

NCJRS

JUL 8 1977

The Program Evaluation Of  
Skagit County Prosecuting Attorney's  
Juvenile Prosecution Project  
LJPO Grant No. 75-C-0227

ACQUISITIONS

The preparation of this document was aided in part by a grant from the U.S. Department of Justice, Law Enforcement Assistance Administration, and the Washington State Law and Justice Planning Office pursuant to Title I of Public Law 90-351.

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December, 1976

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## Introduction

As noted in the 1977 Northwest Regional Council Comprehensive Law and Justice Plan, youth are responsible for a substantial and disproportionate part of Skagit County's crime problem.<sup>1</sup> Approximately 47% of all arrests for Part I crimes, resulted in the apprehension of a juvenile. Most of these cases, as well as those for other types of criminal conduct, became the responsibility of Skagit County's juvenile court system.

In 1975, over 1,400 referrals, of which 938 or 65.9% were delinquencies, were made by law enforcement and other community agencies to the Juvenile Court system in Skagit County. Of these 938 delinquencies 99 or 10.6% were for burglary and 23 or 2.5% for grand larceny.<sup>2</sup> To further complicate the matter the number of property violating delinquents to the Juvenile Court who had prior referrals accounted for 48.4% of the entire population.<sup>3</sup>

Since 1967 and the U.S. Supreme Courts decisions in In re Gault (387 U.S. 1) and other recent cases, there has been a perceptible trend away from the very informal, paternalistic models of dealing with youth utilized in the past.

In Skagit County this has manifested itself in two distinct ways. To begin with the Juvenile Court established written policies in January 1976 that, for all practical purposes, removed the jurisdiction of the status offender from their control. It appears that the juvenile court recognizes that the responsibility for dealing with these problems rests with the family and that juvenile status offenses, which are offenses in statute only, are best dealt within and by the community.<sup>4</sup>

One very perceptible impact of this important policy decision has been the "formalization" of remaining probation functions. The area of investigation here is that of state representation in the juvenile court. With the gradual growth of defense counsel participation in Skagit County, juvenile court proceedings (in 1975 defense counsel was present in 77.5% of all hearings), and the increasing number of legal issues which are now being raised at all stages of the process, the effects of inadequate prosecutorial services take on significant dimensions.

The traditional juvenile court process, a process conceived to be one instituted "on behalf" of the child, did not include a prosecutor in the sense of a legally trained person with the responsibility of representing the state in court proceedings. Most often the State was represented by the Judge who had a dual role of insuring that society was protected from threatening conduct and in the classic "parens patriae", promoting a disposition favorable to the juvenile's welfare. The impact of Gault toward hearing formalization for cases that could result in detention, the increasing influx of aggressive defense of the child's interest as well as the lack of adequate state representation, often forces the juvenile court judge to act as the prosecutor. When the latter occurs, as it has in many instances, other problems arise.<sup>5</sup>

The mixing of prosecutorial with judicial roles has also caused problems with the ability of probation officers to deal effectively with their clients. It has been proposed that this admixture of roles conflicts with their duty to assist the juvenile and his family at various stages of court proceedings. It

would seem inconsistent that the probation officer would act in the best interests of the juvenile while assuming the role of prosecutor.

Prior to the implementation of this grant the deputy prosecuting attorney assigned to juvenile affairs did not have the time necessary for individual case assessment, conferences with each family early in the adjudicatory process, nor pay special attention to the repeat juvenile offender group outlined above. Probation officers would merely brief the deputy prosecutor regarding cases prior to going to court with little or no input by the Prosecutor's Office as to which cases should go to court, what dispositional recommendations should be made, or what alternatives might be available. In essence the Prosecutor's Office acted only as the legal advisor to the Juvenile Probation Department at the hearing stage itself. Deputy Prosecutor Moller still acts in this capacity.

It was anticipated that partial Law and Justice funding of a deputy prosecutor for the Skagit county juvenile court would affect the juvenile justice system in Skagit county in several ways. Juvenile court judges would be able to assume a more neutral role in the court hearing process. The actual impact of the project should manifest itself in several inter related ways. The juvenile court judges should exhibit a positive attitude toward another 'staff' member assuming certain roles in court proceedings that had in the past been theirs. They should find the improved technical accuracy of the petitions coming before them a relief and time saving convenience. They should feel more comfortable in their negotiating role in court as they balance the defense against the prosecution. They should feel more comfortable in the dispositional process as the information available to them at this stage should be more complete.

The Juvenile Probation Department will witness the continuation of a vigorous prosecution capability in a number of ways. To a very large degree the burden of the intake procedure is now being shared between agencies. Though intake personnel may enjoy the help of another in determining the best course of action for any particular case, there may also be some friction as professional juvenile probation personnel relinquish some of the very important decision-making to a significant other, the prosecutor, who may not share or hold a classical social work perception of case processing. For a professional staff person to surrender a responsibility to another without his orientation and indeed from an entirely different office, may promote some initial displeasure.

The idea that the probation officer will be better able to work with clients leads to a final general area of program impact. More formal intake procedures, technically better petition and case development and more formal dispositional decisions, as well as the prosecutor's informal conferences with clients and parents, should contribute to a reduction in the likelihood of subsequent criminal activity on the part of the target population. The National Advisory Commission's document on the courts states that one goal of the judiciary should be to "improve the effectiveness of the court process as part of a rehabilitative juvenile justice system".<sup>6</sup>

It is indeed interesting that in this age of deinstitutionalization, diversion and a general informalization of court and probation processing for certain juvenile offenders that on the opposite end of the offense spectrum we see a more formal, technically precise, an adversary model of

juvenile justice exhibit itself. "Although the future shape of the juvenile justice system remains in flux, recently imposed requirements have already created serious stresses in the administration of juvenile justice, and have raised many new questions concerning the future of juvenile justice in the United States."7 No doubt the advent of a deputy prosecutor specifically dealing with juvenile affairs is indicative of this trend.

### The Research

As the majority of first year program evaluations, the emphasis here will be upon project organization and how clients, families and the juvenile court stand in relation to it. That the first year of any project's existence is largely formative must not be under emphasized. Implementation delays such as hiring and policy establishment must necessarily precede crime impact and system improvement.

Within this paper the effect of the project upon those clients who have come into contact with it will also be examined thereby not subsuming effectiveness for the sake of efficiency. Primarily the target population has been categorized by the degree to which it came under influence of the juvenile court by way of the prosecutor. A certain proportion of the population was brought to court by petition while the remainder met informally with the prosecutor to discuss the magnitude of their delinquency problem. It is anticipated that the processes of each of these methods of contact, one quite thorough and formal, the other less formal, will effect the subsequent referral histories of the target population. A careful examination of the procedures inherent in each method and a correlation of the most salient points of these methods with the target population's subsequent referral histories should reveal the "what works and what doesn't work" aspects of the program. The necessity of a comprehensive longitudinal study of subsequent criminal behavior by the target population will be a necessity as it would appear central to this evaluation to determine to what degree the effects of formal versus informal processing deteriorated with time.

As an assumption inherent in this project is that a swift formal adjudication coupled with a minimum of dispositional disparity for similarly adjudicated juveniles will act upon the target population in a manner sufficient to deter further delinquent activity. For this reason the amounts of time between decision points in the formal processing of juveniles was examined for both the target population and a comparison group of some 167 juveniles referred to the same juvenile court from 1973 to 1975. These juveniles were part of the research in the Skagit County Juvenile Probation Department conducted to establish a data base for 75-JJDP-0309, the Emergency Services Grant for Status Offenders.

Further, in order to gauge any increased efficiency in the legal sufficiency of petitions, for the same 167 comparison juveniles a rate of petition dismissed was calculated and compared with the rate of petition dismissed for the target population. Of this population, the 167 juveniles yielded 47 prior petitions used in the comparison.

As mentioned earlier, though the proportion of the target population reoffending will be examined, the fact that but nine months have been consumed by the project precludes control group development. To clarify this, the frequency of all prior referrals by the target population was computed and compared with the amount of time elapsed since disposition, that each adjudicated youth has been "at-risk" in the community.

The inavailability of 1976 UCR's for some of the larger law enforcement agencies in Skagit County preclude predicting levels of delinquency in Skagit County and determining whether the proportion of juveniles committing Part I, especially burglary and grand larceny, offenses had changed significantly. Since the population served here is well distributed throughout the county demographically, such predictions using regression would have been almost impossible. If the 1978 planning process produces that data then a more contextual measure can be constructed.

The record keeping system employed by the prosecuting attorney combines some of the better, more relevant elements of both his office and the juvenile probation office. They are maintained securely and offer a very complete picture of his efforts and the individual case in general. As the prosecutor reviews the majority of serious, repetitive cases coming into the probation department on a weekly basis, there is a built in update capability in this record keeping system. The prosecutor and his secretary have utilized the rather brief evaluation form developed for the data gathering purposes and this information proved quite helpful in supplementing the prosecutor's index and case files.

