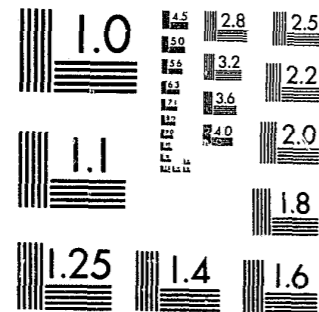


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THE SERIOUS JUVENILE OFFENDER

San Diego



ASSOCIATION OF GOVERNMENTS

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THE SERIOUS JUVENILE OFFENDER

SEPTEMBER 1983

San Diego



ASSOCIATION OF
GOVERNMENTS

1200 Third Avenue
Suite 524 • Security Pacific Plaza
San Diego, California 92101

(619) 236-5383

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Prepared by:
Susan Pennell, Director, Criminal Justice Evaluation Unit
Christine Curtis, Criminal Justice Evaluator

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Preface

The issue of serious crimes committed by juveniles has become a significant concern in recent years. Traditional approaches for handling this problem are being addressed by lawmakers and criminal justice practitioners.

This study is a continuation and expansion of a previous examination of serious juvenile offenders and the response by the juvenile justice system (June 1982). The present study describes the historical perspective of the system and arrest and disposition trends in San Diego County through 1982. A profile of serious juvenile offenders is included along with a case study which tracked arrested juveniles through to final disposition. Recidivist behavior was examined over a two-year period and correlated with different types of dispositions (e.g., probation, 24-hour school, camp, etc.) to determine the effectiveness of different intervention strategies.

Research efforts required data to be collected from several justice agencies. The Criminal Justice Evaluation Unit staff gratefully acknowledges the assistance and cooperation received from agency personnel.

NCJRS

OCT 10 1983

ACQUISITIONS

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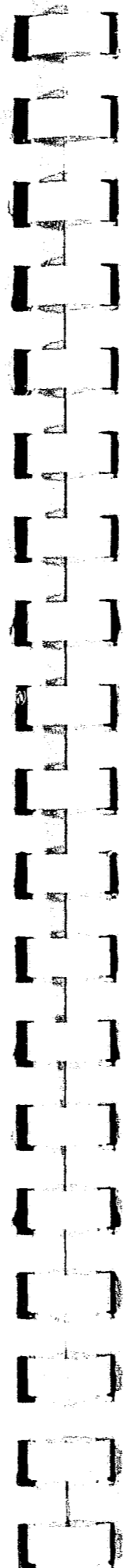
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Executive Summary

Executive Summary

OVERVIEW

This study addresses the issue of the serious juvenile offender and the response by the juvenile justice system. Historical and current trends in juvenile justice processing in San Diego are examined with respect to legislation and local efforts. Characteristics of serious juvenile offenders are presented. And finally, intervention strategies employed by juvenile justice agencies are compared to recidivism rates for offenders to explore strategies for impacting recidivism (repeat offenses).

Research procedures used in this study included a literature review, examination of relevant legislation, a trend analysis of official statistics, a case-tracking study of a sample of juveniles from arrest for a serious offense (homicide, rape, robbery, aggravated assault, burglary, grand theft, and motor vehicle theft) to final case disposition, and a recidivism study of serious offenders for a two-year pre- and post-test period. This study is a continuation and expansion of previous research conducted by the authors entitled Juvenile Violence and Gang-Related Crime (Pennell and Curtis, 1982).

Definitions of terms used throughout the report that relate to the juvenile justice system are presented in Appendix C.

GENERAL CONCLUSION

Juvenile involvement in serious crimes is declining despite a general perception to the contrary. In San Diego County, over a five-year period, the number of serious offenders arrested has decreased. Since 1978, these offenders have been handled more informally by police, probation and the juvenile court. The data indicate that the juvenile justice system has not been effective in reducing recidivist behavior of serious offenders, as a significant proportion are rearrested. The need for reform is recognized at the state and local levels. Pending legislative trends appear to be directed toward harsher penalties for serious offenders. The proposed Juvenile Justice Act of 1983 in the California Legislature would alter the purpose of juvenile law to provide for punishment and require a classification system as the basis for court disposition. Other legislation proposes that certain juvenile offenders be sentenced to prison without possibility of parole. At the same time these bills are being considered, the Commission on the Revision of Juvenile Court Law is reviewing existing statutes and will prepare recommendations for legislative change by January 1984.

Over the past year, developments have occurred in San Diego County that have the potential for changing the ways that juveniles are processed through the system and may ultimately have an impact on recidivist behavior. The strategies incorporate the concept of early intervention in delinquent acts and attempt to

hold youth accountable for their behavior. These changes have been implemented without changes in legislation or increases in staff or other resources.

In December 1982, the Interagency Agreement was developed between the District Attorney's office, Probation, and all law enforcement agencies in the region. This agreement was based on the realization that juveniles were committing several offenses before appropriate action was taken to deter delinquency. Operationally, the agreement will hold youth accountable for their behavior at an early stage through consistent, swift intervention by all justice components. It is expected that subsequent misdemeanor and first-time felony offenses will be referred to probation and a higher proportion of cases will result in petitions filed. This does not necessarily mean that stricter penalties will be invoked.

Additionally, the juvenile camp program recently shifted its focus and activities from a major physical labor orientation. The new emphasis includes an eight-month graduated step system in which youth earn privileges and reductions in commitment time based on good behavior. Credit is given for school, work, behavior and attainment of objectives stated in the treatment plan. The new program elements are consistent with recent research regarding effective residential treatment of serious offenders. The County Board of Supervisors recently considered contracting the camp operations to private industry. This action has been postponed indefinitely due to legal opinions regarding the Chief Probation Officer's responsibility for the juvenile camp.

It is the contention of the authors that before implementing significant legislation to correct perceived deficiencies in the juvenile justice system, it is first necessary to determine what aspects of the current system are working. The preventive role of the community and social institutions must be recognized as critical components for reducing delinquency and these efforts should be carefully reviewed in conjunction with the innovative strategies implemented in San Diego County. The early intervention concept that requires youth to take responsibility for delinquent acts at the initial stage may produce more positive results than invoking harsher penalties after several offenses have been committed.

Additionally, rehabilitation should continue to be a goal of the juvenile justice system, despite past failures. "... recent studies of criminal careers consistently found that the serious adult offenders were also the most likely to have serious juvenile records" (Greenwood, et al, 1983). Incapacitation or punishment may not be sufficient to reduce adult recidivism. Serious juvenile offenders are eventually released into the community and it is important to reduce the chances that a youth will commit subsequent crimes through effective rehabilitation programs and a consistent and fair response which holds youth accountable for their behavior.

ISSUE: HISTORICAL TRENDS

Conclusion

Trend analysis over five years indicates that serious crimes committed by youthful offenders are decreasing. Several data indicators substantiate a pattern of decline with respect to reported crimes linked to juveniles.

Findings - Official Statistics

1. In San Diego County, arrests of juveniles for serious offenses have declined 24% over 5 years (1978-1982).
2. The decline was greater for property offense arrests (-25%) compared to the reduction in arrests for violent person crimes (-19%).
3. A shift in the age distribution of juveniles partially contributed to the decrease in arrests. In 1970, 15% of the San Diego region's population was between 10 and 17, compared to 12% in 1980.
4. Decreasing juvenile involvement in serious offenses is apparent even when controlling for the effect of a reduction in the juvenile population. The rate of arrests for serious crimes per 1,000 juveniles declined from 28.1 in 1978 to 19.3 in 1982.
5. In 1978, 39% of all those arrested for serious offenses were juveniles, compared to 28% in 1982.
6. In 1982, juveniles in San Diego County were responsible for a greater proportion of property crime arrests (34%) than arrests for violent acts (16%).

ISSUE: PROFILE OF THE SERIOUS OFFENDER

Conclusion

Serious juvenile offenders differ from their counterparts in the general juvenile population on several characteristics. Generally, the offender is a white male youth who is older than the juvenile population. Most serious offenders do not live with their natural parents and a significant proportion of the families have received public assistance. Almost one quarter of the juveniles in the sample studied were under the jurisdiction of the court at the time of arrest for the tracking offense. Many of the minors have experienced problems with schools, negative peer influences and their families.

Findings

1. Forty-five percent (45%) of all serious offenders arrested in the County in 1982 were 16 and 17 years of age compared to 18% in the general population in this age group.
2. Most juvenile offenders arrested in 1982 were males (90%) and the majority were white or Anglo (51%). According to census figures, 51% of the County youth were males and 64% were white/Anglo. Blacks and Hispanics were overrepresented in arrest statistics for serious offenses compared to their numbers in the region's population.
3. Of the serious offenders in the case study of a sample of youth arrested in 1980, 29% lived with both natural parents.

4. Over half of the families (59%) in the case study had received some type of public assistance during the five years prior to the tracking arrest.
5. Twenty-three percent (23%) of the offenders in the sample had previously been adjudicated for another offense and were still under jurisdiction of the court (wards) at the time of arrest for a serious offense. Offenders involved in violent crimes were more likely to be wards (27%) compared to property offenders (21%).
6. Based on a sample of serious offenders, 10% of the offenders had been victims of child abuse at some point prior to the tracking offense. This may be an underestimate because only reported cases substantiated through court action are included. Countywide, approximately 5% of youth between 10 and 17 were victims of abuse in 1982.
7. The majority of arrests for serious offenses in the case study were for property crimes (78%) with burglary the most frequently occurring crime. Homicide and rape arrests each accounted for less than 1% of all sample cases.
8. The social study prepared by probation officers provides information on youth that is considered in decisions regarding case disposition. These reports indicate that 46% of the youth in the sample had poor school attendance and 44% were identified as being negatively influenced by peers. Of all family problems, the most common was a recent situational factor at home which affected the youth's behavior, including separation, divorce or a death in the family (28%).

ISSUE: JUVENILE JUSTICE SYSTEM PROCESSING

Conclusion

Analysis of official data over five years suggests that the juvenile justice system has become more lenient as the proportion of serious offenders processed through the system has declined. In 1982, more juveniles were handled informally by law enforcement and fewer juveniles were remanded to adult court and sentenced to state institutions.

Findings - Official Statistics

1. Since 1978, the proportion of serious offenders handled informally by San Diego law enforcement agencies has increased from 25% to 30% in 1982, according to official statistics.
2. During the same time period, requests for petitions by police declined from 75% to 70% of youth arrested for serious crimes.
3. In 1982, the proportion of cases referred in which a petition was actually filed rose to 55% of serious offenders compared to 53% in 1978. At the statewide level, 43% of the serious offenders had petitions filed in 1982.
4. Fewer serious offenders were remanded to adult court in 1982 compared to 5 years ago (5% vs. 3%) and a smaller proportion were committed to the California Youth Authority during the same period (4% in 1978 compared to 2% in 1982).

Findings - Case Study

1. Tracking a sample of juveniles arrested in 1980 for serious offenses revealed these findings:
 - o Police requested a petition in 79% of the cases, and 42% of those arrested were placed in juvenile hall.
 - o Petitions were filed in 66% of the cases referred by police, 5% of the juveniles were placed on informal, six-month supervision and 12% were counseled and released. An additional 17% of the cases were rejected by the deputy district attorney due to insufficient evidence and refusal of the victim to prosecute.
 - o Of all cases heard in juvenile court, a true finding was made in 85%, 14% were dismissed, and 1% were pending action.
 - o The most frequent disposition by the court for serious offenders was probation (56%). However, over one-third were placed out of the home with 26% in a juvenile camp, 6% in a 24-hour school, 5% sentenced to the California Youth Authority, and 1% placed in a foster home.
 - o Violent offenders were more likely to be treated formally than property offenders. For example, 85% of those arrested for violent crimes were referred to probation compared to 77% of the property crime violators. Additionally, over half of the violent offenders (52%) were placed in facilities outside the home whereas 34% of the property offenders received this disposition. Fourteen percent (14%) of the violent offenders were sent to CYA while only 3% of the property offenders went to this institution.
 - o For the majority of youth placed in an institution, the time ordered by the judge or referee was six months or less (64%).

ISSUE: RECIDIVISM

Conclusion

The system has not been effective in reducing recidivist behavior. After one year, most offenders in the case study were rearrested. The proportion increased two years after adjudication for the tracking offense. A core group of offenders was responsible for over half of the arrests for repeat offenses during a two-year period. The frequency of prior arrests is associated with recidivism. Additionally, serious offenders with out-of-home dispositions were more likely to engage in repeat offenses than juveniles placed on probation. This is in part associated with the serious nature of crimes committed by these juveniles and their prior history rather than the type of disposition.

Findings - Case Study

1. After one year, 57% of the serious offenders had been rearrested. This figure increased to 68% after two years.

2. The range of offenses occurring within two years was from 1 to 13.
3. Sixteen percent (16%) of the offenders were responsible for 60% of the arrests within two years after the tracking offense.
4. The proportion rearrested in the study sample increased with the number of prior arrests. For those with no prior arrests before the tracking offense, 46% were rearrested within 2 years. When juveniles had one prior arrest, the proportion rearrested was 73%, rising to 88% of those with two previous offenses and to 91% of the youth with three or more police contacts before the tracking offense.
5. The juvenile court disposition was successful in deterring repeat offenses in only 16% of the cases.
6. Eighty-four percent (84%) of those placed in a juvenile facility were re-arrested within 2 years, compared to 86% of the youth placed on probation.
7. Juveniles placed in 24-hour schools had the highest frequency of rearrests within a 2 year period (an average of 4 arrests).

