducing programs.

Department staff recognize the magnitude of the recycling problem and have expressed the desire to break this pattern in as many youth as they can. Reflecting their suggestions, Consultants' recommendations include an adjustment center and shorter stays at the ranches and short-term placement beds. These will have the immediate effect of keeping the youth on the ranches or in placement and out of Juvenile Hall. Hall admissions will drop.

In the longer term, any program which reduces juveniles' tendency to offend - including most of the programs which have been instituted already, as well as those to be proposed - will reduce Hall admissions also. Consultants note that this should occur eventually, and that the effect will be positive but cannot estimate its magnitude at this time.

The effect of these improvements on lowering Hall admissions and ALS has been calculated for the tracking sample population. We next apply them to the future by saying that the same percent improvement can be obtained in the baseline projection. Thus Scenario A in Figure 5 is 16 percent lower than the baseline, and Scenario B is 29 percent lower. Under Scenario A the ADP in 2000 will be 295; under Scenario B it need not rise above 250.

Moderate changes in admissions or ALS, based on the establishment of realizable programs within the juvenile justice system, can lower the Juvenile Hall population over the next decade substantially over what it would be if left unmodified. Optimistic projections show a need for no net new beds by the year 2000.

The final step in the process is to determine the actual number of beds needed to accommodate the expected population. Because there are always fluctuations about the averages, a "peaking factor" must be applied to the projected ADPs. The presence of the seasonal peaks in late spring persuaded Consultants to use the rather large peaking factor of 23%. The table below shows the bed space needed in 1990, 1995, and 2000 for the baseline projection and for Scenarios A and B.

**Total Bed Space Requirements**

	1990	1995	2000
Baseline Scenario	319	344	432
Scenario "A"	-	305	362
Scenario "B"	-	305	308

Under the baseline scenario (no system improvements) the Hall must be able to provide 432 beds, or about 100 over the present capacity, by 2000. If the modifications indicated under Scenario "B" were enacted, the present capacity would suffice until that time.

## Facility Placements and Programs

## IV. FACILITY PLACEMENTS AND PROGRAMS

In this section, Consultants describe the county-run facilities that house minors in the Santa Clara County juvenile services system, and present brief summaries of the various programs that directly impact the in-custody population. The program summaries are followed by an analysis of overall program impact.

### A. Facility Placements

#### Juvenile Hall

With the exception of minors cited to appear (Section 626(c) W&I Code), minors who enter the juvenile justice system are brought to the Juvenile Hall, where receiving and intake occur. In addition, the Hall houses minors awaiting court disposition, committed minors waiting for nonsecure placements, and minors committed to the Hall by the Court.

Juvenile Hall has a rated bed capacity of 343 as of November, 1990. (This reflects the short-term removal of the two boys' and two girls' receiving beds and the continued use of the five-bed "old" receiving unit.)

Average daily population (ADP) for the Juvenile Hall for the last ten fiscal years appears below:

<u>Fiscal Year</u>	<u>ADP</u>
1990	247
1989	244
1988	210
1987	237
1986	286
1985	288
1984	238
1983	243
1982	267
1981	249

Housing at Juvenile Hall consists of eight units plus receiving. The list below briefly describes each unit by placement function and gives the rated and actual capacities. (Actual capacity is based on October, 1990 information.)

<u>Unit</u>	<u>Description</u>	<u>Rated Capacity</u>	<u>Actual Capacity</u>
B-1	boys, max. security	47	46
B-2	boys, age 14,15,16	49	48
B-3	boys, age 16,17,18	48	47
B-4	boys, age 14,15,16	40	40
B-5	boys, age 9 through 13	41	40
B-6	coed	24	24
B-7	boys, sentenced to JH	30	30
G-1	girls	46	46
Boys' Rec.	receiving	2	2
Girls' Rec.	receiving	2	2
"Old" Rec.	receiving	5	5

### **Harold Holden Ranch for Boys**

The Holden Ranch houses boys, from age 9 to 16. It is infrequent that boys less than 14 years old are actually at the ranch, however. Typically, the boys are between 14 and 16 years of age. For the most part, age determines which boys will come to this ranch. Some older boys may be placed at Holden Ranch if specifically requested by a judge or the probation department. This usually happens if it seems that the boy is not mature enough to handle the environment at the James Ranch or Wright Center (although technically, age is not a factor in who is placed at the Wright Center). Average length of stay is four to six months; the average daily population (October 28, 1990) is 91 with a bed capacity of 99 on line (in an emergency, the ranch can go to 107 beds). The ranch features a dorm setting; there are some isolation rooms which are used as "privilege rooms" for the boys who have been at the ranch for some time, and are more trusted.