The Prosecuting Attorney's Office, the Juvenile Court and the Juvenile Probation Department were all quite helpful in developing the required data and answering this researcher's questions.

All of the data collected from the sources was placed on a new sheet, coded, keypunched at Western Washington State College and run onto tables there. The terminals and biology department statistical programs facilitated interpretation thereafter.

### The Population

I have not intensively examined this population in terms of social and family characteristics. I emphasize instead their court histories as this seemed more promising in terms of explaining some of the decisions made in the project.

To date, there have been some 90 referrals to the Juvenile Probation Department in Skagit County who have been selected by probation and the special prosecutor to participate in this project. 92.2% of these juveniles were male, the remaining 7.8%, female. Interestingly, 92.2% were caucasian, while the remainder, 7.8%, were non-white; Mexican Americans with 5.6% were the largest minority category. (See Chart I) The ethnic breakdown is typical of Skagit County's demographic characteristics and quite indicate, at least in this semi-rural area, of repetitively felonies juvenile offenders. Skagit County is very homogenous as regards ethnicity and this fact is recorded here.

#### I. Race and Sex

	<u>Male</u>	<u>Female</u>	<u>Total</u>	<u>%</u>
Caucasian	76	7	83	92.2
Negro	1	0	1	1.1
Native American	1	0	1	1.1
Chicano	5	0	5	5.6
TOTAL	83	7	90	
PERCENT	92.2	7.8		

Some 82.2% of this population were referred for the regionally targeted crimes of burglary and grand larceny; burglary accounting for the single largest category, 52.2%. The mean age of this population was 15.15 years at the time of this referral in 1976. The population averaged some 14.1 years in age at the time of their first known referral to the Juvenile Court and some 14.78 years at the time of their first target offense (burglary, grand larceny).

42.2% of the entire population had no prior referrals, while the remaining 57.8% average approximately 2.73 prior referrals. 76.6% of this same population had no prior targeted referrals while the remaining 23.4% averaged some 1.38 prior target referrals.

Finally, at the time of this referral 42.2% were not known to the juvenile court, 22.2% were known by the court but did not have any legal status, 25.6% were informal adjustment probationers, while the remaining 10.0% were already wards of the court.

It would appear that the group of juveniles which the grant described as the target population is being serviced. In 1975 it was determined that the delinquent population referred to the Skagit County Juvenile Probation Department averaged some 1.99 prior referrals; therefore by averaging some 2.73 priors this program's target population is somewhat more delinquent. Further, the program's population is older on the average than the 1975 delinquent referral population. In 1975 property delinquents averaged some 14.71 years of age while this target population is 15.15 years old on the average.

### The Intake Decision

The initial impact the special prosecutor has upon the juvenile justice system in Skagit County is during his participation in the intake decision shortly after the juvenile's referral to the probation department. All new serious delinquent referrals to the probation department are brought into conference with the prosecutor by probation staff members. In this meeting a decision is made as to the most appropriate manner in which each individual case should be handled. The file/no file conference affords the prosecutor the time to make an independent assessment of each referral brought before him. Further, it is assumed that the sharing of this decision allows a flexibility in terms of the needs of each particular child and of society. This is evidenced in the data. To a very great extent the prosecutor is able to pay special attention to repeat, target crime violators, instituting by a "file" decision, a vigorous prosecution.

To date there are no mandatory written guidelines for the decision making process; there is a written set of suggested criteria for the process currently in use. The special prosecutor is responsible for the decision, a decision often based upon the recommendations of the probation staff. Two general principles guide the decision to file; the first of which regards the legal sufficiency of the evidence. This is the sole responsibility of the prosecutor. The second principle relates to the social desirability or necessity of formal court action. The probation department shares the responsibility for this decision with the special prosecutor. There are specific variables outlined in the written guidelines that are considered during the decision making process. These individual criteria are included in the appendix. In order

to assess the degree to which these criteria are utilized in the intake decision the proportion of cases formally prosecuted have been correlated with eight different variables felt to have influenced the intake decision and closely operationalizing the written guidelines. The following matrix shows the relationship or influence each variable had upon the decision making process.

Reason for Referral	<u>Decision to Formally or Informally Prosecute</u>
Reason for Referral	-.475
Number of Prior Referrals	+ .632
Number of Prior Targeted Referrals	+ .984*
Age at Instant Offense	-.238
Age at First Known Offense	+ .076
Age at First Target Offense	-.052
Juvenile Justice Status at Time of Referral	+ .446
Frequency of Prior Referrals	-.442

\*Critical value of  $r_{.05} = .05$

The Matix reveals that generally the decision to formally prosecute is most significantly influenced by the number of prior burglary and grand larceny referrals a juvenile has. As the number of prior target referrals increases the probability of the case being filed for petition also increases. The remaining correlations did not appear to significantly influence the intake decision, however, their computation does provide a useful explanation of the decisions that were made.

Briefly, the remaining correlations read thusly;

A) As the seriousness of the reason for referral increased the proportion of cases handled formally decreased. This is a somewhat unexpected finding, largely explained by the fact that, beside target offenses which were formally prosecuted at a rate of 55%, almost 80% of the remaining cases were not filed upon.

B) As the number of prior referrals for each individual juvenile increased the probability of his or her formal prosecution did also. More repetitive offenders were prosecuted more often.

C) Surprisingly, the younger an offender was at the time of his or her instant offense the greater the probability of formal prosecution. This perhaps reflects part of the philosophy at work within the project; those younger referrals for quite serious offenses are considered particularly susceptible to the deterrent effect that swift and sure sanctions promise.

D) The older a juvenile is at the time of his or her first offense the greater the likelihood of a formal adjudication. This finding is not as contradictory as it may at first appear to be. The large number of the target population with no prior referrals (42.2%) and the what might be considered a small age difference between average age at instant offense (15.2 years) and average age at first offense (14.1 years) would certainly contribute to the credibility of this finding.

E) The younger the juvenile was at the time of his or her first target referral the greater the probability of formal prosecution. This finding helps substantiate the earlier significant positive correlation of the number of prior targeted referrals and formal prosecution.

F) Those juveniles who were known more formally to the probation department before this instant referral were more likely to be formally prosecuted. In other words, juveniles who already were, or had been wards of the court were most probably, upon instant referral, formally adjudicated.

G) Finally, as the times between prior referrals for this population decreased the proportions formally petitioned and adjudicated increased. Obviously frequently offending juveniles were much more likely to be prosecuted.

These correlations are certainly not exhaustive, certain qualitative variables could contain much further information necessary to understand the criteria at work during the file/no file intake decision. Further, two variable correlations may hide relationships that exist between independent variables or the sometimes multiplicative effect of two or more independent variables on the decision to prosecute. Though such correlations do often tend to raise more questions than they answer these calculations do appear to point to a file/no file decision process that features strong points of rationality and equity. They do, however, in the lack of a majority of significant correlations, point to the fact that the project has not really established working guidelines or criteria for itself upon which to base its intake decisions.