RECOMMENDATIONS

1. Before legislating significant changes in juvenile court law and case processing, newly-implemented strategies should be critically assessed to determine their effectiveness in impacting repeat delinquent behavior. In San Diego County, the effects of both the Interagency Agreement and the programmatic changes in the juvenile camp should be intensively evaluated. The latter information could assist local policymakers if the issue of contracting the camp operations to private industry is reconsidered.
2. Recognizing that the juvenile justice system cannot totally solve the problems of the serious juvenile offender and recidivism, attention must be placed on the preventive role of community and social institutions. Policymakers must ensure that appropriate community-based strategies serve those areas with the greatest risk for juvenile delinquency. Strategies should include community organization, parenting training, and alternative schools. Such strategies should be carefully monitored to ensure that the appropriate target population is reached and the services are associated with delinquency prevention and reduction.
3. To assist probation officers and juvenile court judges in making decisions regarding placement in residential settings (24-hour schools), more information should be obtained about the effectiveness of the diverse programs in these schools. The programs vary in the kinds of services provided, cost, and the type of youth served, e.g., emotionally disturbed, character disordered. Particular attention should be given to determining the impact in terms of the type of youth placed, emotional problems, living situation and kind of offense. These factors should be compared to recidivism rates over a sufficient time period (1-2 years).

Chapter 1 Introduction

Introduction

THE JUVENILE JUSTICE SYSTEM

Historically, the emphasis of juvenile law has been the protection of the child and rehabilitation, as exemplified by the concept of parens patriae. Under this doctrine, the court can ultimately become a child's legal guardian in order to provide for the child's welfare. The youth is not considered a criminal when a law violating act is committed, but is "delinquent."

However, this traditional approach to juvenile offenders has been criticized for not adequately protecting society from a group of juvenile offenders who commit serious felony crimes at what is perceived to be an increasing rate. In response to these criticisms, there has been a trend toward punishment of youth deemed not amenable to treatment by the juvenile courts. A study of 1978 juvenile statutes indicates that 46 states have provisions for referring certain youth who have committed serious offenses to adult court for prosecution. In four states, a youth can be tried as an adult at 13, depending on the circumstances of the crime and its seriousness. Fourteen (14) states have no minimum age designated for waiver to adult court. Two states that do not have a provision for judicial waiver consider a youth an adult at age 16. (Hamparin, et al., 1982.)

Since 1978, several states have amended statutes regarding transfer to adult court in one or more of the following ways: expanding specified offenses for which waiver may be invoked; implementation of a presumptive waiver by which certain youths must be transferred to criminal courts; reduction of the age at which a youth can be tried as an adult; inclusion of specific factors to be considered in decisions regarding which court should have jurisdiction and adoption of "once waived - always waived" provisions. (Hamparin, et al. 1982.)

At the same time that such legislative changes are occurring, several studies have suggested that serious offenses and violence among youth have not, in fact, increased and that harsher penalties for youth are not justified by research findings. (Hindelang and McDermott, 1981; Strasburg, 1978; Vachss and Bakal, 1979.)

According to another observer, "underlying the debate on rehabilitation vs. harsher penalties rests the uncomfortable premise that 'nothing works' in juvenile corrections" (Taylor, 1980). It is the contention of the authors that before implementing significant changes in the juvenile justice system to correct perceived deficiencies, it is first necessary to determine what aspects of the current system are working. It is best to build upon a foundation of strategies that have proven some degree of success. The current research was undertaken in effort to evaluate the relative effectiveness of intervention strategies employed by the juvenile justice system to reduce recidivism among serious juvenile offenders.

CALIFORNIA STATUTES

Juvenile court law in California is set forth in the Welfare and Institution Code (W&I). The purpose of juvenile court law, as stated in Section 202 W&I, is twofold:

1. To secure care and guidance for each minor under jurisdiction of the court.
2. To protect the public from the consequences of criminal activity.

In California, the juvenile court has original jurisdiction over minors 17 years or under. However, a youth can be tried in an adult court at age 16 if the minor would not be amenable "to the care, treatment and training program available through the juvenile court . . ." as determined by evaluation of criteria delineated in Section 707 W&I. (For the reader with a limited knowledge of the juvenile justice system in California, a description of the process is presented in Appendix B.)

Currently, the State Legislature is considering substantial reforms to juvenile court law. The Commission on the Revision of Juvenile Court Law has been established to review existing statutes and prepare a report detailing their recommendations for legislative change by January 1, 1984 (AB 419, Nolan). At the same time, a bill has been introduced in the State Assembly (AB 1186, Stirling) which would result in extensive changes in juvenile law. The Juvenile Justice Act of 1983, as it is called, would alter the purpose of the juvenile code to provide for punishment of youthful offenders and to hold youth accountable for their behavior, in addition to protection of citizens and provision of necessary treatment and supervision for juvenile law violators. This legislation would require the Department of Youth Authority to develop a classification or point system which would be used as the basis for court dispositions in juvenile cases.

Other bills propose stricter sanctions for specific offenses committed by minors, such as allowing life sentence without possibility of parole under certain circumstances (SB 1234, Torres; AB 1240, Seastrand). Now, the maximum penalty that can be imposed on a juvenile in the adult courts is 25 years to life.

STUDY APPROACH

Definitions

A serious juvenile offender, as defined for this study, is a youth who has been arrested for one of the following criminal acts: homicide, forcible rape, robbery, aggravated assault, burglary, grand theft, and motor vehicle theft. These categories of offenses are consistent with the Uniform Crime Report Index published by the Federal Bureau of Investigation, except for the exclusion of misdemeanor level thefts. There is justification in the literature for defining these crimes as serious offenses. Several studies, which attempted to rank crimes in terms of seriousness, concluded that violence, personal injury or property loss were elements of severity (Sellin and Wolfgang; Hoffman, Beck and DeGostin; Gray, Conover and Hennessey). For example, ratings by evaluators in the study conducted by Thorsten Sellin and Marvin E. Wolfgang are described by the authors using the following categories of seriousness: "(a) events that produce bodily harm to a victim or to victims, even though some property theft, damage or destruction may also have been involved; (b) events that involve theft, even when accom-

panied by property damage or destruction; and (c) events that involve only property damage or destruction" (Smith, 1980, p. 19).

A study conducted by Heller and McEwen in 1974 determined average seriousness scores for reported crimes, based on the Sellin-Wolfgang scale which assigns points to the events that occur in a crime incident (e.g., death or injury to the victim, property loss). Their data show that there is a correlation between the seriousness scores and the UCR Index Crimes.

Based on these research studies, the crimes identified for study are considered serious offenses. However, the UCR Index excludes some crimes against persons or property, such as kidnapping or arson, which can be threats to personal well-being or property. Future research should include these offenses to gain a better understanding of the nature of violent and property crimes among juveniles.

It should be remembered that a wide spectrum of behavior can be included in the felony offense categories used here to define serious juvenile crime. For example, a robbery may range from a minor using verbal threats to obtain another child's bicycle to an older youth robbing a convenience store clerk at gun point. Also, aggravated assault can be a school yard fight among young boys or a knifing by members of a youth gang, with both crimes classified under the same crime type. In this respect, serious offenses among juveniles differ from adult crimes, and the Penal Code section is not always the best method for classifying offenses for research purposes. Nevertheless, the stated charge is the only way to determine varying degrees of seriousness of the crimes committed by those arrested. Therefore, the Penal Code definition of an offense was used to select a sample of serious offenders for study and for analyzing official statistics.

Chronicity. Another aspect of seriousness, which will be considered in the discussion of recidivism, is chronicity. A commonly used indicator of a chronic juvenile offender, based on the research of Sellin and Wolfgang, is a youth with five or more officially recorded delinquent acts. It has been hypothesized that a few chronic offenders are responsible for a significant proportion of the offenses committed by youth.

Methodology

This research addresses the issue of the serious juvenile offender by first defining the problem in San Diego County from an historical perspective and identifying characteristics of this group of offenders which set them apart from the general juvenile population. Next, the response of the juvenile justice system to these offenders is documented. This includes disposition alternatives employed by law enforcement, probation and the juvenile court. Finally, intervention strategies, such as diversion, probation, residential schools, county camp facilities and state institutions, are compared to recidivism rates to determine effective strategies.

Methodologies employed in this research include:

1. A review of the literature and recent legislation related to juvenile offenders.
2. A trend analysis of official statistics for San Diego County.

3. A case-tracking study of 614 juveniles from arrest for a serious offense to final case disposition.
4. A recidivism study of serious offenders for two-year pre- and post-test periods.

A detailed discussion of methodological procedures is presented in Appendix A.

Previous Research

This study is an extension of previous research conducted by the authors using the same data base for the case-tracking study. Other related publications are Juvenile Violence and Gang-Related Crime and Ethnic Minorities in the Juvenile Justice System (Pennell and Curtis, 1982). This report provides an analysis of these data from a different perspective, with the focus on the serious offender, and presents an additional year of recidivism data to assess long range effects of intervention strategies on these youth. Additionally, the most recent official statistics on arrests and juvenile justice system processing are included to evaluate trends through 1982.

Chapter 2 Historical Perspective

Historical Perspective

DISCUSSION

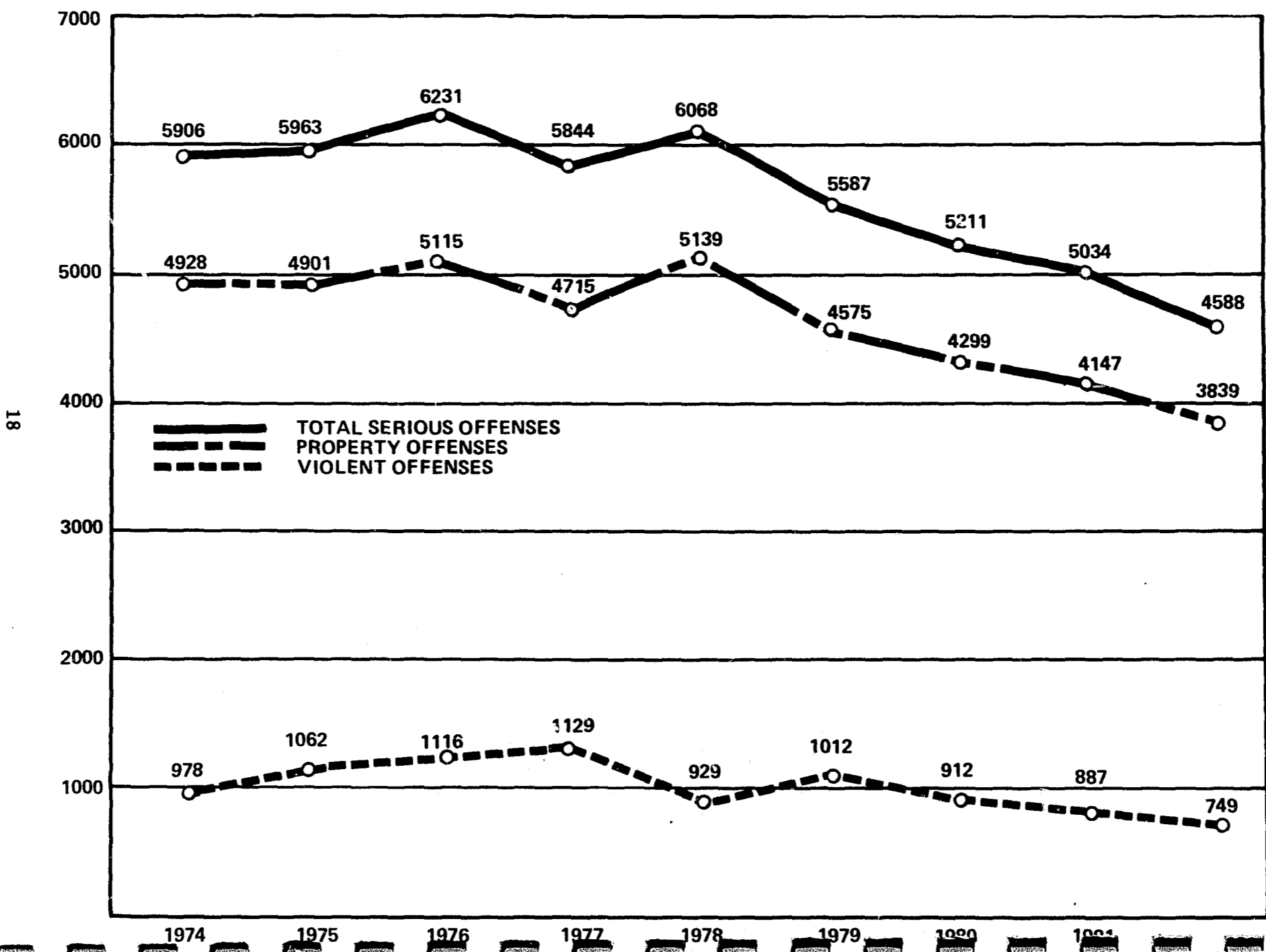
To assess historical changes in the incidence and nature of serious crimes among juveniles, arrest statistics from 1974 to 1982 were analyzed. Arrest data are the best available indicators of juvenile involvement in serious offenses over time, however they are not without limitations. Official arrest statistics only represent juvenile crimes that come to the attention of law enforcement through arrest of suspects. Not all crimes are reported to police and only a proportion of crimes are solved by arrest; therefore, these data do not reflect all crimes committed by juveniles. Studies do suggest that arrests are a more reliable indicator of serious offenses and findings are substantiated by national victimization survey results.