### **Muriel Wright Residential Center**

The Wright Center can house both boys and girls aged 9-18. All girls committed to the Rehabilitation Program are placed at the Wright Center. Boys are placed there based on need for substance abuse treatment and bed availability; courts do not make direct commitments. Generally, staff try to take boys between 15-16 years of age; younger boys are generally not considered mature enough, and older boys are too sophisticated. Average length of stay for both boys and girls is four months; the average daily population (October 28, 1990) is 35-36 with a bed capacity of 41 (17 beds for girls, 24 beds for boys). The Wright Center has a Substance Abuse Treatment Program for boys and girls and a Rehabilitation Program for girls only. Commitments to the center are based on the need for these programs.

### **William F. James Boys Ranch**

The James Ranch houses boys 16-18 years old. Some boys are over age 18, either because they have turned 18 at the ranch during their commitment, or they turned 18 by the time their case was settled in court. Age is the determining factor in placement of boys at this ranch. Average length of stay is five months; average daily population (October 28, 1990) is 92 with a bed capacity of 105. The ranch features a dorm setting and extensive vocational training programs, as well as a high school diploma/GED program.

## **B. Program Description**

Described below are programs and other processes that impact the levels of in-custody population at the Juvenile Hall and the three ranches operated by the county. They are in the order of use (i.e., from pre-intake to post-sentence). For most, staffing and impact are also described. However, some items do not include this information, as the functions described have merely been modified to improve system flow.

### **Cite and Release**

Approximately 50 percent of field contacts with minors result in a citation and release with a notice to appear, fine, etc.

Juvenile contact reports are filled out for minors who are cited and released. These reports are kept only at the San Jose Police Department if:

- The minor is a verified first-time offender (the officer can call the sheriff's department to determine this).
- The minor is a dependent child.
- The offense is a property crime, drunk in public, nonvictim person crime or truancy (in which case, the minor is referred to sentencing alternatives).

The juvenile contact reports for minors who do not fall into the three categories above are sent to the Santa Clara County Probation Department, which is then responsible for follow-up with the minor.

### **Truancy Abatement/Burglary Suppression (TABS)**

This program began in 1981 as a result of the high burglary rate in San Jose. Research in the area found that juveniles were responsible for approximately 30 percent of the burglaries during the day/school hours. The TABS program was created to prevent burglaries, and to return the minors to school (with a secondary effect that schools get funds for their average daily attendance). TABS centers are open from 9 a.m. to 2 p.m., and approximately 7,000 minors go through TABS per year.

Four officers patrol San Jose and look for minors who (based on time of day and age) should be in school. These officers volunteer for the patrol and work an overtime shift of six hours. There are also two permanent positions to handle the responsibilities of statistics and scheduling; there is one permanent position at each of the two TABS centers (east and west San Jose). Other TABS staff are volunteers, college interns, a probation officer (infrequently), one (nonpermanent) person each day from the eastside school district, and one (permanent) person daily from the westside school district.

If an officer picks up a minor, and he or she does not have a note or pass from a parent or the school, the minor is brought to a TABS center. A low percentage of these minors (approximately 5%) have legitimate reasons for not being in school (e.g., they forgot to get a note or their parents have called the school saying they'll be late) and are released. For those who are truant, a truancy form is filled out. The school is called to verify the minor's identity and to check their attendance record. Then, the probation department is called to check for any warrants or holds, and to see if the minor is on probation, in which case, they may be violated because of their truancy. Finally, the parent is called. Ideally, TABS staff try to make the parent come to the center to pick up the child and return him/her to school. This involves, and impacts on, the parent and serves as an incentive to change the child's behavior. However, approximately 50 percent of the minors who are detained at TABS must be taken back to school by TABS staff because the parent cannot be reached, refuses or is unable to come.

Patrol officers are not required to fill out juvenile contact reports for minors taken to TABS centers.

### **Diversion**

This is a county-wide program that began implementation in March of 1990. Five probation officers have been placed in police departments to screen and divert low-risk minors who have been cited and released into substance abuse and/or other prevention

programs within the community. Approximately 50 percent of the minors cited and released are diverted through this program. Records for minors who are diverted are kept separately from probation department records.

The probation officers also train police officers in the screening and diversion functions.

Part of the diversion program is the East Valley Youth Services Bureau for East San Jose youth cited for low-level violations. This project is funded by the California Youth Authority. Programming focuses on "crime specific" prevention and diversion services such as shoplifting redirection, substance abuse education, school consultation, community service, public service work, and employability skills training. The project is staffed by one half-time supervising probation officer, two full-time deputy probation officers, and one community worker. A 13 member board meets regularly to evaluate the effectiveness of the program and to provide direction for program development.

### **Crisis Intervention Unit**

When the program started, there were only two probation officers in the unit. In 1989, staffing was increased to three, and is up to five as of November, 1990. The unit's primary function is to provide counseling and referrals for the families of minors brought to Juvenile Hall. Referrals to the unit are made at intake screening; the program serves primarily low-risk minors who could not be diverted (e.g., a parent was unavailable or the minor's behavior precluded cite and release).

The unit is knowledgeable about community resources and can make referrals to these various agencies. Each staff person handles approximately 20 cases per month, and the unit handles approximately 100 cases per month.