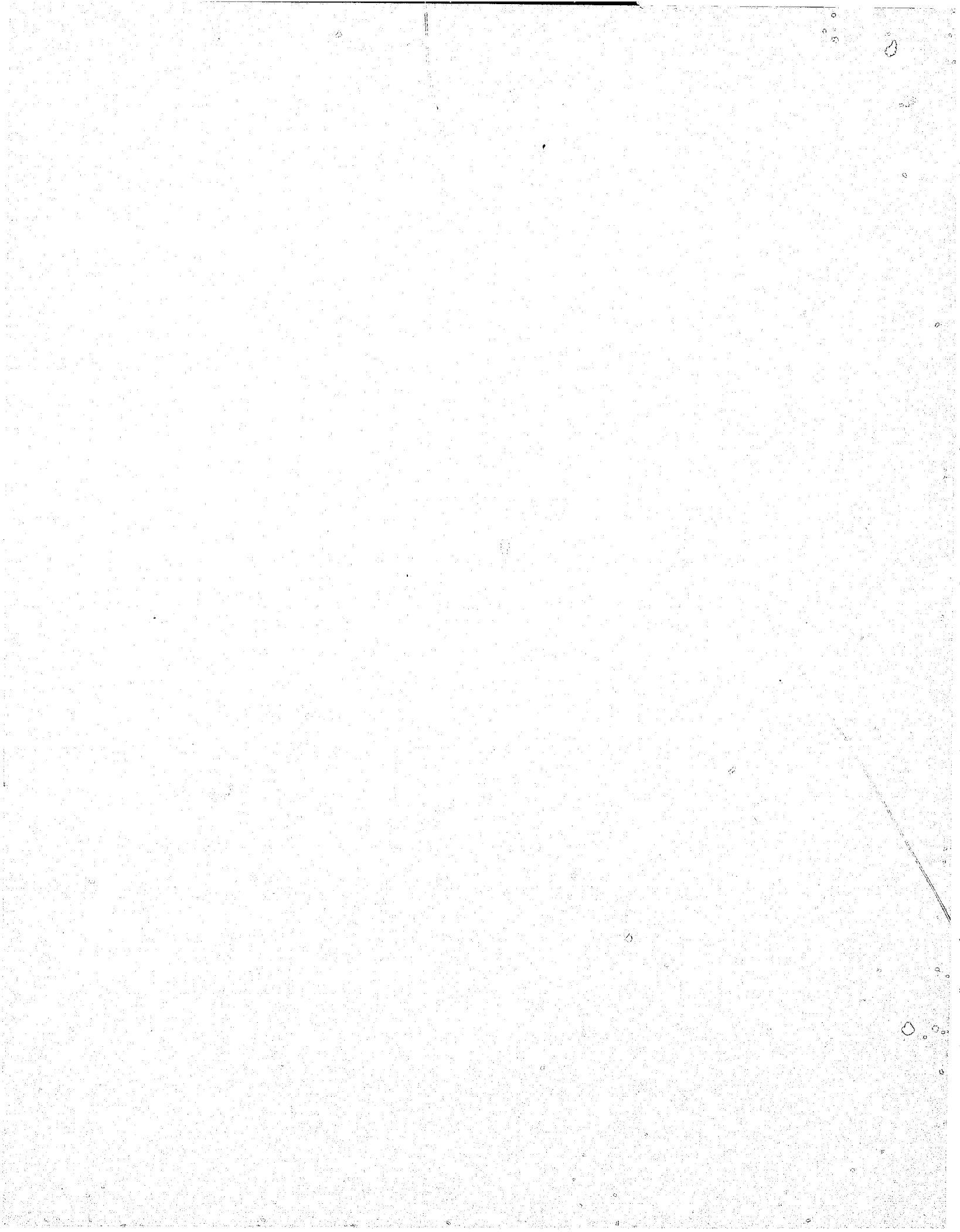
#### Processing: To Petition or Informal Adjustment

After the decision outlined above has been made, the project branches off into two different directions. If the decision is to prosecute the prosecutor orders the probation staff to prepare a petition to the juvenile court. In this sense the probation staff acts in an investigative function for the prosecutor, collecting data on the crime occurrence, the court history of the juvenile, and social data on the juvenile and his living environment. The prosecutor, besides supervising the petition development, negotiates with the minor's attorney (in some 32.7% of formal petitioned cases, the minor's attorney was waived), and generally oversees the probation department's preparation of the case prior to each court hearing, which is set at the date of the intake decision. A pre-dispositional hearing is conducted to discuss with probation staff the strategy and proof needed for the pending hearings.

When in the opinion of the prosecutor and the probation staff a case could be best handled on an informal basis, with the same result obtained as had they gone through a formal court proceeding, an informal adjustment with its ensuing parent/prosecutor conference is initiated. This meeting between the juvenile, his parents and the prosecutor occurs within one week of the intake decision. In many cases the probation staff and the minor's attorney attend and participate in a discussion where in the prosecutor seeks to impress upon the juvenile the seriousness of his or her actions and the repercussions of reoffending or non-cooperation with probation staff. In this sense this conference is to act as a deterrent to future criminal behavior on the part of the juvenile and motivate the juvenile to cooperate with probation terms and the arrived upon disposition.

The following charts generally outline the composition of the two populations, formally and informally prosecuted juveniles.





II. Case Type by Reason for Referral

	Formal	Informal	Decline of Jurisdiction	Originally Informal, then formal	Total	%
Burglary	28	19	0	0	47	52.2
Grand Larceny	10	12	0	0	22	24.4
Burglary & G. Larceny	3	2	0	0	5	5.6
Probation Viol.	0	0	0	2	2	2.2
Bomb Threats	1	1	0	0	2	2.2
MV Theft	1	1	0	0	2	2.2
Petit Larceny	1	1	0	0	2	2.2
Reckless Driving	0	0	1	0	1	1.1
Drugs, VCSA	0	2	0	0	2	2.2
Shoplifting	0	1	0	0	1	1.1
Forgery	0	2	0	0	2	2.2
Sex Offenses	0	2	0	0	2	2.2
TOTAL	44	43	1	2	90	
Percent	48.9	47.8	1.1	2.2		

III. Case Type by Number of Prior Referrals

# of Prior Offenses	Formal	Informal	Decline of Jurisdiction	Originally Informal, then formal	Total	%
00	18	20	0	0	38	42.2
01	6	11	0	0	17	18.9
02	7	5	0	1	13	14.4
03	6	3	0	1	10	11.1
04	2	2	0	0	4	4.4
05	3	0	0	0	3	3.3
06	0	2	1	0	3	3.3
07	1	0	0	0	1	1.1
13	1	0	0	0	1	1.1
TOTAL	44	43	1	2	90	
Percent	48.9	47.8	1.1	2.2		

IV. Case Type by Number of Prior Target Offenses

# of Targeted Offenses	Formal	Informal	Decline of Jurisdiction	Originally Informal, then formal	Total	%
0	31	37	1	0	69	76.7
1	8	5	0	2	15	16.7
2	3	1	0	0	4	4.4
3	2	0	0	0	2	2.2
TOTAL	44	43	1	2	90	
Percent	48.9	47.8	1.1	2.2		

V. Case Type by Age at Instant Offense

Age at Instant Offense	Formal	Informal	Decline of Jurisdiction	Originally Informal, then formal	Total	%
Unknown	0	1	0	0	1	1.1
09	1	0	0	0	1	1.1
12	0	1	0	0	1	1.1
13	3	6	0	0	9	11.1
14	8	7	0	0	15	16.7
15	13	9	0	2	24	26.7
16	12	11	0	0	23	25.6
17	7	8	1	0	16	17.8
TOTAL	44	43	1	2	90	
Percent	48.9	47.8	1.1	2.2		

VI. Case Type at Age at First Offense

Age at First Known Offense	Formal	Informal	Decline of Jurisdiction	Originally Informal, then formal	Total	%
Unknown	0	1	0	0	1	1.1
08	0	1	0	0	1	1.1
09	1	0	0	0	1	1.1
10	0	2	0	0	2	2.2
11	2	1	0	0	3	3.3
12	2	4	0	0	6	6.7
13	11	5	0	1	17	18.9
14	9	10	1	0	20	22.2
15	10	8	0	1	19	21.1
16	8	5	0	0	13	14.4
17	1	6	0	0	7	7.8
TOTAL	44	43	1	2	90	
Percent	48.9	47.8	1.1	2.2		

VIII. Case Type By Juvenile Justice Status

	Formal	Informal	Decline of Jurisdiction	Originally Informal, Then Formal	Total	%
Not Known to Juvenile Ct.	18	20	0	0	38	42.2
Already a Ward of Ct.	5	4	0	0	9	10.0
Informal Probationer	16	4	1	2	23	25.6
Known, but no legal status	5	15	0	0	20	22.2
TOTAL	44	43	1	2	90	
Percent	48.9	47.8	1.1	2.2		

VII. Case Type by Age at First Target Offense

Age at First Target Offense	Formal	Informal	Decline of Jurisdiction	Originally Informal, then formal	Total	%
Unknown	1	2	0	0	3	3.3
09	1	0	0	0	1	1.1
10	0	1	0	0	1	1.1
12	1	3	0	0	4	4.4
13	5	7	0	0	12	13.3
14	7	5	0	0	12	13.3
15	17	9	0	2	28	31.1
16	9	9	0	0	18	20.0
17	3	7	1	0	11	12.2
TOTAL	44	43	1	2	90	
Percent	48.9	47.8	1.1	2.2		

## The Speed of Case Processing

One important aspect of this program is the philosophy that the target population will be impacted by subjecting these juveniles to prompt consequences for their actions. Programmatically this has been translated to a goal of assuring the speedy handling of all cases. This desire has been somewhat hampered by there being only a single day allotted for juvenile court time and the ease with which continuances are granted. Further, the burdensome processing of dependency cases for the Department of Social and Health Services, has added to processing delays. Especially with DSHS's reluctance to provide suitable investigatory case work services.

If the speed with which a juvenile is moved from referral to disposition and its accompanying services is of utmost importance to the effect of the project, then it may be assumed that with the advent of the juvenile prosecutor the time spent by any given juvenile in the system will decrease from what it was prior to this participation. To this end, some 167 referrals to the juvenile probation department in 1973 and 1974 were researched and the expected amount of time between major division points in their processing examined and compared with the time span between major decision points in their processing examined and compared with the time span between the same decision points for formally adjudicated youth coming under this program. Table IX reveals the changes.