Another limitation is that juvenile arrest data may overrepresent the proportion of crimes in which youth are actually involved, because juveniles tend to act in groups and are often arrested with other suspects.

TRENDS IN OFFICIAL STATISTICS

Beginning in 1976, the San Diego region has experienced a decline in the total number of juveniles arrested for serious offenses, including homicide, rape, robbery, aggravated assault, burglary, grand theft and motor vehicle theft (see Figure 1). Over five years, these arrests have decreased by 24% from 6,068 arrests in 1978 to 4,588 in 1982. A similar trend is noted for both violent and property crimes during the same time period, but the decline has been greater in property offenses (a reduction of 25% - from 5,139 in 1978 to 3,839 in 1982). Arrests for violent offenses were down 19% over five years (from 929 to 749). Only one law enforcement agency in the region showed an increase in juvenile arrests for the major offenses examined (Escondido). (See Table 1.)

FIGURE 1
FELONY JUVENILE ARRESTS FOR SERIOUS OFFENSES
SAN DIEGO REGION
1974 - 1982



18

TABLE 1
 JUVENILE ARRESTS FOR SERIOUS OFFENSES
 BY LAW ENFORCEMENT JURISDICTION
 1978 and 1982

	1978	1982	% Change
Carlsbad	107	68	-36%
Chula Vista	331	249	-25%
Coronado	42	25	-41%
El Cajon	382	247	-35%
Escondido	161	167	+4%
Imperial Beach	64	56	-13%
La Mesa	97	80	-18%
National City	282	230	-18%
Oceanside	201	172	-14%
San Diego	3,096	2,230	-28%
Sheriff	1,205	996	-17%
Other	100	68	-32%
TOTAL	6068	4588	-24%

The overall decreases in serious offenses among juveniles under 18 can be partially attributed to a shift in the age distribution of the general population. In 1970, 15% of the San Diego region's population was between 10 and 17, the at-risk age for juvenile offenders, compared to 12% in 1980. Thus, with fewer juveniles in the population, the numbers arrested have also declined.

When controlling for the effects of a reduction in the juvenile population, there still appears to be a decline in juvenile involvement in serious offenses. The rate of arrests for serious crimes per 1,000 juveniles was reduced from 28.1 in 1978 to 19.3 in 1982. The decline in actual offenses committed by juveniles is substantiated by data from the National Crime Survey conducted by the Census Bureau. Findings indicate that youth involvement in serious offenses began to decline in 1977. These data are based on victim identification of suspects as being between 12 and 17 who committed rape, robbery, assault, personal larceny and robbery.

Nature of Serious Offenses

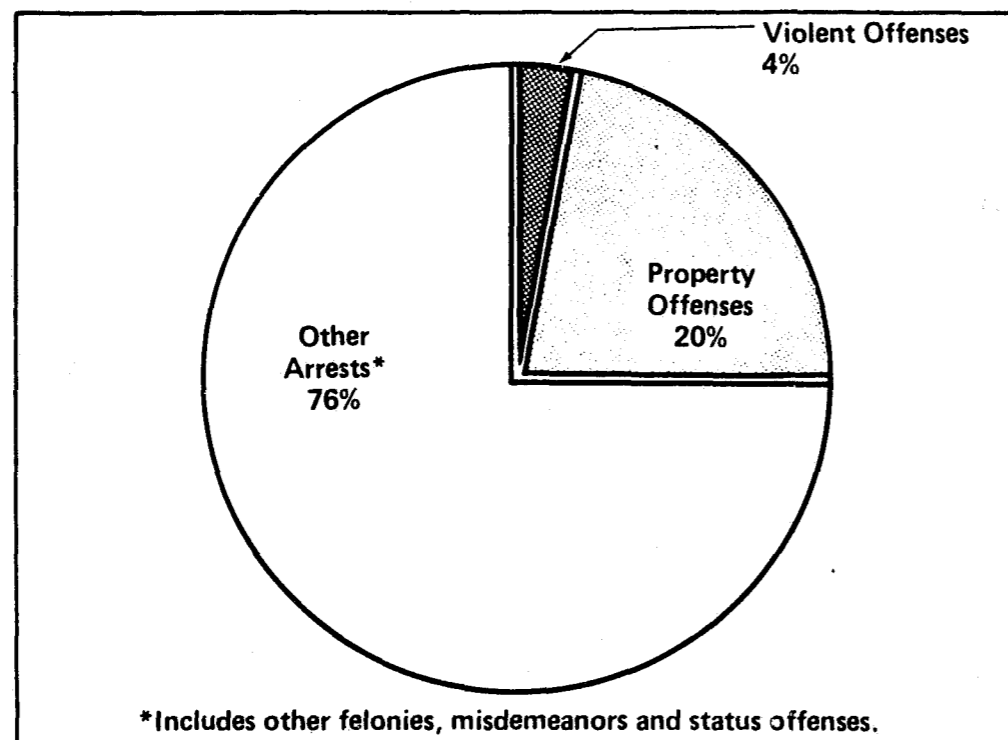
Table 2 presents juvenile arrest data by offense categories. Only two offenses show an increase since 1978: forcible rape (11%) and grand theft (8%). Grand theft data may be influenced by inflation, since the differentiation between grand and petty theft is the monetary value of the property stolen. The offense to decrease most significantly was motor vehicle theft (-45%), followed by burglary (-31%), homicide (from 11 to 8 arrests), felony assault (-24%) and robbery (-15%).

TABLE 2
**FELONY JUVENILE ARRESTS FOR
 SERIOUS OFFENSES BY TYPE OF OFFENSE**
 San Diego Region
 1978 and 1982

	1978	1982	% Change
Homicide	11	8	-27%
Forcible Rape	35	39	+11%
Robbery	337	287	-15%
Assault	546	415	-24%
Burglary	3,107	2,143	-31%
Grand Theft	1,094	1,178	+8%
Motor Vehicle Theft	938	518	-45%
TOTAL	6,068	4588	-24%

Serious offenses represented almost one-quarter of all juvenile arrests in 1982 (see Figure 2). Violent crimes constituted 4% of the total arrests, with serious property offenses accounting for 20%. The remainder of the police contacts were for other felonies, misdemeanors and status offenses. In 1978, serious offenses were a slightly higher percentage of all juvenile arrests (25%) compared to 1982 (24%).

FIGURE 2
**PERCENT DISTRIBUTION OF ALL JUVENILE ARRESTS
 BY TYPE OF OFFENSE • SAN DIEGO REGION • 1982**
 N = 19,488



Changes in Demographic Characteristics

The characteristics of serious offenders have not changed significantly over time, except for an increase in the proportion of arrestees who are Hispanics. In 1978, 17% of the juveniles arrested for major crimes were Hispanics compared to 24% in 1982 (see Table 3). This shift can be partially attributed to the increase in the Hispanic population in the region in recent years. The ratio of males to females arrested remained unchanged in this five-year period and the age distribution shows a slight increase in the proportion of juveniles arrested who were 17 years old (2%). The highest proportion of juveniles arrested was in the 15-16 age group in both time periods.

TABLE 3
**DEMOGRAPHIC CHARACTERISTICS OF ALL
 JUVENILES ARRESTED FOR SERIOUS OFFENSES**
 1978 and 1982

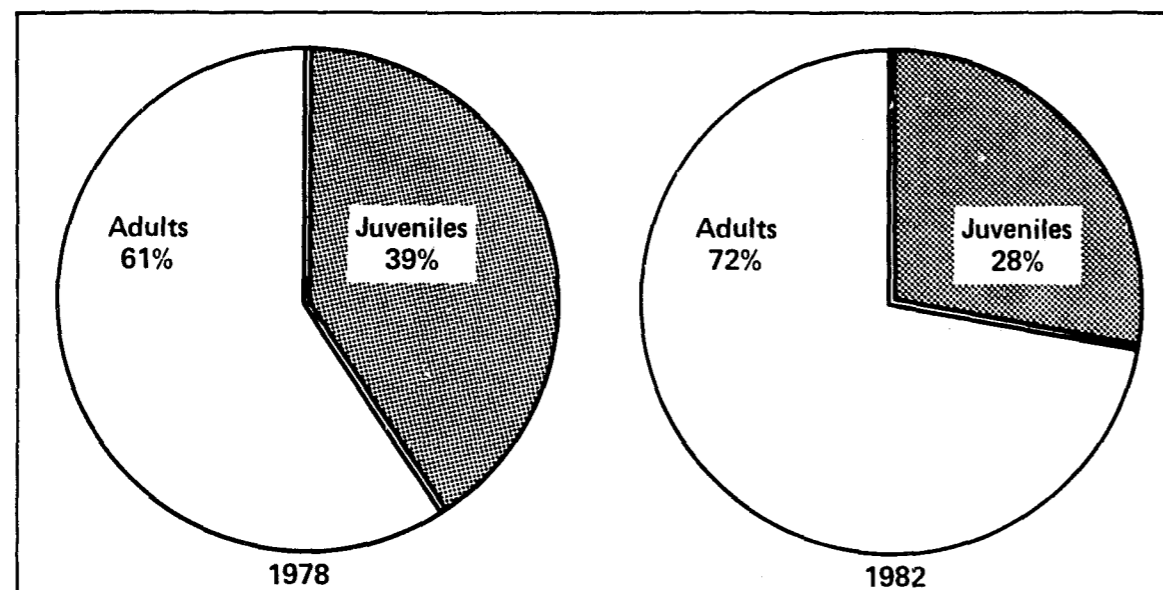
	1978	1982	% Change
Sex			
Male	90%	90%	—
Female	10%	10%	—
Age			
10 and under	3%	3%	—
11 - 12	8%	8%	—
13 - 14	25%	24%	-1%
15 - 16	43%	42%	-1%
17	21%	23%	+2%
Race/Ethnicity			
White	59%	51%	-8%
Black	21%	21%	—
Hispanic	17%	24%	+7%
Other	3%	4%	+1%
TOTAL	6,068	4,588	

Note: Percentages may not equal 100 due to rounding.

Adult and Juvenile Offenders

Another indication of the degree of involvement of juveniles in serious offenses is the distribution of arrests for these crimes between adults and juveniles. In 1978, 39% of the arrests for seven major offenses were juveniles, compared to 28% in 1982 (see Figure 3). However, juvenile representation in arrest data is disproportionate to the percentage of juveniles in the region's population (12%). As mentioned previously, this may be partially due to the tendency among youths to be arrested in groups.

FIGURE 3
PERCENT DISTRIBUTION OF ADULT & JUVENILE ARRESTS
FOR SERIOUS OFFENSES
SAN DIEGO REGION
1978 AND 1982



The Uniform Crime Report of Offenses Reported and Cleared in San Diego County provides an indicator of the proportion of crime incidents involving juveniles rather than the proportion of arrests. Twenty percent (20%) of the Index crime cases cleared involved youth under 18, which is significantly lower than their representation in the arrest statistics in 1982 (28%). This supports the contention that arrest data may overrepresent youth involvement in crime. Case clearance data are limited to offenses known to police and resolved through identification of a suspect, and therefore do not reflect all crimes committed. Similar limitations apply to arrest statistics.

When specific crimes are analyzed, it is apparent that juveniles were responsible for a greater proportion of property crime arrests (34%) than arrests for violent acts (16%). Juveniles accounted for 6% of all arrests for homicide, despite the perception that youth have been disproportionately involved in murder in the past few years (see Table 4). This impression may have been created by media attention focused on homicide cases involving youth. Juveniles were responsible for over one-third of all burglary arrests in 1982, 30% of all motor vehicle thefts and 28% of all grand thefts.

According to a recent study conducted by the Rand Corporation, "the relative proportions of crimes attributable to juveniles and adults becomes important in analyses of crime control strategies that focus on particular types of offenders. For example, locking up more adult robbers for longer period of time would reduce robbery rates more than would locking up adult burglars reduce burglary rates, because juveniles commit almost two-thirds of the burglaries" (Greenwood, et al 1983). Additionally, it should be recognized that the serious chronic youthful offenders have the greatest potential for becoming adult career criminals. The adult justice system will continue to deal with these same individuals unless effective, early intervention strategies can be developed in the juvenile justice system.

TABLE 4
PERCENT DISTRIBUTION OF ADULT AND JUVENILE ARRESTS
FOR SERIOUS OFFENSES BY TYPE OF OFFENSE
San Diego Region
1982

	Juvenile	Adult	Total Arrests
Homicide	6%	94%	130
Rape	13%	87%	310
Robbery	20%	80%	1,468
Assault	15%	85%	2,812
Burglary	39%	61%	5,504
Grand Theft	28%	72%	4,165
Motor Vehicle Theft	30%	70%	1,748
TOTAL	28%	72%	16,137

Chapter 3
A Profile of
the Serious Offender

A Profile of the Serious Offender

INTRODUCTION

Based on official statistics and case study results, the serious juvenile offender can be characterized as a white male youth who is older than the general juvenile population, usually 15 or over. Most of these youth do not live with both natural parents and a significant proportion of the families have received public assistance. A few are affiliated with street gangs and almost one-quarter are wards of the court. The most common serious offense committed is burglary and most offenses involved more than one suspect. Many of these minors have experienced problems with school, negative peer influences and their families.