### **Expansion of the Community Release Program**

The Community Release Program is an alternative to pre-sentenced detention for children who would otherwise be held in Juvenile Hall prior to their disposition hearing. Juveniles are released between an hour and two days after booking on the basis of their RAS score; minors with an 8, 9, or 10 score can be released. Daily contact with a group counselor is required during the approximately three weeks that a minor is on this program until his/her appearance.

At the direction of the Court, the staff also serve dependent children who are at home pending disposition. Community release staff report the results of their monitoring to assigned probation officers and the Court. The staff numbers six. In the last year, the program has expanded and nearly doubled its capacity. The program's population on October 26, 1990 was 105.

### **Risk Assessment Tool/Intake Screening**

Once a minor is referred to the Juvenile Hall, the Screening Officer determines whether to release or detain the minor in the Hall using the Risk Assessment Score/Tool (RAS). This screening tool was developed in 1987 as a result of the 1987 recommendations from NCCD's report and Consultants' first study. The minor, his/her parents, and other involved persons may be interviewed to assess the level of adjustment at home, in school, and in the community. Other considerations include whether a parent or guardian, or responsible adult is available and willing to provide care and exercise control over the

minor, whether a suitable home exists, whether the minor is likely to flee the jurisdiction of the Court, or if he/she is believed to have violated an order of the Juvenile Court. A minor's total score determines if he/she is released or detained. Minors with a score of less than 10 can be released unless there is an override; minors who score 10 or more are detained. A probation officer is available to perform this screening from 6 a.m. to midnight daily. In fiscal year 1990, 45.6 percent of the 5,770 minors who were screened were detained; 54.4 percent were released.

### **Accelerated Custody Process**

The accelerated custody process started six months ago, and is essentially a "speedier" processing system. Under this system, probation officers are required to dictate court reports two days earlier, since court dates (for jurisdictional hearing) are scheduled two days earlier as well. Probation officers are also required to release minors if, in the court report, they recommend home on probation. (Reports are required in court five days before the jurisdictional hearing.)

### **Investigation and Supervision Functions Combined**

The investigation and supervision services for delinquent youth were reorganized during the early part of fiscal year 1989. Using the Downtown Community Action Project as a model, the investigation and supervision functions were combined into one unit for each of five geographic areas of the county. This allows both intake and supervision officers in each area to become more knowledgeable of available community services and to establish lasting relationships with school and police personnel serving the specific areas. Clients are provided with more consistent services, since cases remain within a unit under the same supervising probation officer.

### **Community Alternative Program**

The Community Alternative Program is a post-sentence program which was started in 1989. It features a vocational training program or drug abuse counseling in lieu of a Juvenile Hall or ranch commitment. Currently, there are two probation officers working on the program who can handle up to 60 participants. Participation in this program usually lasts for approximately six months. 56 minors have completed the program, saving over 900 Juvenile Hall bed days.

### **Placement Intervention Process**

This process began in 1989 and is targeted at minors who are "recyclers." These youth are all screened before placement recommendations or actual re-placement. At this time, alternatives to placement are examined with the goal to prevent future failures. This process has reduced the number of cases in the placement unit from 350 to 300 over the last six months.

### **Early Disposition Report**

This process was expanded three months ago and is targeted at minors who have escaped or who have ranch failures. Within three days, they are returned to the waiting list to return to the ranches. Previously, these minors waited up to three weeks before being placed on the list.

### **Ranch Pre-Release Program**

The Ranch Pre-Release Program was adjusted in July of 1990. Eligible juveniles at the ranches are released to go home 60 days before the end of their commitment. During the next 60 days, a counselor monitors the minor's school attendance and behavior at home. This program helps in re-introducing the minor to the community. Previously, minors could not be released more than 30 days before the end of their commitment. Since its adjustment, the program has released 83 minors from the ranches.

Each ranch has one counselor to run this program. The program's impact is felt at the Juvenile Hall in that space becomes available for minors on the waiting list for placement at a ranch.

### **Weekend Work Program**

Through this program, minors who violate probation can report to Juvenile Hall on weekends and go out with a work crew into the community rather than be rebooked. Participation in this program is up from 40 to 60 juveniles daily (October, 1990); there is one staff member for every 15 minors. A typical commitment to this program lasts six weekends. There are approximately 400 participants in a year.

### **Early Release Formula for Juvenile Hall Commitments**

This is similar to the ranch pre-release program. It was developed six months ago to allow minors committed to Juvenile Hall to obtain early release after serving a majority of their time and exhibiting satisfactory behavior. Approximately ten minors have been released through this program since its inception.

### **Intermediate Sanctions**

**Intensive Probation:** The probation department provides intensive probation in one of the investigative/supervision units. An adult/juvenile gang unit is also being developed.

**Community Service:** The probation department utilizes a sentencing alternatives program that signs minors up for community service.