### Time From Referral to Petition

	<u>Pre-Prosecutor</u>	<u>Program Participants</u>
Months	.31	1.11

### Petition to Disposition

	<u>Pre-Prosecutor</u>	<u>Program Participants</u>
Months	1.31	.68

### Referral to Disposition

	<u>Pre-Prosecutor</u>	<u>Program Participants</u>
Months	1.60	1.57

It is evident that the time from referral to petition has increased dramatically to the present date. Case individualization may partially account for this though the equally dramatic increase in the number of referrals to the probation department and, as a population subset, the increased number of cases requiring petitions, are more plausible reasons.

The idea of increasing caseloads increasing processing time is somewhat substantiated by the second chart which reveals a significant decrease in the time spent in the system by a formally prosecuted juvenile from petition to a final disposition. In fact, though the probation department and prosecutor are not able presently to facilitate the forwarding of cases to petition, once the petition point is reached cases seem to be most expeditiously processed on through to a disposition.

Finally, it would appear that the time from referral to disposition has not changed significantly since the advent of the prosecutor. It has been reduced but not significantly.

These findings tend to point to a specific idea; the impact of the prosecutor, in a comparative sense, does not extend to the speed with which a case moves from referral to disposition. Until more than a single court day is made available for in-court sessions and more importantly until the prosecutor establishes viable limits on the time to be spent between decision points, much or the deterrent effect of swift processing may be impossible.

The above mentioned findings are somewhat general, as most macroscopic system comparisons tend to be. The following matrix examines, again by correlation, the influences on specific processing time exerted by certain social and legal variables. The following matrix examines these relationships.

X. Correlation Matrix

←----- X -----→

<u>Y Time From:</u>	<u>Reason For Referral</u>	<u>No. of Prior Referrals</u>	<u>No. of Prior Targeted Referrals</u>	<u>Age at Instant Offense</u>	<u>Age at First Known Offense</u>	<u>Age at First Targeted Offense</u>	<u>Juvenile Justice Status at Time Of Instant Offense</u>	<u>Frequency of Prior Referrals</u>
Referral to Intake	-.564	+.544	-.971*	+.611	+.438	+.351	-.515	+.106
Intake to Petition	-.815	-.109	-.692	+.666	+.616	+.675	-.271	-.186
Intake to Parent/ Prosecutor Conference	+.371	-.061	-.920	+.118	-.066	-.366	-.854	-.166
Petition to PreCourt Hearing	-.966	+.289	-.873	+.738	+.309	+.807*	-.255	-.224
Intake to Disposition	-.701	+.092	-.883	+.728	+.618	+.139	-.153	+.056

\*Signifies critical value of  $r$ ,  $\alpha = .05$

(To read the matrix the larger, either positive or negative, the correlation the greater the relationship between the variables X and Y. If the correlation sign is positive +, then it means that as variable X increases in size, variable Y does also. If the sign is negative -, then as X increases, Y decreases.)

Some of the general trends exhibited by this matrix are:

1) As the seriousness of the instant referral to the prosecutor's office increases, the time spent in processing seemed to decrease. That is, burglary referrals, as opposed to reckless driving referrals, spent less time in the system. This is further substantiated by the fact that the only positive correlation found here relates to informal adjustments.

2) Though the number of prior referrals any given juvenile had had a mixed effect on the time spent in processing, the overall effect was that as the number of priors increased the time spent by probation and the prosecutor on that case increased also. From intake to the filing of the petition or the parent/prosecutor conference the time did decrease according to the number of priors.

3) The number of prior targeted referrals had perhaps the strongest correlation with processing. Consistently, as the number of prior targeted referrals increased the time spent processing the juvenile decreased.

4) It appears that the older a juvenile is at the time of his or her instant offense the longer it takes to process him or her. Almost one half of this population had no prior, therefore older juveniles, initiating a serious delinquent career later in life are probably processed less formally, their cases given more individual attention and the need to swiftly sanction them not as pressing as with formally adjudicated juveniles.

5) The older a juvenile was at the time of his or her first known referral and first target referral the longer it took to process them. This was not the case for informally adjusted cases, they seemed to move through the system more quickly as their age at these times increased.

6) If a juvenile was known to the juvenile court at the time of this instant referral, and if that legal status was of a formal, such as wardship, nature, then he or she could expect to be processed more quickly than those juveniles either not known previously, or known in a less formal sense, i.e., informal adjustment contractor, information only, etc.

7) The frequency with which a juvenile committed prior referrals showed low, mixed correlations. It seems generally that less frequently offending juveniles moved more slowly through the system especially from referral to disposition, but more quickly between intermediary steps such as from intake to the parent/prosecutor conference or to petition.

Two programmatic goals dealt further with the speed with which a case was prosecuted. Again these goals were based upon the assumption that the more quickly a case was processed the greater the likelihood that a deterrent effect could be achieved as regards subsequent criminal activity on the part of the processed juvenile. The first related to moving a case from the intake decision to a final court approved disposition within two weeks. The following chart gives a clear indication as to the time actually spent processing these cases from intake to disposition.

XI. Intake To Disposition

←----- Days -----→

	<u>Unk.</u>	<u>1-7</u>	<u>8-15</u>	<u>16-23</u>	<u>24-31</u>	<u>32-39</u>	<u>40-47</u>	<u>48-55</u>	<u>56-63</u>	<u>64-71</u>	<u>72-79</u>	<u>80-87</u>	<u>88-95</u>	<u>Over 95</u>	<u>Total</u>
N:	12	11	16	25	3	8	4	4	3	1	0	1	0	2	90
%:	13.3	12.2	17.8	27.8	3.3	8.9	4.4	4.4	3.3	1.1	--	1.1	--	2.2	100

It should be noted that almost 30% of these cases were within the two week limit and that there were very few cases requiring inordinate amounts of time. The time interval from 16-23 days is the single greatest category and does border on the interval containing the two week limit. The goal of a two week processing is realistic and should be striven for by the prosecutor. In fact, time limits should be developed for all stages of case processing. Beside the influences acting upon processing time exhibited in the matrix it should be remembered that there would appear to be too little court time available to facilitate swift processing, that the major of investigative work done is handled by the juvenile probation office and that the prosecutor, under this grant, is required to spend but one half of his time on this project. The combination of these elements have to date successfully precluded the attainment of the prescribed two week goal.

The second program objective dealt with conducting a parent/prosecutor conference for informally adjusted youth within one week of the intake decision. The following chart exhibits the actual amount of time spent between these decision points. Again, the reader should refer to the previously mentioned correlation matrix to better understand some of the variables at work upon this particular processing period.

XII. Intake to Parent Prosecutor Conference

----- Days -----

	<u>Case</u>	<u>No</u>	<u>1-7</u>	<u>8-15</u>	<u>16-23</u>	<u>24-31</u>	<u>32-39</u>	<u>40-47</u>	<u>Greater</u>	<u>Total</u>
	<u>Transferred</u>	<u>Conference</u>						<u>Than 47</u>		
N:	2	22	4	8	3	0	1	1	1	43
%:	4.7	51.2	9.3	18.6	7.0	-	2.3	2.3	2.3	100%

Obviously there exists a very real problem in that in some 51.2% of all informal adjustments no conference was held. Of the remaining 40.1% (transferred cases not included) 9.3% met within the targeted one week. Again, the constraints toward swiftly processing formal cases may well be retarding the swift processing of informal adjustments. That some 18.6% fell into the 8-15 day category shows that the goal of one week conference scheduling is viable and should be sought, if not institutionalized within written prosecution policy guidelines.

## Disposition and Treatment

The end product of processing, be it formal adjudication or informal adjustment is the disposition. For formally prosecuted juveniles it usually is delivered by the judge and based upon the recommendations of both the prosecutor (serving the interests of the State) and the probation staff. Interestingly, allegations concerning delinquency seem to be seldom contested though dispositions often are. Thus defense attorneys are frequently in attendance at the dispositional hearing and, as a corollary, when dispositions are not contested, the prosecutor often is not in attendance. Two basic comparisons need to be made before exploring in depth the composition of dispositions and treatment. In 1975 the dismissed rate for court hearings was 2.5%; during the project year it was 2.2%. Further, in 1975 the commitment rates was 5.3% while in the project year it was 5.6%. Obviously the changes are not significant in either direction.