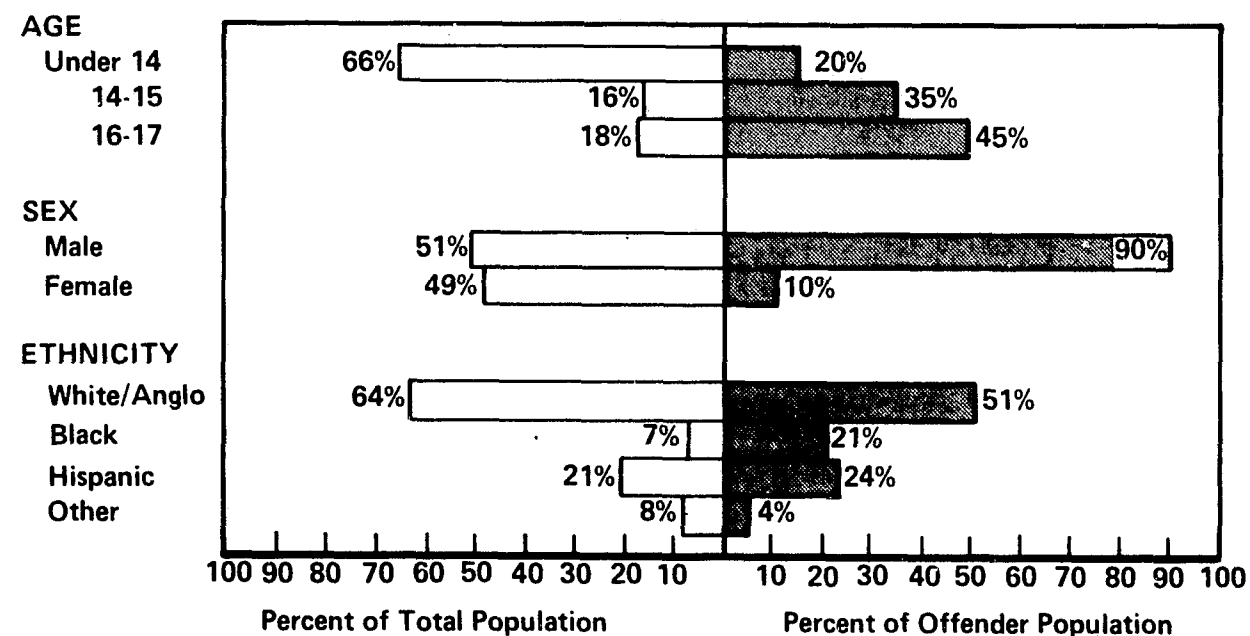
OFFICIAL STATISTICS

Police arrest statistics are available by age, sex and ethnicity of arrestees and provide a limited picture of the characteristics of offenders. These data are augmented with results of the case study (see page 31).

Demographic Characteristics

Figure 4 presents a comparison of arrest data on serious juvenile offenders in 1982 with demographic characteristics of the general population, based on the 1980 Census. This comparison shows that serious offenders were older than the juvenile population, with 45% 16 and 17 years old versus 18% for the entire region. Most offenders were males (90%), and the majority were white or anglo (51%). Fifty-one percent (51%) of the youth in the County were males and 64% were non-minorities, according to Census figures.

FIGURE 4
CHARACTERISTICS OF SERIOUS JUVENILE OFFENDERS
AND TOTAL POPULATION
SAN DIEGO REGION
1982



Adults arrested for the same offenses in 1982 were slightly more likely to be females (12% vs 10% of the juveniles) and a higher proportion were minorities (55% vs 49%) compared to their juvenile counterparts.

Results of the Rand study indicate "that any shift toward incarcerating a greater number of violent offenders, and fewer less serious property offenders, which appears to be the trend, will only increase the proportion of minorities incarcerated ..." (Greenwood, et al 1983). This finding is substantiated by data from San Diego County. Sixty-six percent (66%) of the violent offenders arrested in 1982 were minorities compared to 46% of the property offenders.

Age

A higher proportion of major crimes committed by older youth involve violence. Only 5% of the serious offenders 10 and under were arrested for a violent offense compared to 21% of the 17 year olds (Table 5). All juveniles arrested for homicide in 1982 (8) were youth 16 or over.

TABLE 5
PROPORTIONATE DISTRIBUTION OF
JUVENILE ARRESTS BY AGE AND TYPE
1982

	<u>Violent</u>	<u>Property</u>
10 and under	5%	95%
11 - 12	9%	91%
13 - 14	14%	86%
15	16%	84%
16	19%	81%
17	21%	79%
TOTAL ARRESTS:	749	3,839

Sex

Females do not appear to specialize in any particular crime type. One of the eight homicides was attributed to a female suspect. The range for other offenses was 6% of the robberies committed by females to 11% of the burglaries (Table 6).

TABLE 6
PROPORTIONATE DISTRIBUTION OF
JUVENILE ARRESTS BY SEX AND TYPE OF OFFENSE
1982

	<u>Female</u>	<u>Male</u>
Homicide	13%	87%
Rape	—	100%
Robbery	6%	94%
Aggravated Assault	10%	90%
Burglary	11%	89%
Grand Theft	9%	91%
Motor Vehicle Theft	10%	90%

Ethnicity

White/Anglo youth are responsible for a higher proportion of property crimes compared to minorities whereas minorities are more likely to be involved in violent crimes. Approximately two-thirds of all juvenile rape, robbery and aggravated assault arrests involved minorities in 1982. Non-minority youth accounted for over half of all burglaries and grand theft. (See Table 7.)

TABLE 7
 PROPORTIONATE DISTRIBUTION OF
 JUVENILE ARRESTS BY ETHNICITY AND TYPE OF OFFENSE
 1982

	<u>Non-Minority</u>	<u>Minority</u>
Homicide	50%	50%
Rape	33%	67%
Robbery	31%	69%
Aggravated Assault	35%	65%
Burglary	54%	46%
Grand Theft	57%	43%
Motor Vehicle Theft	49%	51%

Nature of Adult and Juvenile Offenses

Juveniles are more inclined to be arrested for serious offenses compared to older offenders. Twenty-four percent (24%) of all juvenile arrests were in the seven major offense categories, compared to 9% of the adult arrests. However, the nature of serious offenses committed by adults and juveniles differs. Table 8 indicates that 34% of adult arrests for major crimes are violent offenses in contrast to 16% of the serious offenses involving juveniles. These data are influenced by the fact that juveniles have a greater tendency to commit property crimes with accomplices and be arrested in groups, compared to involvement in person crimes.

TABLE 8
 PROPORTIONATE DISTRIBUTION OF SERIOUS OFFENSE ARRESTS
 FOR ADULTS AND JUVENILES BY TYPE OF OFFENSE
 1982

	<u>Violent</u>	<u>Property</u>
Adult Arrests	34%	66%
Juvenile Arrests	16%	84%

Further substantiation for the argument that major offenses committed by juveniles are less serious than similar offenses committed by adults is found in an analysis of the National Crime Survey victimization data by McDermott and Hindelang (1981). "Juvenile crime is shown to be demonstrably less serious than youthful offender (18 - 20) and adult crime in three major ways. First, weapon use by juveniles is less prevalent, and even when weapons are used by juveniles they are rarely guns. Second, juvenile offenders are much less successful than adults in the theft-motivated offenses The third difference between juvenile and adult crime is in the injury sustained by their victims. Victims of juvenile offenders have somewhat lower rates of injury than do victims of youthful offenders or adults."

A CASE STUDY OF OFFENDER CHARACTERISTICS

To provide more detailed information on offenders than is available from official statistics, data from the case-tracking study of 614 juveniles are presented. These youth were tracked from the initial arrest for a serious offense occurring between July 1 and December 31, 1980 to final disposition of the case. (See Appendix A, Methodology.) Data on sociodemographic characteristics were collected from information on the arrest report and in the probation file. From this, a profile of the serious offender was developed.

The profile data are based on a sample of delinquents who are known to authorities. It is possible that delinquents who commit offenses and are not arrested differ from those represented in arrest data. However, according to Paul Strasburg (1978), "police are more likely to arrest juveniles who are . . . frequently and . . . seriously delinquent according to self-report studies . . ." This adds to the validity of arrest data as an indicator of juvenile involvement in serious crime and the characteristics of offenders.

The reader should be cautioned that the juveniles discussed are, in reality, alleged offenders because guilt or innocence is not determined at the arrest stage but after adjudication. However, arrest data may be a better indicator of involvement than court dispositions (i.e., true finding). According to research conducted by Charles P. Smith, ". . . between the point of arrest and the point of adjudication, decisions may be made to handle cases non-judicially or to reduce charges. Together, these factors may mean that court figures reflect actual offenses less accurately than arrest figures" (Smith, p. 11).

Sampling Techniques. To obtain a sufficient number of cases involving violent crimes, this category of offenses was oversampled. Violent crimes constituted 18% of all arrests for major offenses in 1980, with the remaining 82% for property crimes. All juvenile arrests for crimes against persons during the study period were selected for the sample, and one-fourth of the burglary, grand theft and motor vehicle thefts were included. Therefore, to estimate population parameters, it was necessary to weight all property crime arrests by a factor of four. The total number of cases analyzed, using the weighted factor, is 1,479. Information for some variables was missing from case files; therefore, in some instances, the sample size indicated is less than 1,479.

Profile

Youth in the study sample do not differ significantly from all youth arrested in 1980 in terms of the age, sex and ethnicity distributions. Table 9 indicates that 19% of the serious offenders studied were under 14 at the time of their arrest for the tracking offense. The majority were 15 years of age or over. This is in contrast to the age at first arrest for these youth. The majority of the serious offenders were first contacted by law enforcement at 13 or under (Table 10). "Age at first arrest has consistently been shown to be a strong predictor of adult recidivism" (Greenwood, 1983).

Most serious offenders in the sample were males (86%) and over half were white (53%) as reflected in Table 9. The sample data overrepresent minorities somewhat, compared to regional data, because of the jurisdictions studied (San Diego, Sheriff, Oceanside, National City and El Cajon). In 1980, 58% of all youth arrested for major crimes were white.

TABLE 9
AGE, SEX AND ETHNICITY OF
SERIOUS JUVENILE OFFENDERS
Case Study
July 1 - December 31, 1980

	<u>Number*</u>	<u>Percent</u>
AGE		
13 and under	287	19%
14	254	17%
15	323	22%
16	302	20%
17	<u>312</u>	21%
Total	1,478	
SEX		
Male	1,271	86%
Female	206	14%
Total	<u>1,477</u>	
ETHNICITY		
White	779	53%
Minority	700	47%
Total	<u>1,479</u>	

* Based on weighted sample.

TABLE 10
AGE AT FIRST ARREST*
SERIOUS JUVENILE OFFENDERS
Case Study
July 1 - December 31, 1980

<u>Age</u>	<u>Number</u>	<u>Percent</u>
9 and under	59	10%
10 - 11	107	17%
12 - 13	209	34%
14 - 15	199	32%
16 - 17	<u>47</u>	8%
Total	621	

* Data are presented for those youth with an arrest prior to the tracking offense

Family Composition. Consistent with findings in other research (Wolfgang, Strasburg, McCarckle), a relatively small proportion of serious offenders in the sample lived with families that were intact, with both the natural mother and father in the home (29%). A higher proportion (40%) lived in single-parent families headed by the natural mother. Thirteen percent (13%) resided with one natural parent and a stepparent (see Table 11). In comparison, 1980 Census data indicate that 72% of the youth in the county reside in a married-couple family, in contrast to less than half of the serious offenders in this study.

TABLE 11
LIVING SITUATION OF SERIOUS OFFENDERS
Case Study
July 1 - December 31, 1980

	<u>Number</u>	<u>Percent</u>
Mother and Father	337	29%
Natural and Stepparent	149	13%
Mother	453	40%
Father	51	5%
Other Relative	53	5%
Other	<u>103</u>	9%
TOTAL	1,146	

Public Assistance. A significant proportion of the families had received some type of public assistance during the five years prior to the tracking arrest (59%). This includes general relief, Aid to Families with Dependent Children (AFDC), foodstamps and other types of aid provided to families with low incomes (Table 12). In one year, based on 1982 data, less than 1% of all San Diego residents receive general relief, approximately 5% obtain AFDC and 5% use food stamps.

TABLE 12
WELFARE STATUS OF FAMILIES
Case Study
July 1 - December 31, 1980

	<u>Number</u>	<u>Percent</u>
Received Aid	769	59%
No Aid	<u>526</u>	41%
TOTAL	1,295	

Child Abuse. Ten percent (10%) of the serious offenders in the study sample had been victims of child abuse at some point prior to the tracking offense. This may be an underestimate because this only includes reported cases substantiated

through court action. Also, not all instances of abuse are reported to authorities. Five percent (5%) of the violent offenders were abused (neglect, physical abuse or molestation) compared to 11% of the property offenders.

Gang Affiliation. Five percent (5%) of the youth in the sample were identified by police or probation as being affiliated with a street gang at the time of arrest (see Table 13). Of these, most were being processed for violent offenses. Fourteen percent (14%) of the violent offenders were alleged gang members compared to 3% of the property offenders. For a more in-depth discussion of gang affiliation and its association with serious crimes, the reader is referred to Juvenile Violence and Gang-Related Crime (Pennell and Curtis, 1982).