## **C. Program Analysis**

Consultants examined how the programs above affect crowding of the Juvenile Hall. This analysis has two perspectives, the immediate and the long-range. The immediate effect is that of directly lowering Hall intakes or shortening the length of stay. In the longer range, the aim of some of the programs is to ultimately reduce the minors' tendencies to repeat their delinquent behavior. However valuable these long-term effects may be, it is very difficult to prove that they have occurred at all, let alone measure their extent or separate out the effect of individual programs on long-range behavior. For this reason, Consultants here focus on short-term effects.

Analysis of established programs can be made using statistical information gathered by the program administration. The number of youth released or diverted, or the number served and the Hall time saved will allow a measure of the immediate effects. Longer-term consequences are hinted at by rates of failure or recidivism by youth who have gone

through the programs. Unfortunately, gathering and analyzing this data is a large task, and Consultants have been able to do no more than touch upon it, using only immediately available information.

Many of the most promising programs are new, and not enough data has yet been accumulated to determine their impacts. For some of these, Consultants have estimated the potential short-term effects using the tracking sample (ADP = 264) as a basis for calculation. Treating the ideal case, of course, neglects any real world complications which may arise, so the estimates may be somewhat optimistic.

## 1. Prebooking Programs

**Cite and Release.** Probation department staff estimate that the San Jose Police Department (SJPD) cites about half of their contacts rather than transporting them to the Hall. (The SJPD has been unable to confirm this.) Since San Jose in turn accounts for half of the admissions to the Hall, there would be a 50 percent increase if all contacts led to admissions. Of course this extreme would not be reached - many juveniles would simply be let go with a warning - but the impact of the citation program is undoubtedly large. Consultants cannot determine with the data available whether an even higher proportion of citations could be issued without compromising the department's standards.

**TABS (San Jose Police).** This program has been in operation for nine years. Many youth pass through it, but the immediate impact of TABS on ADP will not be large because the youth are picked up for truancy or loitering rather than an actual offense. Long-range effects could be more important.

**Diversion.** The diversion program could be expanded if the resources and the support of other police departments could be marshaled. It appears that this program accepts only youth who have already been cited and released, so that it does not have an independent short-term effect on reducing admissions. In the long term, diversion should reduce recidivism by sending the juveniles to a supportive and rehabilitative environment, but this effect is not yet visible.

## 2. At Intake

**Crisis Intervention.** The program is intended to have a short-term effect in diverting low-risk offenders who could not otherwise be released, and a long-term impact in reducing the tendency toward delinquency through intervention with the family and avoidance of justice system involvement. It serves 100 juveniles per month, or about 1/5 of those booked. Perhaps it could serve more, but Consultants have not determined how much it could be expanded.

**Community Release.** The immediate effect will be to reduce the length of stay of juveniles with a marginal RAS score. The follow-up daily contacts ought to reduce the incidence of FTA (Failures To Appear), which would in themselves be grounds for further referrals. Consultants have been unable to obtain the flow information needed to determine the magnitude of the impact. In the long term, community release may have an effect similar to, and not easily distinguishable from, diversion.

**Risk Assessment Score (RAS).** Use of the RAS score seems to have had a major effect on lowering the admission of minors charged with less serious

offenses. It is also very likely, though less easy to confirm, that the minors are now being judged more objectively and that there is less unconscious discrimination by the intake officer on the basis of personality or group membership. Consultants commend both the use of this instrument and the requirement of specific explanations of every override.

### 3. In Custody

**Accelerated Custody.** If the length of stay of all juveniles who are kept beyond the detention hearing is shortened by two days, calculation on the basis of the tracking sample shows that about 13.5 beds will be saved, or 5 percent of the total population. This is a useful, if not spectacular, savings.

**Investigation and Supervision Combined.** The effect of this on Hall population is not clear.

**Community Alternative.** Consultants have not obtained adequate information to measure the impact of this program. The principle seems sound.

**Placement Intervention.** The effect of this program on Hall population depends on whether the minors who are screened out are sent to a more suitable placement facility or simply wind up in the Hall. Placement failures account for 17 beds, or about 7 percent of ADP. Cutting this significantly would help the crowding problem.

**Early Disposition (of ranch escapes).** Ranch escapees occupy 23 beds, or nearly 9 percent of ADP. They have a long LOS in the Hall (average about 6 weeks in the sample) before reassignment to the ranches. However, being reassigned to the ranch waiting list within three days does not shorten the time spent on that list itself, so it is difficult to quantify the magnitude of the difference. Still, as with accelerated custody, any program which shortens such purely administrative delays is an improvement.

**Hall and Ranch Early Release.** These appear to be basically no more than juvenile parole. Early release from the Hall will obviously have a direct effect on the Hall's population unless the newly vacated beds are immediately refilled with youth who would otherwise have been released under some other program. In the extreme, Hall population can be completely controlled by this procedure. Ranch release will be comparable since it will be quickly refilled from the Hall.