### XIII. Reason for Referral By Disposition

	Informal Adjustment Contract	Dismissed	Decline of Jurisdiction	Transferred	Wardship	Committed	Left Jurisdiction	Wardship- Group Home	Total	%
Burglary	15	2	0	3	21	3	2	1	47	52.2
Grand Larceny	12	0	0	2	6	2	0	0	22	24.4
Burglary & Grand Larceny	2	0	0	0	3	0	0	0	5	5.6
Probation Viol.	0	0	0	0	2	0	0	0	2	2.2
Bomb Threats	1	0	0	0	1	0	0	0	2	2.2
Motor Vehicle Theft	0	0	0	1	1	0	0	0	2	2.2
Petit Larceny	1	0	0	0	1	0	0	0	2	2.2
Reckless Driving	0	0	1	0	0	0	0	0	1	1.1
VCSA	2	0	0	0	0	0	0	0	2	2.2
Shoplifting	1	0	0	0	0	0	0	0	1	1.1
Forgery	2	0	0	0	0	0	0	0	2	2.2
Sex Crimes	2	0	0	0	0	0	0	0	2	2.2
TOTAL	38	2	1	6	35	5	2	1	90	
PERCENT	42.2	2.2	1.1	6.7	38.9	5.6	2.2	1.1		

Table XIII reveals that there were eight different dispositional types ranging from the informal adjustment contract (primarily used for informal adjustments) to special supervision, the juveniles probation subsidy program populated by formally prosecuted juveniles. Twenty-nine out of seventy targeted offenders went to the informal adjustment contract.

The following tables also reveal that there exists a standardization of disposition most in keeping with the program's philosophy of swift and sure processing.



XIV. Age At Instant Offense By Disposition

Age at Instant Offense	Informal Adjustment Contract	Dismissed	Decline of Jurisdiction	Transferred	Wardship	Committed	Left Jurisdiction	Wardship-Group Home	Total	%
Unknown	1	0	0	0	0	0	0	0	1	1.1
09	0	0	0	0	1	0	0	0	1	1.1
12	1	0	0	0	0	0	0	0	1	1.1
13	5	0	0	0	3	0	1	0	9	10.0
14	6	0	0	1	7	0	0	1	15	16.7
15	8	0	0	3	12	1	0	0	24	26.7
16	9	2	0	1	7	3	1	0	23	25.6
17	8	0	1	1	5	1	0	0	16	17.8
TOTAL	38	2	1	6	35	5	2	1	90	
PERCENT	42.2	2.2	1.1	6.7	38.9	5.6	2.2	1.1		

XV. Age At First Known Offense By Disposition

Age At First Known Offense	Informal Adjustment Contract	Dismissed	Decline of Jurisdiction	Transferred	Wardship	Committed	Left Jurisdiction	Wardship-Group Home	Total	%
Unknown	1	0	0	0	0	0	0	0	1	1.1
08	1	0	0	0	0	0	0	0	1	1.1
09	0	0	0	0	1	0	0	0	1	1.1
10	2	0	0	0	0	0	0	0	2	2.2
11	0	0	0	1	0	1	1	0	3	3.3
12	4	1	0	0	1	0	0	0	6	6.7
13	4	0	0	1	10	2	0	0	17	18.9
14	9	1	1	0	7	1	0	1	20	22.2
15	7	0	0	2	9	1	0	0	19	21.1
16	4	0	0	1	7	0	1	0	13	14.4
17	6	0	0	1	0	0	0	0	7	7.8
TOTAL	38	2	1	6	35	5	2	1	90	
PERCENT	42.2	2.2	1.1	6.7	38.9	5.6	2.2	1.1		

XVI. Age At First Target Offense By Disposition

Age at First Target Offense	Informal Adjustment Contract	Dismissed	Decline of Jurisdiction	Transferred	Wardship	Committed	Left Jurisdiction	Wardship-Group Home	Total	%
Unknown	2	0	0	0	1	0	0	0	3	3.3
09	0	0	0	0	1	0	0	0	1	1.1
10	1	0	0	0	0	0	0	0	1	1.1
12	3	1	0	0	0	0	0	0	4	4.4
13	5	0	0	1	4	1	1	0	12	13.3
14	4	1	0	1	5	0	0	1	12	13.3
15	8	0	0	2	15	3	0	0	28	31.1
16	8	0	0	1	7	1	1	0	18	20.0
17	7	0	1	1	2	0	0	0	11	12.2
TOTAL	38	2	1	6	35	5	2	1	90	
PERCENT	42.2	2.2	1.1	6.7	38.9	5.6	2.2	1.1		

XVII. Number Of Prior Referrals By Disposition

Number of Prior Offenses	Informal Adjustment Contract	Dismissed	Decline of Jurisdiction	Transferred	Wardship	Committed	Left Jurisdiction	Wardship- Group Home	Total	%
None	18	0	0	4	14	0	1	1	38	42.2
01	11	0	0	0	6	0	0	0	17	18.9
02	3	0	0	1	8	0	1	0	13	14.4
03	3	1	0	1	4	1	0	0	10	9.0
04	2	0	0	0	2	0	0	0	4	4.4
05	0	0	0	0	0	3	0	0	3	3.3
06	1	1	1	0	0	0	0	0	3	3.3
07	0	0	0	0	0	1	0	0	1	1.1
13	0	0	0	0	1	0	0	0	1	1.1
TOTAL	38	2	1	6	35	5	2	1	90	
PERCENT	42.2	2.2	1.1	6.7	38.9	5.6	2.2	1.1		

XVIII. Number of Prior Targeted Offenses By Disposition

No. of Prior Targeted Referrals	Informal Adjustment Contract	Dismissed	Decline of Jurisdiction	Transferred	Wardship	Committed	Left Jurisdiction	Wardship- Group Home	Total	%
Unknown	34	0	1	4	26	1	2	1	69	76.7
1	4	2	0	1	7	1	0	0	15	16.7
2	0	0	0	1	2	1	0	0	4	4.4
3	0	0	0	0	0	2	0	0	2	2.2
TOTAL	38	2	1	6	35	5	2	1	90	
PERCENT	42.2	2.2	1.1	6.7	38.9	5.6	2.2	1.1		

XIX. Juvenile Justice Status By Disposition

Juvenile Justice Status	Informal Adjustment Contract	Dismissed	Decline of Jurisdiction	Transferred	Wardship	Committed	Left Jurisdiction	Wardship- Group Home	Total	%
Not known to Juvenile Ct.	18	0	0	4	14	0	1	1	38	42.2
Already a Ward of Ct.	2	1	0	1	1	4	0	0	9	10.0
Informal Probationer	4	1	1	1	15	1	0	0	23	25.6
Known, but no legal status	14	0	0	0	5	0	1	0	20	22.2
TOTAL	38	2	1	6	35	5	2	1	90	
PERCENT	42.2	2.2	1.1	6.7	38.9	5.6	2.2	1.1		

In this section each individual disposition and treatment type was cross classified by seven out of the eight variables we are already familiar with. The frequency of prior referrals was dropped as it revealed consistently low correlation coefficients. Both dispositional and treatment alternatives were ordered according to severity of sanction, each of the seven other variables were arranged in order according to frequency or severity from low to high. The resultant charts were examined by means of a gamma calculation. The calculation of gamma does not allow for critical levels, however, it does allow a very good comparative base.

XX. Table of Gamma Scores Influences Upon Disposition Treatment

	<u>Reason for Referral</u>	<u>Number of Prior Referrals</u>	<u>Number of Prior Targeted Referrals</u>	<u>Age At Instant Offense</u>	<u>Age At First Offense</u>	<u>Age At First Targeted Offense</u>	<u>Juvenile Justice Status</u>
Disposition	+ .223	+ .155	+ .068	- .120	+ .092	- .051	+ .288
Treatment	+ .173	+ .200	+ .208	+ .040	+ .060	- .212	+ .496

None of the gamma scores are very substantial and this is particularly true of disposition gamma scores. Perhaps, these low scores reveal that dispositions are very well standardized. There were generally some very strong relationships exhibited earlier between the time involved in handling a case and these same seven variables. Further, the direction of those correlations varied according to the social variable and decision point. This would lead one to surmise that there is a good amount of case individualization going on. Even though quite serious cases are quickly passed from the intake process to petition their rapid momentum slows as the processing stages near the disposition. It is quite logical to assume then that once cases are adjudicated, formally or informally, that the variables affecting their progress will lose relevance once a disposition is imminent. Further, if dispositions and treatment modalities are of a standardized nature, then the end result of formal processing is disposition A, Treatment A; and the net result of informal processing is disposition B, treatment B. If our statistics exhibit these qualities then we should expect resultant gamma scores to be rather low. We indeed have that situation where formal processing results in special supervision and its accompanying restitution, public service, and in three cases a stay in detention; informal processing ends in the informal adjustment contract signed between probation and the juvenile with its accompanying behavioral and associative restrictions.