TABLE 13
GANG AFFILIATION
Case Study
July 1 - December 31, 1980

<u>Affiliation</u>	<u>Number</u>	<u>Percent</u>
Yes	78	5%
No	<u>1,389</u>	95%
TOTAL	1,467	

Wardship. Almost one-quarter of the offenders were wards of the court when they were arrested (23%). In other words, these juveniles had previously been adjudicated for another offense and were still under jurisdiction of the court, usually either on probation or serving time in a local facility. Violent offenders were more likely to be wards at the time of intake (27% vs 21%) (see Table 14).

TABLE 14
WARDSHIP STATUS AT INTAKE
Case Study
July 1 - December 31, 1980

<u>Status</u>	<u>Number</u>	<u>Percent</u>
Ward/Parole	267	23%
Alleged Ward*	<u>870</u>	77%
TOTAL	1,137	

* Alleged ward is a term used to designate a youth who has been arrested but is not under the jurisdiction of the court (e.g., on probation or in a juvenile facility).

Tracking Offense

This section discusses the circumstances surrounding the actual tracking offense and provides information related to the modus operandi of the youth as well as the interaction between suspects and police at the time of arrest.

Type of Offense. The majority of the arrests for serious offenses in the case-tracking study were for property crimes (78%). The most frequently occurring crime was burglary, constituting 52% of the arrests, followed by motor vehicle theft (15%), aggravated assault (13%), grand theft (11%) and robbery (8%). (See Table 15.) Homicide and rape arrests each accounted for less than 1% of all sample cases.

In 15% of the serious offense cases, a weapon was used and/or the victim was injured. By definition, these are factors usually associated with violent offenses. Fifty-nine percent (59%) of the crimes against persons involved a weapon or infliction of injury.

TABLE 15
ARREST CHARGE
Case Study
July 1 - December 31, 1980

<u>Charge</u>	<u>Number</u>	<u>Percent</u>
Homicide	6	< 1%
Rape	9	< 1%
Robbery	123	8%
Aggravated Assault	<u>185</u>	<u>13%</u>
Total Violent Offenses	323	22%
Burglary	764	52%
Grand Theft	164	11%
Motor Vehicle Theft	<u>228</u>	<u>15%</u>
Total Property Offenses	1,156	78%
TOTAL SERIOUS OFFENSES	1,479	

Companions. Previous research has indicated that juveniles more often commit crimes with companions compared to adults (McDermott, 1981). Sixty-eight percent (68%) of the case-tracking offenses involved more than one individual (see Table 16). The most common occurrence was one or two companions (53%). Property crimes are the offenses with the greatest likelihood of being committed by juveniles acting in groups. Fifty-six percent (56%) of the violent offenders had a companion versus 72% of those committing property crimes.

TABLE 16
 NUMBER OF COMPANIONS
 Case Study
 July 1 - December 31, 1980

	<u>Number</u>	<u>Percent</u>
No companions	467	32%
1 - 2 companions	785	53%
3 or more companions	<u>227</u>	15%
Total	1,479	

Attitude of Juvenile. Information on a youth's attitude at the time of arrest is not recorded consistently by all law enforcement agencies; therefore, data were only available in 30% of the cases. Results suggest that almost half of the youth arrested (46%) have what police would consider a negative or "bad" attitude (see Table 17). This is often characterized by comments relating to a youth's lack of remorse or concern about his or her actions. This is a very subjective measure, however, it is recognized that the officer's initial perceptions about a youth may affect the ultimate law enforcement disposition.

TABLE 17
 ATTITUDE AT TIME OF ARREST
 Case Study
 July 1 - December 31, 1980

<u>Attitude</u>	<u>Number</u>	<u>Percent</u>
Good	203	46%
Fair	33	8%
Bad	<u>203</u>	46%
Total	439	

Waiver of Rights. The majority of youth apprehended were willing to waive their rights and answer questions regarding their offense at the time of arrest (89%). Juveniles have the same protection as adults regarding self-incrimination and are within their rights when they decline to answer questions of police officers. Only 11% of the youth studied chose to exercise this right (see Table 18).

TABLE 18
 WAIVER OF RIGHTS
 Case Study
 July 1 - December 31, 1980

	<u>Number</u>	<u>Percent</u>
Waived rights (answered questions)	1,262	89%
Did not waive rights	<u>153</u>	11%
Total	1,415	

Circumstances Leading to Arrest. In most cases (90%), an arrest of a juvenile for a serious offense was the result of a citizen's report of a crime. These arrests occur after a response to a radio call by a field officer or take place during the process of the investigation of an incident by a detective. Only 10% of the arrests resulted from proactive or self-initiated activity on the part of a patrol officer. (See Table 19).

TABLE 19
 CIRCUMSTANCES LEADING TO ARREST
 Case Study
 July 1 - December 31, 1980

	<u>Number</u>	<u>Percent</u>
Arrest in Response to Reported Crime	1,277	90%
Self-Initiated Arrest	<u>141</u>	10%
TOTAL	1,418	

Social Study

The social study prepared by probation provides information on personal problems experienced by juveniles as well as positive factors to be considered in decisions regarding case disposition. A significant proportion of the serious offenders encountered problems with school, their peers and their families (see Table 20). Forty-six percent (46%) of the youth had poor school attendance and 44% were identified as being negatively influenced by peers. Of all family problems, the most common was a recent situational factor at home which affected the youth's behavior, including separation, divorce or a death in the family (28%). Other family problems mentioned were lack of parental guidance (21%), the youth being beyond control of the parents (26%) and general disharmony among family members (19%).

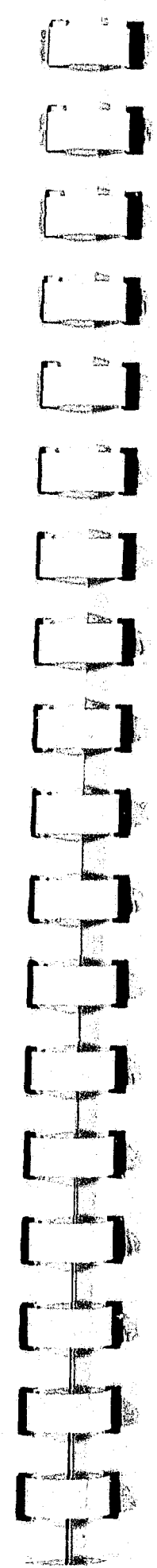
TABLE 20
 PROBLEMS IDENTIFIED IN SOCIAL STUDY
 Case Study
 July 1 - December 31, 1980

<u>Problem</u>	<u>Number</u>	<u>Percent</u>
Drug Use	57	7%
Alcohol	34	4%
Lack of Parental Guidance	159	21%
Poor Living Quarters	23	3%
Situational Factors at Home	214	28%
Disharmony in Family	148	19%
Beyond Control	198	26%
Psychological Problems	107	14%
Medical Problems	73	10%
Poor School Attendance	350	46%
Poor Grades	192	25%
School Behavior Problems	138	18%
Poor Attitude	86	11%
Prior Offenses	518	68%
Negative Peer Associations	339	44%

On the positive side, supportive family relationships were identified in 38% of the cases, followed by a "good" attitude (32%), such as remorse about the offense or an awareness that the act committed was wrong (see Table 21). These are mitigating factors frequently considered by probation officers in their recommendations to the court.

TABLE 21
 POSITIVE FACTORS IDENTIFIED IN SOCIAL STUDY
 Case Study
 July 1 - December 31, 1980

<u>Factor</u>	<u>Number</u>	<u>Percent</u>
Positive Family Relations	293	38%
Receiving Appropriate Guidance	116	15%
Good Health	97	13%
Receiving Counseling	101	13%
Good School Attendance	85	11%
Good Grades	113	15%
Positive School Behavior	127	17%
No Prior Offenses	216	28%
Accessory to Crime	76	10%
Good Attitude	247	32%
Employed	103	13%



Chapter 4
Juvenile Justice
System Processing

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Juvenile Justice System Processing

DISCUSSION

The juvenile justice process can be viewed as a series of decision points on a continuum. The ultimate decision or final disposition can be made either by law enforcement, probation, the District Attorney's office or juvenile court. The range of options is from diversion by police to placement in the California Youth Authority by the court.

To analyze the effectiveness of the juvenile justice system in reducing recidivism among serious offenders, it is first necessary to document the case dispositions and intervention strategies employed. The following discussion presents both official statistics on disposition trends in San Diego County over the past five years and results of the case-tracking study which provide more detailed information on the processing of a sample of youth arrested for serious crimes in 1980.

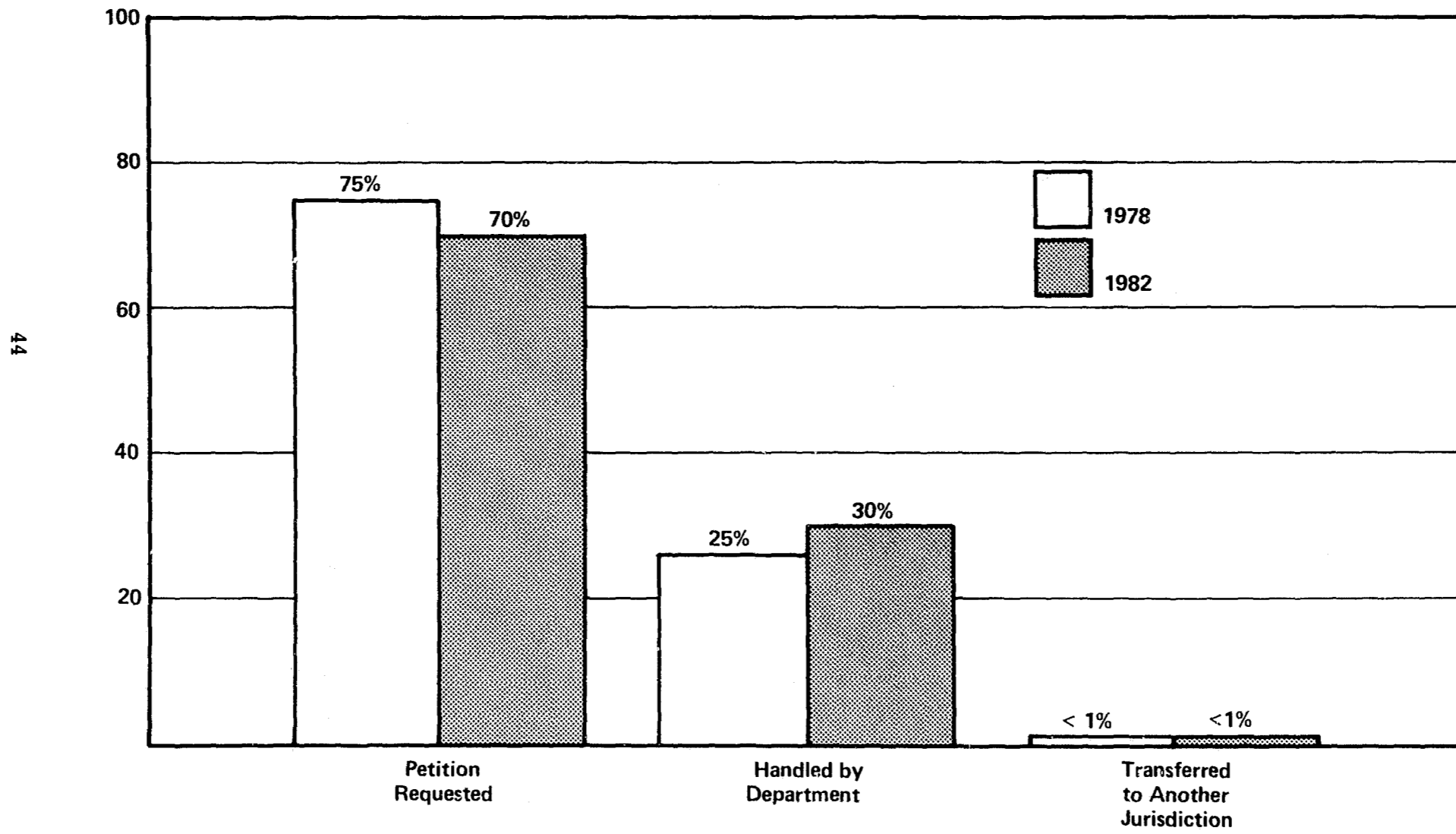
OFFICIAL STATISTICS

The initial decision in a juvenile arrest case is made by the law enforcement agency. A youth can be handled informally by the police department through diversion to an in-house program or referral to a community-based agency for counseling or other appropriate services. Several law enforcement agencies in San Diego County currently have in-house diversion programs which vary in their approach, with services including counseling, work projects and restitution programs. Diversion is primarily for the less serious or first-time offender. It is an attempt to keep less sophisticated offenders out of the juvenile justice system to avoid negative labeling as "delinquents". Additionally, diversion services can provide effective alternatives for the less serious offenders without the need for court action.

If the police determine that the circumstances of the case warrant formal processing by the courts, a petition can be requested. Locally, the request is submitted to the District Attorney's office in all felony cases and to the Probation Department for misdemeanor and status offenses.

Data presented in Figure 5 indicate that, since 1978, there has been an increase in the proportion of serious juvenile offenders handled informally by law enforcement. In 1978, 25% of those arrested for major offenses were diverted or counseled and released by police, compared to 30% in 1982. Conversely, petition requests decreased from 75% to 70% of those youth arrested for these crimes. A small percentage of arrests (less than 1%) were transferred to other law enforcement jurisdictions for processing in both years. Statewide, petitions were requested in 77% of the cases in 1982, which is higher than the figure for San Diego County (70%).