However, the effect on the youth themselves, or on public safety overall, is less clear. There is not much of an overt rehabilitative or deterrent component to these "programs." Unless it can be shown that longer time in custody is actually a cause of increased delinquency (which in fact it may be), it would not appear that this way of reducing population is as much in the public interest as those that take positive steps to improve the juveniles' behavior.

**Weekend Work Programs.** These can be useful for juveniles who are not a threat to the public. Work habits and work skills should assist the minor to reform, and at the least the community service can count as some form of restitution.

**Intermediate Sanctions.** These are receiving a good deal of attention at present among criminology theorists. Of the three main types (fines, intensive supervision,

community service), it seems that only the latter two would be applicable to juveniles, unless the fines were to be imposed on the parents.

Although these alternatives are very promising in principle, some practical details remain to be worked out; in particular, formulas for establishing the equivalent lengths of incarcerative and nonincarcerative sentences. It will also be necessary to educate the public on the virtues of such sanctions before undertaking more than a very cautious program since they will tend to be viewed as "coddling delinquents" until it is understood that intermediate sanctions really do constitute punishment at a lower cost than equivalent incarceration. Consultants recommend that the county give serious consideration to intermediate sanctions, allowing enough time and resources to give these options the deliberate study they deserve.

Except perhaps for the combined investigation and supervision (for which Consultants cannot estimate the impact), all of the programs show some promise for reducing Hall population. The various programs which involve early and intensive intervention with new offenders should have the greatest long-term effect in reducing the tendency to delinquency and recycling.

The new programs for which Consultants have estimated the bed savings add up to a (maximum) reduction of 15 to 20 percent of ADP. This is certainly helpful but will not be enough to overcome the projected population growth of almost 50 percent by 2000. Yet there is an important lesson to be inferred from this exercise: no single program will achieve the population reduction needed. Relief will come only with the aggregation of many small improvements; a dozen ways to save ten beds will contain the problem for a long time.

It is not apparent from the program descriptions or from the interviews of probation department managers that these programs, laudable though they may be individually, were undertaken as the components of any overall population management system. Thus, there are gaps in the coverage (the gaps themselves are not evident without an overall view). For example, is some sort of substance abuse program made available to every youth who shows signs of dependency? Is there a systematic attempt to determine what program would be best for each individual, or are they just assigned to the first more or less appropriate one with an empty slot? Is there a commitment among all members of the juvenile justice system to work together to restrain the population? And can any such commitment be rationally related to an array of programs and available beds?

Consultants are of the view, in general, that time spent in the artificial and restrictive atmosphere of a juvenile hall is not of much use in reforming the juvenile's behavior, at least not after the initial first few days' impact. Mere detention is more likely to become counterproductive as the youth discovers that it is tolerable and may even confer status in peer groups. Furthermore, it puts the juvenile into contact with others of similar or worse inclinations who can scarcely be a good influence on the first-timer. And life under strict control is simply not good preparation for the world outside where a number of difficult choices must be made every day.

Consultants maintain that programs which attempt to reform in the context of a normal school, work, and social environment are more likely than incarceration to foster positive habits. On the outside, the juvenile is exposed to the normal temptations of life which he or she must eventually learn to face. Also, these are people in a very rebellious stage of their lives, who seek (even if they cannot handle) autonomy. Freedom from institutionalized

compulsion is more likely to enlist the youth's genuine participation than is the imposition of a prescribed routine. Substance abuse treatment, in particular, requires the juvenile's voluntary commitment to breaking the habit. Parents, too, are usually more willing to cooperate in rehabilitation if the probation officer is seen as a helper and not as a threat to their child's freedom and future.

For these reasons, almost any program that reduces the time spent in Juvenile Hall will be an improvement for many. Yet there are, of course, some juveniles who have no intention of reforming; they see the offer of positive incentives as a weakness of the system to be exploited. There are some whose families, whether by intent or inability, will not effectively discourage delinquent behavior, and may even promote it. In the present state of rehabilitative knowledge there is not much alternative to incarceration and incapacitation of such persons. But even here reduction of Hall population is a benefit overall as it makes space for these unhappy cases and can isolate them from those with better prospects of reforming.

Consultants are acutely aware that the changes implied in these comments are expensive, risk community hostility, and threaten staff members who are secure in their positions. (Unfortunately, the alternative of continuing to detain as many juveniles as possible is also expensive, especially in view of the fact that it does not work very well.) For these reasons, it is important to plan carefully for the development and implementation of major changes, and to include considerations of cost, public opinion, and staff acceptance. The cooperation of other county officers - police, prosecution, judiciary - is also essential.

## Recommendations

## V. RECOMMENDATIONS

### A. Analysis of 1987 Recommendations

In Consultants' 1987 study, it was recommended that the probation department develop a program which incorporated eight concepts. Consultants have found that most of the concepts have not been fully developed and implemented by the probation department.

The following are concepts which have been partially implemented through the development of the crisis intervention unit, the family reunification program, screening with the use of the RAS (risk assessment screening tool), the recently implemented counseling program at intake and diversion programs.