One exception stands out, however, and that is the relationship between an individual juvenile justice status at the time of instant referral and the intensity of treatment. This seems to be related to the large number of juveniles coming under the influence of the project who had no prior contacts with the juvenile court yet ending up as informal adjustment contractors. This situation, where a low severity of prior juvenile justice status juveniles end up, upon disposition in a medium intensity treatment level, is not at all inconsistent with the program's goals and objectives.

#### Preliminary Project Outcome

As mentioned earlier, it would appear that the project has not functioned long enough to produce any significantly meaningful outcome measurements.

Indeed, some of the procedural difficulties experienced by the project may preclude altogether an effectiveness examination. The following chart clearly exhibits a major problem in conducting an examination of recidivism to date.

### XXI. Referral Frequency and Disposition

#### Frequency of Prior Referrals in Months

<u>Time Since Disposition</u>	<u>No Priors</u>	<u>1-5</u>	<u>6-10</u>	<u>11-5</u>	<u>16-20</u>	<u>Total</u>	<u>%</u>
1-3	9	7	5	2	0	23	28.8
4-6	9	7	5	4	1	26	29.9
7-9	20	8	9	1	0	38	43.7
TOTAL	38	22	19	7	1	87	
PERCENT	43.7	25.3	21.8	8.0	.11		100%

$\bar{X}$  Freq. of Prior refs. = 6.673

$\bar{X}$  Time Since Dispo. = 5.517

Clearly, with the discrepancy in the mean amounts of time for the two variables, what might be considered enough has not elapsed since disposition to allow for a meaningful effectiveness analysis. Therefore a comparison group was not developed in this research, though during the second year's analysis one shall be. The following pages descriptively seek to outline the effectiveness to date.

Table XXII shows that six out of 90 juveniles have been rereferred to the juvenile probation department for a rate of 6.7%. Further, of those six subsequent referrals two (2.2% of total and 33% of all rereferral) were for the targeted offenses of burglary and grand larceny. Finally, those juveniles who had new target referrals were the juveniles who accounted for five out of the nine new offenses recorded. Actually, the recidivism rate might be somewhat higher if transferred cases, cases that left the jurisdiction and commitments are excluded from the ratio. In this case the rate climbs to 7.8%, still comparatively low.

Table XIII reveals that four of the six recidivists had been placed earlier on the special supervision caseload, apparently they had been formally adjudicated by the Prosecutor. The decline of jurisdiction case actually was a referral who was caught in a delay between referral and intake and before a decision to file or not was made committed two new offenses.

Table XXIV shows a very wide distribution of recidivists by offense type. The two probation violators had been processed earlier, recidivated and their data sheets supplanted in the prosecutor's record system.

Table XXV reveals that three out of six recidivists had no prior targeted referrals, while the remaining three had one each.

The population aged 14-17 encompassed all of the program recidivists. This comes as no surprise as the majority of the entire population clustered in this age group.

The group of juveniles between the ages of 13-15 at the time of their first known referral accounted for all of the recidivist. This coincides quite well with table XXVI as those who first offended earliest, reoffended earliest.

XXII. Subsequent Target Referrals and Subsequent Referrals

Subsequent Target Referrals	Subsequent Referrals				Total	%
	0	1	2	3		
0	84	4	0	0	88	97.8
1	0	0	1	1	2	2.2
TOTAL	14	4	1	1	90	
PERCENT	93.3	4.4	1.1	1.1		

XXIII. Subsequent Referrals by Disposition

	Subsequent Referrals				Total	%
	0	1	2	3		
Informal Adj. Contract	37	1	0	0	38	42.2
Dismissed	2	0	0	0	2	2.2
Decline of Jurisdiction	0	0	1	0	1	1.1
Transferred to another Court	6	0	0	0	6	6.7
Wardship, Spec. Super. Committed	31	3	0	1	35	38.9
Left Jurisdiction	5	0	0	0	5	5.6
Wardship-Group Home	2	0	0	0	2	2.2
TOTAL	1	0	0	0	1	1.1
PERCENT	84	4	1	1	90	
	93.3	4.4	1.1	1.1		

XXIV. Subsequent Referrals By Reason For Referral

	Subsequent Referrals				Total	%
	0	1	2	3		
Burglary	46	1	0	0	46	52.2
Grand Larceny	22	0	0	0	22	24.4
Burg. & Grand Larceny	4	1	0	0	5	5.6
Prob. Violation	0	2	0	0	2	2.2
Bomb Threats	2	0	0	0	2	2.2
MV. Theft	1	0	0	0	1	1.1
Petit Larceny	2	0	0	0	2	2.2
Reckless Driving	0	0	1	0	1	1.1
VCSA	2	0	0	0	2	2.2
Shoplifting	1	0	0	0	1	1.1
Forgery	2	0	0	0	2	2.2
Sex and Offenses	2	0	0	0	2	2.2
TOTAL	84	4	1	1	90	
PERCENT	93.3	4.4	1.1	1.1		

XXV. Subsequent Referrals By Number Of Prior Targeted Referrals

Number of Prior Target Referrals	Subsequent Referrals				Total	%
	0	1	2	3		
0	66	1	1	1	69	76.7
1	12	3	0	0	15	16.7
2	4	0	0	0	4	4.4
3	2	0	0	0	2	2.2
TOTAL	84	4	1	1	90	
PERCENT	93.3	4.4	1.1	1.1		

XXVI. Subsequent Referrals By Age At Instant Referral

Age At Instant Offense	Subsequent Referral				Total	%
	0	1	2	3		
Unknown	1	0	0	0	1	1.1
09	1	0	0	0	1	1.1
12	1	0	0	0	1	1.1
13	9	0	0	0	9	10.0
14	13	1	0	1	15	16.7
15	21	3	0	0	24	26.7
16	23	0	0	0	23	25.6
17	15	0	1	0	16	17.8
TOTAL	84	4	1	1	90	
PERCENT	93.3	4.4	1.1	1.1		

XXVIII. Subsequent Referrals By Age At First Target Offense

Age At First Target Offense	Subsequent Referrals				Total	%
	0	1	2	3		
Unknown	3	0	0	0	3	3.3
09	1	0	0	0	1	1.1
10	1	0	0	0	1	1.1
12	4	0	0	0	4	4.4
13	11	1	0	0	12	13.3
14	11	0	0	1	12	13.3
15	25	3	0	0	28	31.1
16	18	0	0	0	18	20.0
17	10	0	1	0	11	12.2
TOTAL	84	4	1	1	90	
PERCENT	93.3	4.4	1.1	1.1		

XXVII. Subsequent Referrals By Age At First Known Offense

Age At First Known Offense	Subsequent Referral				Total	%
	0	1	2	3		
Unknown	1	0	0	0	1	1.1
08	1	0	0	0	1	1.1
09	1	0	0	0	1	1.1
10	2	0	0	0	2	2.2
11	3	0	0	0	3	3.3
12	6	0	0	0	6	6.7
13	14	2	0	1	17	18.9
14	19	0	1	0	20	22.2
15	17	2	0	0	19	21.1
16	13	0	0	0	13	14.4
17	7	0	0	0	7	7.8
TOTAL	84	4	1	1	90	
PERCENT	93.3	4.4	1.1	1.1		

XXIX. Subsequent Referrals By Juvenile Justice Status

Juvenile Justice Status	Subsequent Referrals				Total	%
	0	1	2	3		
Not Known to Juvenile Court	38	0	0	0	38	42.2
Already Ward Of Court	8	0	0	1	9	10.0
Informal Probation	18	4	1	0	23	25.6
Known But No Legal Status	20	0	0	0	20	22.2
TOTAL	84	4	1	1	90	
PERCENT	93.3	4.4	1.1	1.1		

.XXX. Subsequent Referrals By Number Of Prior Referrals

Subsequent Referrals

No. of Prior Referrals	Subsequent Referrals				Total	%
	0	1	2	3		
None	38	0	0	0	38	42.2
01	16	1	0	0	17	18.9
02	11	2	0	0	13	14.4
03	9	1	0	0	10	9.0
04	4	0	0	0	4	4.4
05	3	0	0	0	3	3.3
06	2	0	1	0	3	3.3
07	1	0	0	0	1	1.1
13	0	0	0	1	1	1.1
TOTAL	84	4	1	1	90	
PERCENT	93.3	4.4	1.1	1.1		



## Conclusions and Recommendations

Several obvious and some not so obvious conclusions appear within this evaluation's findings. They naturally lead to some recommendations that could enhance the efficiency and effectiveness of this project.

To begin with the program is meeting its obligation to the targeted population. The juveniles serviced are more delinquent than the usual juvenile probation referral population. They have more priors, they are older and most of them have solid prior targeted referral histories. The number of targeted offenders formally adjudicated is perhaps too low and should be increased.