FIGURE 5
LAW ENFORCEMENT DISPOSITION OF
FELONY JUVENILE ARRESTS FOR SERIOUS OFFENSES
SAN DIEGO REGION
1978 AND 1982



As would be expected, crimes of violence are more likely to be referred by police for formal action by the courts compared to property offenses. In 79% of the arrests involving violent offenses in 1982 a petition was requested, while 68% of the youth arrested for felony property offenses were referred to the District Attorney's office (Figure 6). Table 22 shows that the crimes for which youth were most frequently referred included homicide (100%), rape (87%) and motor vehicle theft (80%).

Compared to all other types of juvenile arrests, serious offenses are the most likely to result in a petition request. In 1982, 70% of the arrests for serious felonies were referred, however formal adjudication was requested in a smaller proportion of other felony offenses (61%), misdemeanor arrests (52%) and status offenses (35%).

FIGURE 6
PERCENT DISTRIBUTION OF LAW ENFORCEMENT DISPOSITIONS
FOR SERIOUS PROPERTY & VIOLENT OFFENSES
SAN DIEGO REGION
1982

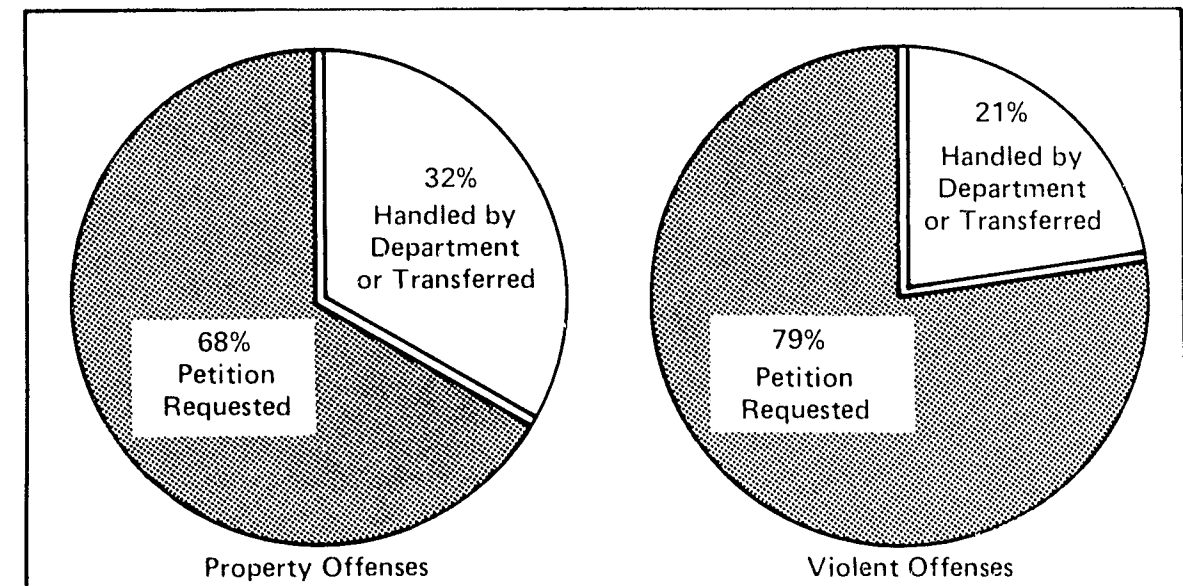


TABLE 22

LAW ENFORCEMENT DISPOSITION
BY TYPE OF SERIOUS FELONY OFFENSE
San Diego Region
1982

	Referred to Probation	Handled Informally or Transferred
Homicide	100%	- 0 -
Rape	87%	13%
Robbery	77%	23%
Assault	78%	22%
Burglary	67%	33%
Grand Theft	64%	36%
Motor Vehicle Theft	80%	20%
TOTAL	70%	30%
TOTAL ARRESTS	3,196	1,392

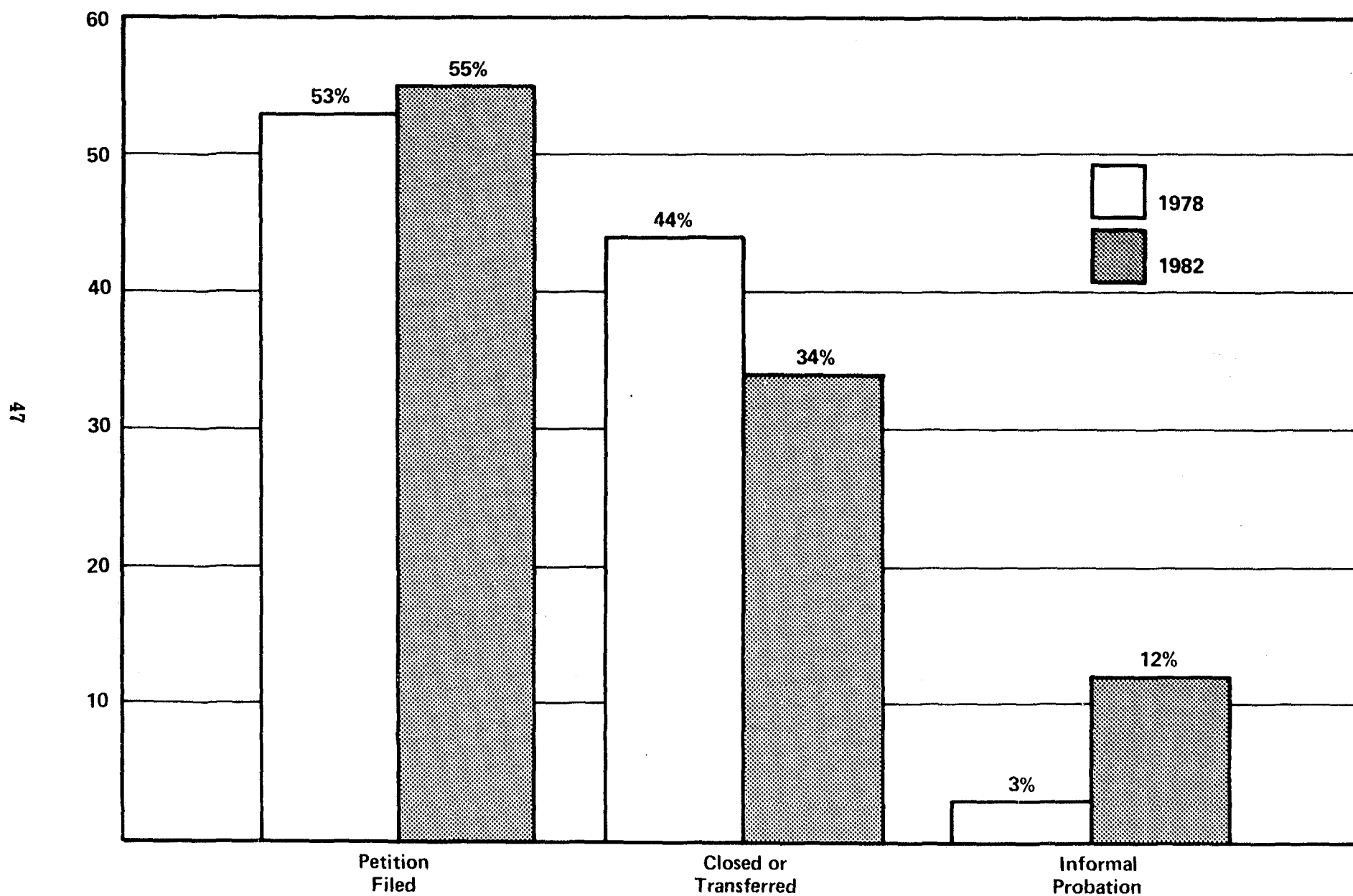
Probation

Probation data for assaults and thefts were not reported separately, by felony and misdemeanor, before 1981. Consequently, to compare probation dispositions over time it is necessary to include misdemeanor assault and petty theft in the category of serious offenses. Additionally, these data only include complete information on initial referrals and exclude youth who were on probation or parole at the time of the referral.¹ BCS reporting procedures changed in 1980 to incorporate referrals for both new and active cases, but San Diego County is not reporting under the new guidelines. The effect of these two factors is that the data presented are skewed, with a greater proportion of less serious offenders than reflected in the arrest and court statistics.

Figure 7 presents probation dispositions for 1978 and 1982 for crimes against persons and property crimes. The proportion of cases in which a petition was filed increased over five years (53% rising to 55%), possibly due to increased diversion of less serious offenders by law enforcement. In addition, a higher percentage of youth were placed on informal, six-month supervision in 1982, rather than counseled and released by the intake officer (12% vs 3% in 1978). In comparison to statewide data for 1982, San Diego County files petitions in a higher proportion of serious offense referrals (55% compared to 43%). Property offenses were more likely to result in formal court action (58%) compared to violent offenses (45%) during the past year, according to data presented in Figure 8. This finding is misleading because the difference is primarily due to the assault category which includes misdemeanor crimes. Sixty-three percent (63%) of the more serious

¹ The term initial referral does not imply that the juvenile has never been in contact with the juvenile justice system (Van de Kamp, 1982).

FIGURE 7
PROBATION DISPOSITIONS OF INITIAL REFERRALS
FOR SERIOUS OFFENDERS
SAN DIEGO REGION
1978 AND 1982



NOTES: Percentages may not equal 100 due to rounding.

47

aggravated assaults resulted in a petition, compared to 28% of the misdemeanor assaults. Homicides were the crimes more likely to be processed by the court (86%) followed by rape (66%) and robbery (64%) (see Table 23). A serious violent offense in which the case is closed without formal action usually has been rejected by the District Attorney's office for some reason, such as insufficient evidence, victim's refusal to prosecute or exoneration of the suspect. These offenses are not treated informally unless there are extenuating circumstances.

FIGURE 8
DISTRIBUTION OF PROBATION DISPOSITIONS
FOR INITIAL REFERRALS FOR VIOLENT & PROPERTY OFFENSES
SAN DIEGO REGION
1982

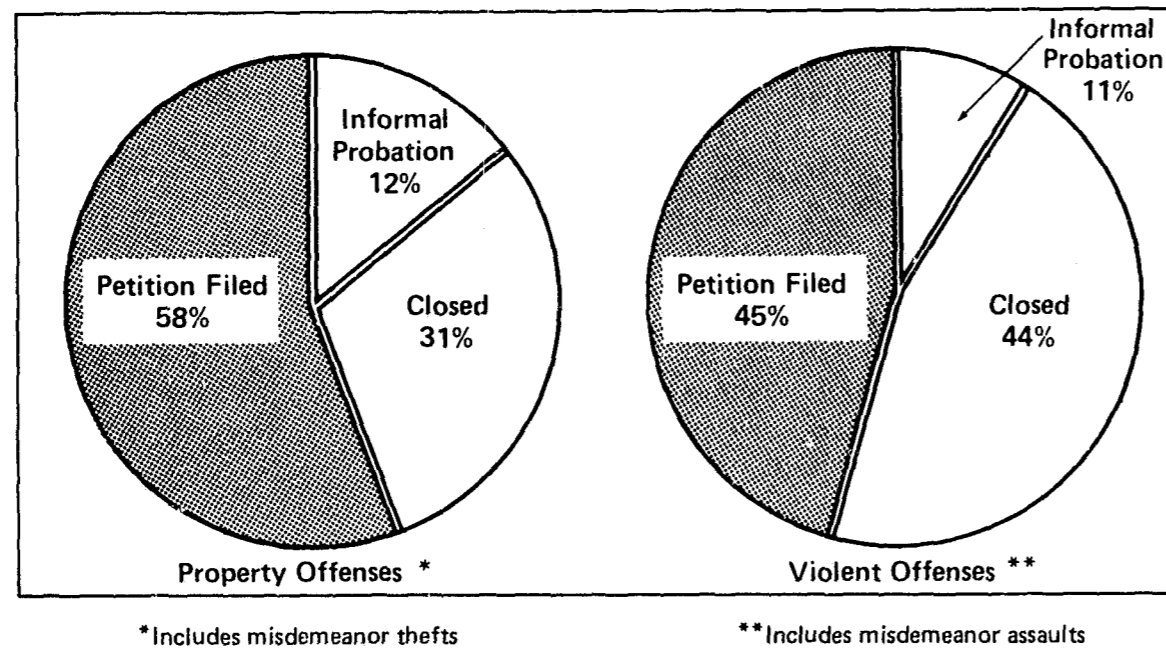


TABLE 23
PERCENT DISTRIBUTION OF PROBATION
DISPOSITION FOR SERIOUS OFFENDERS BY CRIME
1982

	<u>Petition</u>	<u>Informal</u>	<u>Closed</u>
Homicide	86%	—	14%
Rape	66%	—	34%
Robbery	64%	6%	30%
Assault*	40%	12%	48%
Burglary	56%	15%	30%
Theft*	61%	11%	28%
Motor Vehicle Theft	43%	6%	51%