- Immediate, intensive handling of new cases rather than piecemeal adjudication.
- Avoiding formal court proceedings where possible.
- Avoiding Juvenile Hall custody through counseling and the development and use of alternative placements.
- Encouraging closer ties with outside referral services.
- Allocating a cost-effective, larger proportion of current staff time in the initial stages of the case when the minor and family are in crisis, rather than weeks or months later.
- Avoiding compartmentalized service by the creation of a prevention and diversion unit handling cases from beginning to end.

The following concepts from the 1987 study have not been implemented:

- Providing special training to probation officers and other staff involved in reassigned "social work" functions, and using ongoing, periodic training to enable staff to continue to improve crisis handling skills and ensure program consistency.
- Maintaining a telephone crisis service 24 hours/day, 7 days/week.

### B. Current Recommendations

Consultants have taken note of the Santa Clara County Probation Department's history, as well as the county's recent history regarding its jail lawsuit and the adult system's experience with facility population management. Consultants note the difficulty that established service agencies may experience in undertaking to implement major changes and the difficulties that the county had in managing its adult jail system after having been sued with a consent decree. This history and context is considered to be particularly relevant to the current perspective on crowding in the Juvenile Hall.

As the data collected and analyzed demonstrates, the Santa Clara County juvenile justice system is crowded, continues to house juveniles who could be served in a less secure setting, and faces a substantial demographic climb in which the current crowding problems are likely to be exacerbated by a swelling of the at-risk juvenile population. This leads to the conclusion that the county's Juvenile Hall and ranches are going to face a large increase in demand for beds, yet at this time, an appropriate population management system and adequate alternatives are not available. Consultants are not able to predict with certainty the

full extent of the crisis that this situation will yield, but it is safe to predict increased and unnecessary crowding, litigation and damaging liability.

The department needs to develop a more formalized population management system and related alternatives. The population management system described below encompasses many of the specific recommendations which follow it. The efforts the probation department makes to reduce its in-custody population can be greatly enhanced if they are made elements of a population management system.

Recommendations developed from this study have been divided into two groups, those with long-term impacts and those with short-term impacts in terms of bed savings, overall program efficiencies and reduction of recidivism, etc.

### **Long-Term Impact Recommendations**

While these are listed as long-term impact recommendations, most of them have short-term impacts as well.

1. Implement a population management system (PMS). The PMS plays an integral part in the implementation of all the recommendations in that it helps to manage the juvenile system as a whole. The key to the PMS is to involve police, prosecutors, defenders, a judge, intake, and Hall supervision staff in monthly, round-table, data-based meetings about the best use of existing Hall and ranch beds. This steering group can then manipulate current and future programs, alternatives, and the recommendations of the earlier and current needs study to maximize the best use of available beds.

Laudable efforts to establish a PMS have been made by the department director and managers. These efforts need to continue and be intensified.

The following elements should be part of the PMS.

- a. Top management works together to review, implement and update an overall population management plan.

Such collaboration provides a foundation whereby basic profile and tracking data, as well as currently unavailable program evaluation data, can be maintained, analyzed and interpreted to identify and target current crowding and respond to current and future problems. An element of this plan is the implementation of a data-based management system that "knows" who is in the facilities, for what, for how long and why; information will also be available regarding who is diverted, on what criteria, and with what impact.

Program changes and the institution of new programs should be evaluated in light of the entire juvenile services system, and the population management system. This helps avoid piecemeal or haphazard change. Integrated, well-planned change will foster long-range goals and increase programs' overall rate of success.

- b. Top management ensures that supervisors and "down the line" workers receive the message that the department is committed to managing crowding.

Comprehensive commitment avoids re-interpretation and/or diffusion of effort. Additionally, line workers can see how their efforts fit into the whole, and there results a constant impetus to perform in a way consistent with aggressive population management. This means means monitoring the actual decisions of workers, supervisors and managers.

At the "other end" of the spectrum, county officials need to receive the required "messages" that would result in an infusion of major new resources and support for the changes needed.

- c. Of utmost importance, more training is provided throughout the juvenile services system.

In addition to the more obvious benefits of training (information dissemination, use of proper, up-to-date techniques, etc.), the availability of such training would send a signal that changes in intake and placement, etc., are valuable, sincerely backed by top management, and intended to be implemented. Without training, line workers are more likely to resist change. The key element of the training needed is in the use of family crisis intervention techniques at intake to reduce admissions. Similar training is needed for each recommendation requiring change.