It would appear that targeting specific crimes and offender groups for intensive programming is quite viable. There appear to be more than enough burglary and grand larceny offenders to keep the prosecutor quite busy especially if he increases the numbers formally adjudicated. In fact, the number of targeted offenders coming before the prosecutor makes it imperative that the number of court days available for juvenile affairs be increased. It does not seem realistic to expect that priority crime problems can be impacted if adequate judicial time is not made available.

Further, if the model of informal case processing outlined in the grant, where the prosecutor impresses upon recalcitrant parents and minors the seriousness of felonious acts and act there upon in a deterrent manner, the number of informal adjustments culminating in parent/prosecutor conferences must increase. If this does not occur then this aspect of the project will be substantially no different from informal case processing prior to the project.

The project has not really impacted processing time. Whatever gains have been made in moving a case from intake to disposition seems to have been offset by new delays in the time from referral to intake. Swift processing is central to the project's effectiveness, therefore, if increased judicial time can become available, (and, indeed, even if it can't), the juvenile prosecutor should standardize and limit the amounts of time to be spent between processing decision points. Presently we have a juvenile offender population accounting for over one half of all felony arrests, being afforded one-fifth of the available judicial time. However burdensome continuances may be in upsetting judicial scheduling they could be dealt with by strictly following mandated time limits and as mentioned later, by insuring that one hundred percent of the prosecutor's time not fifty percent, is spent on juvenile matters. King County has done this and it appears to be viable, if not an aid to swift processing.<sup>8</sup> Further, the intake decision criteria, those variables upon which a file/no file decision is made should be solidified and followed quite closely. Such standardization will allow a reduction in time delays now impeding progress as well as make the job position itself more institutional and not so dependent upon the attorney filling it. Presently a large amount of case individualization is occurring and in terms of assuring the best interests of the child are balanced with the safety of community it is welcome. Just as importantly, however, such individualization may detract from the equity with which similar cases are dealt.

It is important that the prosecutor participate in all dispositional hearings. If he does not then the probation staff is thrust, as before, into acting on the State's behalf. It is totally inappropriate (and not a little uncomfortable for the probation officer) to assume this role. Further, if the probation officer is not in an inquisitorial mood the juvenile court judge may be forced to initiate the questioning and this situation should occur even less often than probation prosecution.

Though not enough time has passed since project implementation, it would appear that recidivism reduction and prevention by this project may be attainable. To date the only rereferred juveniles have been the very delinquent types. This is all the more reason to increase efforts to meet program process goals and tasks that in a year from now, if the rereferral rate stays where it is, we will be able to precisely determine how and why the project was successful.

Finally, in a somewhat editorial comment, it would have been in the project's (and the accompanying research's) best interests if Law and Justice funding had authorized a full time, rather than part time, prosecutor. A deputy in charge of juvenile affairs faces full time responsibilities. Skagit County has a serious felony juvenile referral population at least equal to, if not greater than, the adult felon population. If Law and Justice and Skagit County are serious about impacting this juvenile offender group and determining empirically whether the strategy is workable the confusion of time sheets and conflicting responsibilities must be eliminated.

NOTES

1. Northwest Regional Council Comprehensive Law and Justice Plan, 1977  
A compendium of regional crime statistics and funded programs.
2. Annual Report for 1975. Skagit County Superior Court, Juvenile Probation Department. One of the better juvenile probation reports in Washington State.
3. Ibid. pp. 4-6
4. Ibid. pp. 12 & 13 The policy decision regarding status offenders was somewhat easier to make by an LEAA grant and a HEW grant specifically to work with this population. Both are administered by Skagit Group Ranch Homes.
5. For some examples please see:  
  
Witlatch, "The Gault Decision: Its Effect on the Office of the Prosecuting Attorney", 41 Ohio Bar Journal 41, 44 (January 8, 1968);  
  
Rule 24, National Council on Crimes and Delinquency, Model Rules for Juvenile Courts (1969); Children's Bureau, Standards for Juvenile and Family Courts (1969) at 73; Skoler, "Counsel in Juvenile Court Proceedings-A Total Criminal Justice Perspective," 8 Journal of Family Law 243 (1968); Matter of Reis, Rhode Island Family Court in Criminal Law Reporter 2152, (May 20, 1970)
6. National Advisory Commission on Criminal Justice Standards and Goals, The Courts, p. 291 and 304.
7. Prosecution in the Juvenile Courts, Finkelstein, Weiss, Cohen and Fisher, December 1973, is another useful tool in both program development and evaluation; available from the National Institute of Law Enforcement and Criminal Justice.
8. These eight variables indicative of each individual juvenile court history differ somewhat from Harry Springer's ecological variates in juvenile crime, age, race, sex, offense. His use of these variables is well covered in Shelley Wein's Evaluation of the Juvenile Prosecution program in King County.

## CHARGING GUIDELINES FOR JUVENILE COURT

### A. INTRODUCTION:

The purpose of this memorandum is to set out certain guidelines in aiding the Prosecutor's Office and the Juvenile Probation Department in deciding how to handle juvenile offenders. It should be noted that the following are only suggested guidelines, and as such, are not mandatory. Secondly, they are drafted from the perspective of the Prosecutor's Office generally, and the writer, in particular. The reader should keep that in mind.

### B. GENERAL

The procedure for handling juvenile delinquency cases has been previously reduced to writing by a memorandum prepared by this office in February, 1976. While that procedure has been subsequently refined and altered, the procedures outlined therein are still valid.

Once a week the Juvenile Probation Department meets with the Prosecutor's Office, in what has been termed a "file/no file conference," to discuss recent law enforcement referrals. The purpose of that meeting, as the name denotes, is to determine what action, if any, should be taken with respect to a certain case, be it dismissal, informal adjustment or court petition.

As noted in the prior memorandum the Prosecutor's

Office will be primarily responsible for making the filing decisions upon consideration of the recommendation of the Juvenile Probation Department. The decision to prosecute should be dependent on two factors;

- (1) The legal sufficiency of the evidence, and,
- (2) The social desirability or necessity, of court action. The former should be the sole decision of the prosecutor and the latter, a joint decision of both departments.

While it's true that the protection of the community must be balanced against what action is in the best interests of the child, the primary function of the Juvenile Court is to administer criminal justice to children. It is the belief of this office that those objectives can be best met by making juvenile offenders accountable for their actions. This can be accomplished by subjecting the juvenile to prompt consequences for his actions. This, then, is the philosophy behind the following suggested guidelines.

#### C. GUIDELINES FOR CHARGING:

##### 1. General factors to consider:

As indicated earlier, the legal sufficiency of the charge must first be determined. If it is insufficient the case should be dismissed. Only if the facts indicate that there is at least probable cause to believe that a crime has been committed and that the juvenile in question has committed it, should consideration be given to the other factors to be discussed below.

Besides the legal sufficiency of the case, some general factors which should be considered in deciding whether to file or not are set out below:

- (a) The seriousness of the crime and the impact on, and the protection required by, the community?
  - (1) Whether the act is a felony or not?
  - (2) Whether the act is an offense against a person?
  - (3) Minor's age?
  - (4) The minor's prior record?
- (b) Whether the facts of the case are disputed, requiring resolution by court adjudication?
- (c) Whether the juvenile cooperates in the apprehension and conviction of others involved in the same or different offenses?
- (d) Whether prosecution by another jurisdiction is available or likely?
- (e) Whether court action is necessary to have an effect on the juvenile and to accomplish what is felt is needed?
  - (1) Minors and parents attitude and cooperation?
  - (2) Availability of voluntary programs and treatment?
- (f) Whether temporary or long term placement, or change of custody, appears necessary?

These factors should be considered in the decision making process on each case.

## 2. Suggested Guidelines:

In light of the above described philosophy of juvenile justice and the factors the decision maker should consider, certain guidelines can be drawn within which discretion can and should be exercised.

These guidelines are as follows:

- (a) : Felonies involving personal violence or the potential for such personal violence:

This would include rape, felony assault, kidnapping, any felony with a weapon etc. All such cases should not be informally adjusted, but filed on and taken to court - even first time offenders.

- (b) Felonies involving property offenses:  
This would include Burglary, theft, malicious damage etc.
- (1) If a first time offender, and no prior involvement, may informally adjust if reasonable chance of success; unless there exists a significant amount of restitution to be made (\$250.00 or more, and court action appears necessary to insure collection).
  - (2) If a second time offender or more, should file and take to court.
- (c) Misdemeanor cases:
- (1) Serious gross misdemeanor cases and those involving the use of force, threats or weapons should be filed and taken to court.
  - (2) Misdemeanor cases may be informally adjusted; but if it appears that there exists a "misdemeanor pattern" (3 or more misdemeanors within a year) such case should be filed and taken to court.
- (d) All cases in which the juvenile refuses to enter into a proposed informal adjustment contract (either due to a denial of the facts or because the terms are "too harsh") or, after entering into such a contract, he or she violates one or more of the conditions of the contract, should be filed on and taken to court.
- (e) The following are cases which should not, normally, be informally adjusted, but filed on: "Hard" drug violations, and,
- (1) Delivery or sale of any controlled substances.
  - (2) Possession of large amounts of controlled substances.
  - (3) Arson.
  - (4) Bombing or bomb threats.