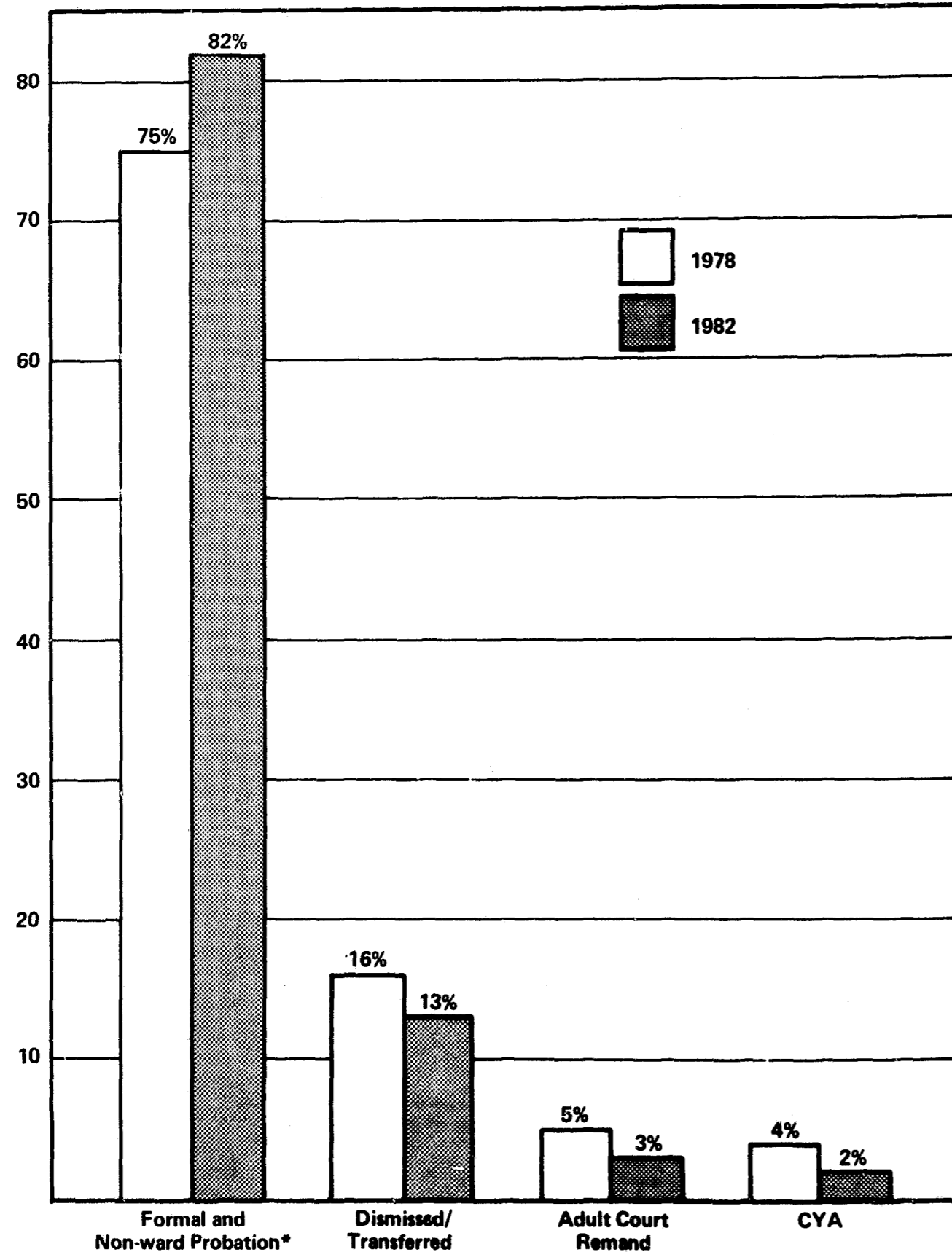
* Includes misdemeanor offenses.

Juvenile Court

Figure 9 reflects the juvenile court dispositions for serious juvenile offenders in 1978 and 1982. These data show that fewer offenders were remanded to adult court in 1982 compared to five years ago (5% vs 3%) and a smaller proportion were committed to the California Youth Authority during the same period (4% in 1978 compared to 2% in 1982). The majority of youth were placed on formal or non-ward probation (82%) in 1982. This includes youth in local camp facilities and 24-hour schools as well as those under supervision in the community. The comparable figure for the entire state is 76% placed on probation, with 2% sent to CYA and 1% remanded to the criminal courts last year.

It is interesting to note that dispositions for serious offenders in San Diego County were substantially the same as for youth charged with all types of law violations in 1982 (see Table 24). Three percent (3%) of all law violators were remanded to adult court in 1982 and 2% were sent to CYA, the same percentages as for serious offenders. However, specific types of serious offenses were treated differently (see Table 25). Fifty-six (56%) of those accused of homicide were remanded to adult court compared to 1% of the burglary suspects. The violent crimes of homicide, robbery and aggravated assault were more likely to result in CYA placements by juvenile court than grand theft or burglary.

FIGURE 9
JUVENILE COURT DISPOSITIONS RESULTING FROM
INITIAL AND SUBSEQUENT REFERRALS
FOR SERIOUS OFFENSES
1978 AND 1982



*Includes commitments to local juvenile facilities.

TABLE 24

JUVENILE COURT DISPOSITIONS RESULTING
FROM INITIAL AND SUBSEQUENT REFERRALS FOR
SERIOUS OFFENSES AND ALL LAW VIOLATIONS
1982

	<u>Serious Offenses</u>	<u>All Law Violations</u>
Probation*	82%	83%
Adult Court Remand	3%	3%
CYA	2%	2%
Dismissed/Transferred	13%	12%
TOTAL	2,546	3,861

*Includes formal and non-ward probation

TABLE 25

JUVENILE COURT DISPOSITIONS RESULTING
FROM INITIAL AND SUBSEQUENT REFERRALS
BY TYPE OF SERIOUS OFFENSE
1982

	<u>Homicide</u>	<u>Rape</u>	<u>Robbery</u>	<u>Aggravated Assault</u>	<u>Burglary</u>	<u>Grand Theft</u>	<u>Motor Vehicle Theft</u>
Probation*	11%	50%	69%	67%	87%	87%	82%
Adult Court Remand	56%	43%	11%	8%	1%	2%	2%
CYA	11%	—	4%	5%	2%	1%	5%
Dismissed/Transferred	22%	7%	17%	20%	10%	10%	12%
52 TOTAL	18	28	139	234	947	431	191

* Includes formal and non-ward probation.

CASE STUDY

Data for the sample of youth arrested in 1980 allow a more detailed analysis of case dispositions at each level in the juvenile justice process than is possible based on BCS categories. For example, the probation disposition of counseled and closed does not break out rejections by the District Attorney's office. An additional advantage of these data is that case study results are not limited to initial referrals.

The weighted sample consists of 1,479 cases in which juveniles were arrested for a serious violent or property crime. Figure 10 presents dispositions for each justice agency, with the percentages adding to 100 for each component or stage in the system.

Seventy-nine percent (79%) of the cases were referred to probation by law enforcement and 20% were diverted from formal processing. These figures reflect a slightly higher proportion treated formally than for the entire year, based on BCS data. This may be partially due to the exclusion of receiving stolen property from the theft category in the case study. Forty-two percent (42%) of those arrested were placed in Juvenile Hall by the arresting officer. Other referrals to probation were "paper referrals" in which the juvenile was released at the time of arrest and the paper work was sent to probation for processing within 21 days of the police contact.

Petitions were filed in 66% of the cases referred by law enforcement (765 of 1,157 cases), with 5% placed on informal, six-month supervision and 12% counseled and released. An additional 17% of the cases were rejected by the deputy district attorney due to insufficient evidence (165 of the 216 cases rejected) and refusal of the victim to prosecute (28 cases). The most common reasons cited by probation officers for handling a case informally were the youth's positive attitude, the lack of a significant record and that the parents were handling the situation appropriately.

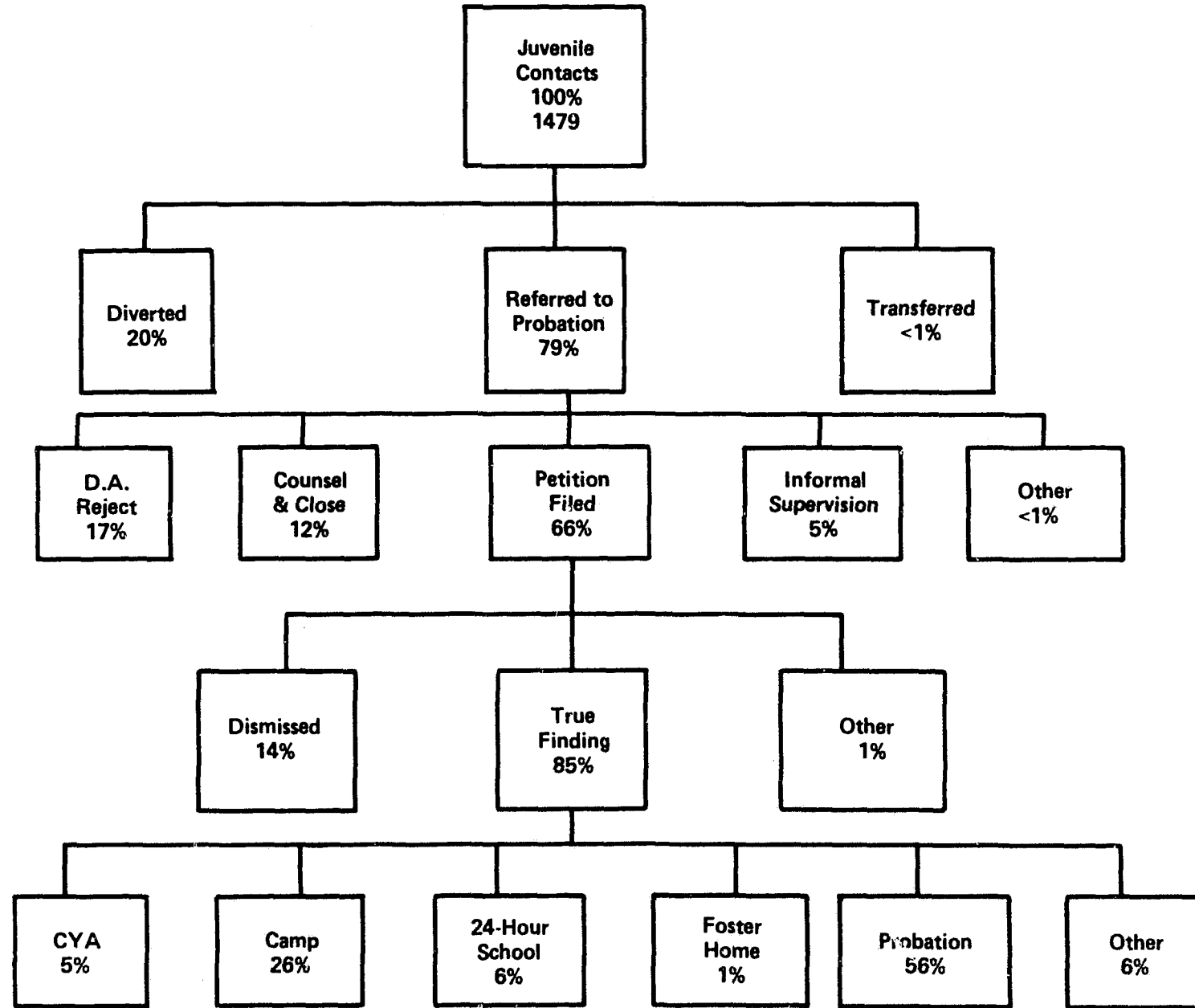
Of all cases heard in juvenile court, a true finding was made in 85%, with a 14% dismissal rate. One percent (1%) were in the "other" category which includes cases pending due to a youth's failure to appear for a court hearing. Most of the true findings were the result of the minor's admission of the charges (82%). Twenty-two percent (22%) of the court cases were resolved in a trial and 68% were settled at a readiness hearing prior to the trial date.

The most frequent disposition by the court was probation, with 56% placed under ward or non-ward supervision in the community. However, a substantial proportion were placed outside the home in a juvenile camp facility (26%), 24-hour school (6%), the California Youth Authority (5%), or a foster home (1%) for a total of 38% out-of-home placements. Fifty-seven percent (57%) of the dispositions took place at a dispositional hearing, and the remainder of the youth were sentenced at the time of the actual plea.