2. Operate a 24-hour family crisis intervention unit at the entrance to Juvenile Hall. The unit will have minimal initial impact on population, but will have a large long-term impact through reducing "labeling" of inappropriately housed juveniles and the secondary system failures (recyclers). This unit will function to summon the immediate family, extended family or neighbors/friends so that appropriate minors in crisis can be returned to the community with in-home supervision and crisis counseling whenever possible. Approximately 25-30 staff positions would be required for operation seven days a week, 24 hours a day. If resources permit, similar 24-hour family crisis intervention units should be housed in police agencies.
3. Expand the juvenile diversion program in police departments to parallel the family crisis-oriented approach, seeking at all costs (other than public safety) to keep juveniles out of the justice system. Diversion through crisis intervention, using probation officers at the police departments, should be expanded from the current five officers. Currently, one probation officer serves the San Jose Police Department. Increasing the probation officers at San Jose P.D. should be a high priority in that San Jose P.D. makes approximately 70 percent of all juvenile arrests.
4. The Juvenile Hall staff, particularly unit supervisors, should be formally involved in the population management system - specifically, in decisions about intake and release, not just the Probation Services Unit (PSU). A complete loop and flow of information should occur between the PSU and Hall supervisors.
5. The district attorney's office should establish and meet explicit criteria for charging and be involved in the population management system.
6. Contracts with group homes and other noncounty service providers should be reviewed by the probation department for the specific purpose of reducing placement failures and ensuring the acceptance and retention of a higher proportion of the more difficult youth.

7. Mental health staff should be increased at the Juvenile Hall and all three ranches. There are currently only five and a half mental health staff positions to provide service to all of the in-custody minors at the Juvenile Hall and all three ranches. Mental health staffing does not exist for family intervention. As a result, they are able to handle crisis situations which arise (e.g., suicides), but cannot conduct proactive case management which could have an impact on the recidivism rate, and on "recyclers."

Consultants note with approval that the availability of a psychiatrist has been increased from 8 to 40 hours a week, and the working hours of assigned mental health staff have been adjusted to provide increased coverage during evening hours.

### **Short-Term Impact Recommendations**

1. Establish an accelerated court processing unit to reduce lengths of stay between the detention hearing and jurisdictional hearing. Screening should designate juveniles likely to be released from the Hall at the jurisdictional hearing, and those cases should be brought to court in under ten days. Minors detained after the detention hearing should be sorted into two groups. Group A would be for minors who can be released to the community on probation, into the custody of their parents, or some other form of community supervision. The release of this group should be accelerated with release occurring before the tenth day at the Hall. Group B would be for minors who are clearly committable. There would be no change in the way they currently are being handled. This recommendation requires developing criteria for sorting the minors into the two groups and involves dividing the unit now handling the work.
2. Ranch stays should be reduced to four months from the current average of six months.<sup>3</sup> Runaways should be reduced as a result of the shorter stays, which should decrease pressure on the Hall.
3. An adjustment center of 12-15 secure management beds should be established as temporary housing for juveniles who are in trouble at the ranches (these are not net new beds). These beds should reduce runaways and lower population pressure on the Hall for juveniles who experience short-term problems at the ranches.
4. The county should seek 50-100 new placement beds. These beds may be operated privately or publicly (or using a combination of public and private operation) and should include diagnostic and short-term beds for those awaiting a ranch placement or PIP.
5. Electronic monitoring should be used increasingly as an alternative to some ranch placements and before jurisdictional hearings.

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<sup>3</sup>The county is currently conducting a study to determine if ranch stays have decreased over the last six months. Results were not available at this writing.

6. If the above short-term impact recommendations fail to limit crowding (this should be determined by external review, using an outside, objective source, approximately one year after the establishment of a PMS), the following new beds should be developed in the order given. Smith Creek (40 beds) is a short-term, high impact forestry program that the probation department operated previously, but which was terminated as a result of Proposition 13. Many minors currently in Juvenile Hall would be eligible for this program. The department is attempting to reinstitute the program; however, it has not been funded for this year. Additional options are a new ranch unit (60 beds) and a new unit at the Hall (20 beds).

## Appendices

## **APPENDIX A**

### **Crime Categories Employed in This Study\***

#### **Part I: Violent Crimes Against Persons**

Murder  
Manslaughter (nonnegligent)  
Rape and other forcible sex  
Robbery  
Aggravated assault  
Kidnapping

#### **Part I: Serious Crimes Against Property**

Burglary  
Motor vehicle theft  
Arson / bomb threat  
Embezzlement, extortion, blackmail  
Grand theft

#### **Part I: Sale of Controlled Substances**

Sale / distribution of controlled substance

#### **Part II: Crimes Against Persons**

Simple assault  
Negligent manslaughter  
Other crimes against persons

#### **Part II: Crimes Against Property**

Misdemeanor theft  
Forgery / counterfeit / fraud  
Receive / sell / possession of stolen property  
Vandalism  
Trespassing  
Miscellaneous other property

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\* After NCCD, Santa Clara County Juvenile Justice Alternatives Project: Results and Recommendations.