As indicated, the above should be used as a guideline or reference point. Each case should be considered on its own merits, dependent on the facts of the case and the individual involved.

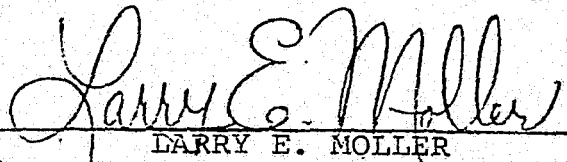
D. DECLINE OF JURISDICTION:

The decision whether to decline a certain felony case to adult court should be made with knowledge of not only the type of offense committed and the minor's age, but with as much detailed information on his or her social background and prior juvenile involvement as is possible.

Rather than setting out guidelines here, one should examine a potential case in light of the criteria set out in the state and local Juvenile Court Rule 6.3 and Kent v. U. S. , 383 U. S. 541, 16L. Ed 2d 84, 86S. Ct. 1045 (1966). Suffice it to say that serious consideration should be given to remanding those felonies involving personal violence, or where its a second time felony where the actor is 16 years of age or older; or where the actor is 17 years of age and is accused of committing a felony property offense. Very rarely will the court remand a juvenile who is less than 16.

E. CONCLUSION:

It is hoped that the above will provide a framework which to develop a consistent and effective charging policy on juvenile cases. This, in connection with subjecting the juvenile to direct consequences for his acitons (detention time, restitution, community service work, etc.) will help our éfforts to reduce criminal activity by juveniles.

  
LARRY E. MOLLER



DELINQUENCY  
CASE STATUS SHEET

A. PERSONAL INFORMATION:

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_ AGE \_\_\_\_\_  
 PARENT: \_\_\_\_\_ ADDRESS: \_\_\_\_\_ STATUS \_\_\_\_\_

B. REASON FOR REFERRAL: \_\_\_\_\_  Felony  
 \_\_\_\_\_  Misd. Pat.  
 \_\_\_\_\_  Cont. I.A.

C. PAST RECORD: CHARGE DATE  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

D. ACTION TAKEN:

(1) INITIAL FILE/NO-FILE CONFERENCE DATE: \_\_\_\_\_

NO FILE  
 Dismiss \_\_\_\_\_  
 Informal Adjustment \_\_\_\_\_  
 Parent/P.A. Conference  Yes  No  
 Date: \_\_\_\_\_  
 COMMENTS: \_\_\_\_\_

FILE:  Petition to Decline  
 Petition Prepared. Date: \_\_\_\_\_  Juvenile Petition  
 Filed, Date: \_\_\_\_\_  
 Served, Date: \_\_\_\_\_  
 Notice and Summons - Prepared, Date: \_\_\_\_\_  
 Court date assigned: \_\_\_\_\_  
 Atty Appointed:  Minor  Parent-Date: \_\_\_\_\_

(2) COURT HEARING CONFERENCE DATE: \_\_\_\_\_

Facts contested:  Yes  No: \_\_\_\_\_  
 Disposition Recommended \_\_\_\_\_  
 Contested Disposition  Yes  NO: \_\_\_\_\_  
 Exhibits to introduce: \_\_\_\_\_

Witnesses: Name/Address Subpoena sent Interview

Witness list filed. \_\_\_\_\_

(3) COURT HEARING DATE: \_\_\_\_\_

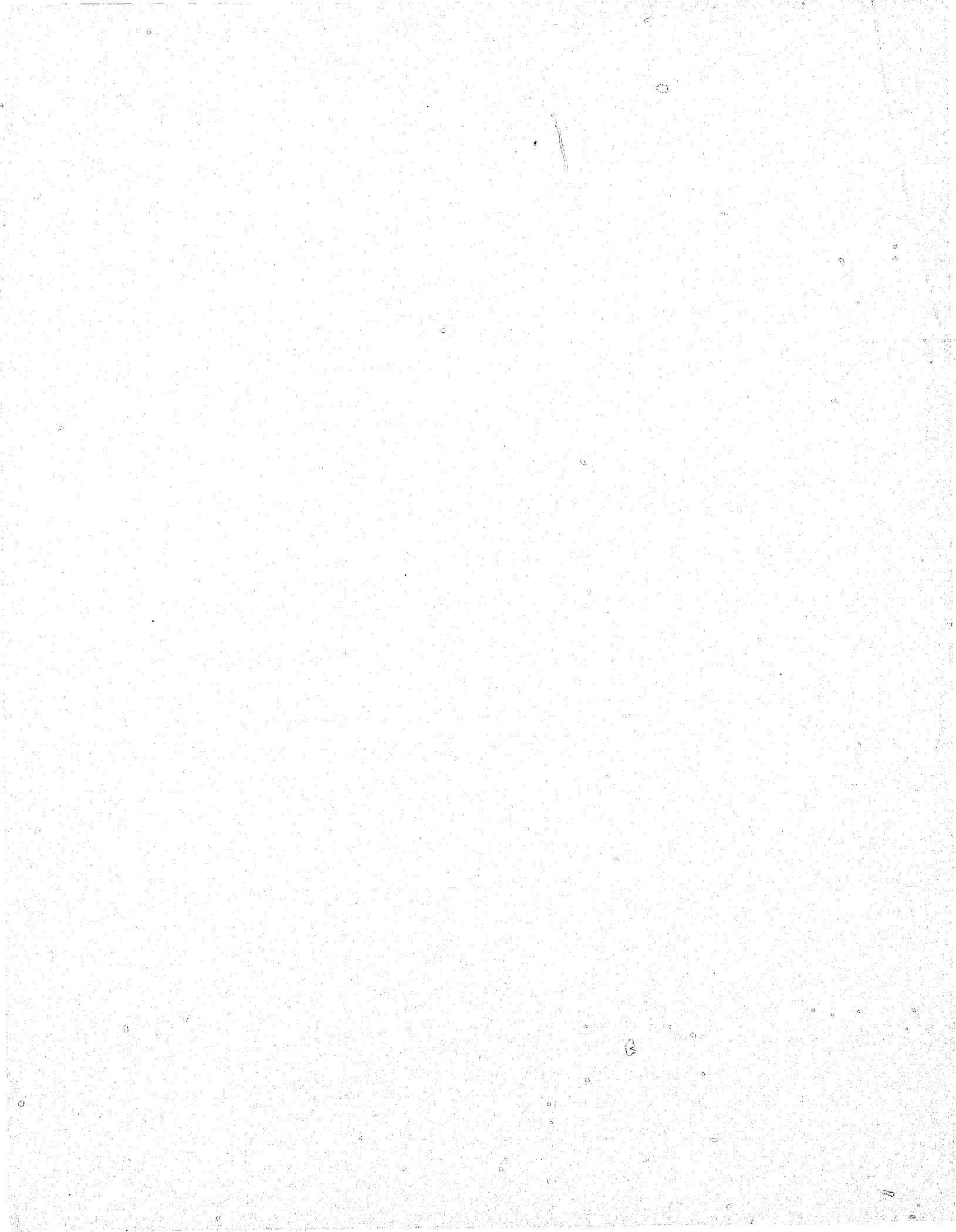
Dismissal \_\_\_\_\_  Wardship  Order Prepared  
 Disposition \_\_\_\_\_  
 Review Date \_\_\_\_\_

DATE	ACTION

PARENT-PROSECUTOR  
CONFERENCE

- 1) NAME of MINOR: \_\_\_\_\_ AGE \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ DOB \_\_\_\_\_
- 2) NAME of PARENTS: \_\_\_\_\_ STATUS \_\_\_\_\_  
ADDRESS: \_\_\_\_\_
- 3) DATE and REASON FOR REFERRAL \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 4) NO FILE DECISION:  
(a) Date made: \_\_\_\_\_  
(b) Decision:  Dismiss with conference  
 Informal Adjustment with conference
- 5) CONFERENCE:  
(a) Date: \_\_\_\_\_ TIME: \_\_\_\_\_  
(b) Who was present: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(c) Comments about meeting: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(d) Disposition and/or Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 6) COPY OF INFORMAL ADJUSTMENT CONTRACT RECEIVED? \_\_\_\_\_
- 7) FOLLOW - UP INFORMATION - NEW REFERRALS

DATE	ACTION



**END**