## **Part II: Controlled Substances**

Possession of controlled substance  
Liquor law violation (except DUI)  
Driving under the influence (DUI)  
Possession of narcotics instruments  
Under the influence of drugs or alcohol

## **Part II: Other Offenses**

Weapons possession or use in public  
Prostitution, pandering  
Miscellaneous sex offenses  
Traffic violations  
Gambling  
Spousal or child abuse  
Other offenses against family  
Interference with law enforcement  
Disorderly conduct  
Vagrancy  
Miscellaneous other crimes

## **Part III: Warrants / Holds / Escapes**

Warrant  
Hold, writ or transfer in  
Escape

## **Part III: Other Offenses**

Failure to pay fine or restitution  
Failure to appear, disobey court order  
Probation violation  
Curfew, loitering  
Runaway  
Truancy  
Alcohol possession by a minor  
Beyond parental control  
Placement failure  
Ranch failure

## APPENDIX B

### Population Projections Methodology and Technical Appendix

#### A. General Considerations

Projections are made on the assumption that presently visible trends will persist. They may not do this. Some changes appear to arise spontaneously (a change in the rate of certain types of crime) or result from changes in policy external to the Probation Department (new criminal laws). These are often not predictable.

Projections could be made by simply extrapolating the past years' Hall populations, but they are more justifiable theoretically if they make use of known stable relationships. The cost of making projections the "right" way is that it entails combining several bodies of data, each with its own errors or biases, which tends to increase the uncertainty as the derivation becomes more indirect.

#### B. Population Projection and Adjustment

Projections for the population of every county are prepared by the California Department of Finance (DOF). These give populations by five-year cohorts (10-14 and 15-19 are of interest here) at five-year intervals (1985, 1990, 1995, etc). The projections themselves are undoubtedly subject to some error, but they are the best available. We used their Report 86-P-3 (December 1986). DOF does not project by ethnicity, and cannot recommend a credible source for such projections.

The age and time intervals given by DOF are not detailed enough for our purposes. We want to count the 15-17 year-olds only in the 15-19 group. If the ages were evenly distributed then it would suffice to take 3/5 of the group. However, the availability of the relevant 1-year cohorts from the 1980 census allowed us to make a closer approximation. Thus for 1990, for example, we used the proportion of 5-7 year-olds in the 5-9 year-old group in 1980; these are the people who were 15-17 in 1990. These factors were used to give the population of 15-17 year-olds, but they turned out to be not much different from 60 percent anyway.

To obtain population estimates for the intervening years we simply interpolated the figures for the five-year intervals. This rather crude procedure caused the estimated population to form a V around the year 1990; more complete data would undoubtedly round off the sharp-pointed minimum on this figure and those derived from it.

The next set of corrections was made to address the fact that arrest rates vary by demographic characteristics (sex, age, ethnicity). If these do not remain constant over the projected period the results can be biased. Sex ratios tend not to change much over time, and we chose to ignore these. Age distribution should not be neglected: the 15-17 year-olds, who account for some 80 percent of the arrests, are not always a constant percentage of the whole 10-17 group. The juvenile population of the county is becoming more Hispanic and Asian, and less Anglo and black; and all of these have different arrest rates.

Through a rather complex set of calculations the age and ethnic shifts were factored in. Data came from the 1980 U.S. Census, DOF, the tracking sample from the present study,

and the report "Population Change, Juvenile Delinquency, and Juvenile Justice" (1989) prepared by the Santa Clara Justice System Advisory Board. The ethnic breakdown for 1995 and 2000 was estimated. This procedure gave an adjusted "at-risk" population which is shown in Figure 2. It turned out, however, that the corrections had smallish and opposite effects which tended to cancel each other out, so that the adjusted and unadjusted populations were not very different anyway. Consultants have not examined the effect of these factors past the year 2000; they may begin to become important there. Admissions projections based on both adjusted and unadjusted populations are shown in Figure 3.

### C. ALS Trend

Despite Consultants' lack of confidence in it, the ALS trend line was calculated, but the reader is warned that a trend line when based on such erratic data will be strongly influenced by extreme points. The points for the earliest years, which presumably represent conditions most remote from current policy, introduce an upward trend overall. If the years 1980-83 had been omitted the trend would have been flat or downward. The general upward trend did have one important effect: when applied to the decreasing number of admissions it caused the ADP to remain more or less constant throughout the decade.

### D. Peaking Factor for Hall Capacity

The most accurate way to estimate the peaking factor is to use the standard deviation of the daily ADP over a period of a year or two. In this case, however, there is a complication: the Hall population shows a pronounced seasonal trend, with peaks occurring in the late spring. The maximum monthly ADP is, on average, 13 percent above the annual ADP, with a standard deviation of 5 percent (1980-1990). The peaking factor should be measured above this maximum. Two standard deviations above the mean, or 23%, will include 95 percent of all monthly peaks. (Consultants have not obtained data on the daily ADP for the peak months, which would raise the peaking factor still further.)

Applying the peaking factor to the current ADP of 260 gives a needed bed capacity of 320, very close to the actual figure of 329. The baseline projected ADPs of 280 and 351 (for 1995 and 2000, respectively) require 345 and 432 beds. The Hall under Scenario A would need 363 beds by 2000; with Scenario B it would need only 308 by that time, or slightly less than present capacity.

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