Type of Offense

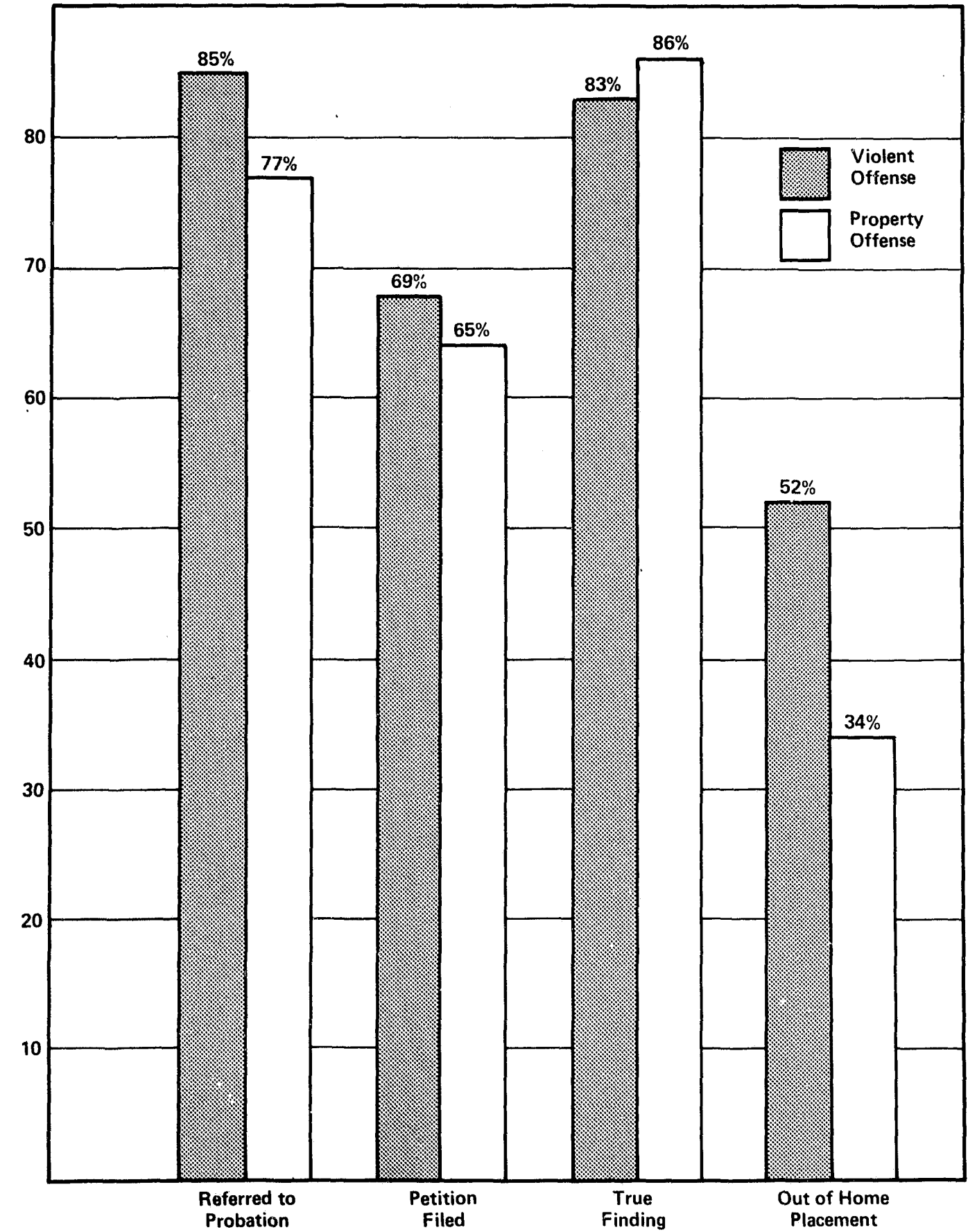
A comparison of violent and property offenses in the case study indicates that crimes against persons were more likely to be treated formally, with 85% referred to probation by police compared to 77% for property crimes (see Figure 11).

**FIGURE 10
DISPOSITION TREE
CASE STUDY OF SERIOUS OFFENDERS
JULY 1, 1980 – DECEMBER 31, 1980**



NOTE: Percentages may not equal 100 due to rounding.

**FIGURE 11
CASE DISPOSITION BY ARREST CHARGE
CASE STUDY
JULY 1 – DECEMBER 31, 1980**



Additionally, petitions were filed in a higher proportion of cases involving violent acts (69% vs 65%) and a higher percentage were placed in a facility (52% compared to 34%). Fourteen percent (14%) of the violent offenders were sent to CYA while only 3% of the property offenders were sent to the state institution. (These data are not directly comparable to official statistics presented previously because they reflect a different data base.)

Time Ordered

For youth placed in an institution, the time ordered by the judge or referee in the majority of the instances was six months or less (64%). Thirty percent (30%) were to serve an unspecified period of time (see Table 26). This includes commitments to CYA and 24-hour schools. These terms are bound by the maximum sentence that applies to the specific crime, as stated in the Penal Code.

TABLE 26
 INSTITUTION TIME ORDERED
 Case Study
 July 1 - December 31, 1980

<u>Time Ordered</u>	<u>Number</u>	<u>Percent</u>
3 months or less	67	28%
3 - 6 months	88	36%
6 - 12 months	14	6%
Indefinite*	<u>73</u>	<u>30%</u>
TOTAL	242	30%

* Includes commitments to CYA and 24-hour schools for an unstated time period.

Chapter 5 Effects of Dispositional Alternatives on Recidivism

Effects of Dispositional Alternatives on Recidivism

INTRODUCTION

A weighted sample of 725 juvenile offenders was the basis for a study of repeat offenses which compares offense history for a two-year pre-and post-test period. Excluded from the analysis were youth who did not live in San Diego County during the entire study period and youth who turned 18 during the two years after the tracking offense. Arrest records in most local law enforcement agencies are purged when a youth becomes an adult; therefore, complete recidivism data were not available for those 18 and over. For sample cases, data were collected on all prior and subsequent police contacts, probation referrals, petitions filed, true findings and court dispositions.

Recidivism was operationally defined as rearrest and/or true finding on an arrest charge. Data based on official records only represent delinquent behavior that comes to the attention of authorities. Consequently, results may reflect an underestimate of actual delinquent acts committed.

Study methodology is explained in detail in Appendix A.

STUDY FINDINGS

Most offenders in the study were rearrested after adjudication for a serious offense committed during July 1 - December 31, 1980. After one year, 57% had been recontacted by police. The proportion rearrested rose to 68% in the two-year posttest period (see Table 27). The range of offenses occurring within two years was from 1 to 13, with a total of 1,915 arrests. Sixteen percent (16%) of the offenders were responsible for over half of the rearrests (60%) indicating a core of youth with a greater tendency toward repeat offenses.

TABLE 27
RECIDIVISM RATE
ONE- AND TWO-YEAR FOLLOW-UP
Case Study

	<u>1 year after</u>	<u>2 years after</u>
Not Rearrested	43%	32%
Rearrested	57%	68%
TOTAL	725	725

Type of Arrest

Youth arrested for property offenses were more likely to recidivate (70%) compared to violent offenders (62%). When comparing the two-year pre- and post-test periods, the proportion of violent offenders arrested decreased slightly from 68% to 62%, whereas the arrest rate for property offenders increased (54% to 70%). The offense with the greatest increase in the arrest rate was grand theft (48% to 71% arrested). Homicide showed a substantial decline, however these figures are not conclusive due to the small number in the sample (3). Also, homicides result in longer sentences, usually to the California Youth Authority or to state prison, if the youth is adjudicated in the adult court. This limits the youth's opportunity to become involved in subsequent offenses.

TABLE 28

PRIOR AND SUBSEQUENT ARREST RATES BY CHARGE
TWO-YEAR COMPARISON PERIODS
Case Study

<u>Arrest Offense</u>	<u>% with Priors</u>	<u>% with Subsequents</u>	<u>Number</u>
Homicide	100%	33%	3
Robbery	74%	70%	53
Aggravated Assault	63%	58%	73
Total Violent Crimes	68%	62%	129
Burglary	52%	70%	408
Grand Theft	48%	71%	84
Auto Theft	65%	69%	104
Total Property Crimes	54%	70%	596

Prior Arrest History

The frequency of prior arrests is associated with recidivism, as shown in Table 29. Juveniles with no prior arrests are the least likely to be rearrested (46% had subsequent police contacts during a two-year period). The proportion rearrested increases with the number of priors. Of those with one prior offense, the proportion rearrested was 73%, rising to 88% of those with two previous offenses and 91% of the youth with three or more police contacts before the tracking arrest. It appears that an appropriate action should be taken by the juvenile justice system at an early point in the process to reduce further delinquency. The response should include graduated penalties based on the severity of the offense. (See Interagency Agreement, page 67.)

TABLE 29

RECIDIVISM RATE BY PRIOR ARRESTS/CONTACTS
TWO-YEAR PRE- AND POST-TEST PERIOD
Case Study

	<u>Number of Priors</u>			
	<u>None</u>	<u>One</u>	<u>Two</u>	<u>Three or More</u>
Not Rearrested	54%	27%	12%	9%
Rearrested	46%	73%	88%	91%
TOTAL	317	103	99	206

Frequency of Repeat Offenses

Another method for assessing recidivism rates is to measure the frequency of recontacts using the average number of offenses per individual before and after the tracking offense. Table 30 indicates that the average arrests increased, when comparing the one-year pre- and post-periods (from 1.36 arrest per youth to 1.51). In the year after the tracking offenses 23% of the juveniles spent time in an institution, with 10% confined for three months or more. It is suggested that time spent in a juvenile facility after adjudication for a serious offense may reduce the opportunity for repeat offenses.

TABLE 30

AVERAGE NUMBER OF ARRESTS
BEFORE AND AFTER TRACKING OFFENSE
Case Study

	<u>Before</u>	<u>After</u>	<u>Percent Change</u>
One-Year Comparison	1.36	1.51	+ 11%
Two-Year Comparison	1.99	2.64	+ 33%

In the two-year comparison period, average arrests increased 14% from 1.99 per youth to 2.64. Tables 31 and 32 show that the average number of probation referrals and true findings also increased in both the one and two year time frames.

TABLE 31
 AVERAGE NUMBER OF PROBATION REFERRALS
 BEFORE AND AFTER TRACKING OFFENSE
 Case Study

	<u>Before</u>	<u>After</u>	<u>Percent Change</u>
One-Year Comparison	0.91	1.25	+ 37%
Two-Year Comparison	1.27	2.22	+ 75%

TABLE 32
 AVERAGE NUMBER OF TRUE FINDINGS
 BEFORE AND AFTER TRACKING OFFENSE
 Case Study

	<u>Before</u>	<u>After</u>	<u>Percent Change</u>
One-Year Comparison	0.32	0.63	+ 97%
Two-Year Comparison	0.47	1.06	+ 126%

Prior Offenses and Case Dispositions

A youth with prior arrests is more likely to be processed through the juvenile justice system as shown in Table 33. Ninety-one percent (91%) of the youth with one or more prior arrests were referred to probation by law enforcement compared to 56% of those with no previous arrests. A petition is filed in a higher proportion of repeat offender cases (78%) in contrast to first-time offenders (37%). Additionally, juvenile court places more recidivists in an institution or juvenile facility (44% vs. 10%). Of course, the severity of the current offense is also a factor considered in case dispositions (see Chapter 4).

TABLE 33
 PRIOR OFFENSES BY DISPOSITION
 LAW ENFORCEMENT, PROBATION AND JUVENILE COURT
 TWO-YEAR PRE-TEST PERIOD
 Case Study

	<u>1 or more Prior</u>	<u>No Priors</u>
Law Enforcement Disposition		
Referred	91%	56%
Informal	9%	44%
Probation Disposition		
Petition	78%	37%
Informal	22%	63%
Court Disposition		
Institution	44%	10%
Non-Institution	56%	90%

Recidivism and Case Disposition

It appears that law enforcement is referring the more serious, chronic offenders for processing by the juvenile system. Those youth referred not only had more priors, they had a greater likelihood of rearrest (79%) compared to youth handled informally by the police department (36%). Over 60% of those diverted from the system were not rearrested within two years (see Table 34). This suggests that juvenile detectives were screening cases and considering alternative dispositions for less serious offenders which were effective in deterring recidivism in a significant proportion of the cases diverted.

TABLE 34
 RECIDIVISM RATE BY LAW ENFORCEMENT DISPOSITION
 TWO-YEAR POST-TEST PERIOD
 Case Study

	<u>Probation Referral</u>	<u>Handled by Department</u>
Not Rearrested	117 (21%)	112 (64%)
Rearrested	433 (79%)	63 (36%)
Number	550	175

Table 35 reflects recidivism rates by probation disposition. Youth handled informally (i.e. counsel and close or informal probation) were less likely to recid-

ivate (70% compared to 84% of those with petitions filed). Again, screening procedures resulted in the more chronic offenders processed through the system. However, the action taken in court cases was successful in deterring repeat offenses in only 16% of the cases.

TABLE 35
 RECIDIVISM RATE BY PROBATION DISPOSITION
 TWO-YEAR POST-TEST PERIOD
 Case Study

	<u>Petition Filed</u>	<u>Handled Informally</u>
Not Rearrested	58 (16%)	59 (30%)
Rearrested	<u>297</u> (84%)	<u>119</u> (70%)
Number	355	195

When comparing the types of court dispositions (Table 36), analysis shows that a significant proportion of youth adjudicated became involved in additional offenses, regardless of disposition. Eighty-four percent (84%) of those placed in a juvenile facility were rearrested, compared to 86% of the youth placed on probation. The high percentage for those placed on probation may be a function of the less severe disposition in property offenses, and the greater tendency of property offenders to recidivate.

TABLE 36
 RECIDIVISM RATE BY COURT DISPOSITION
 TWO-YEAR POST-TEST PERIOD
 Case Study

	<u>Institution Placement</u>	<u>Non-Institution Disposition</u>
Not Rearrested	18 (16%)	28 (14%)
Rearrested	<u>97</u> (84%)	<u>166</u> (86%)
Number	115	194

Youth placed in an institution had slightly fewer subsequent offenses on the average (3.3 arrests) compared to individuals placed on probation (3.5) (see Table 37). Juveniles sent to CYA, prison or jail had fewer repeat offenses than youth sentenced to a local camp facility or a 24-hour school (see Table 38). This may be due to the differing length of confinement and the more secure setting in state institutions and jails. Placements in 24-hour schools had the highest frequency of rearrest (4.0 arrests within a two-year period).

TABLE 37
 AVERAGE NUMBER OF SUBSEQUENT OFFENSES
 OUT-OF-HOME PLACEMENT AND PROBATION
 DISPOSITION OF TRACKING OFFENSES
 TWO-YEAR POST-TEST PERIOD
 Case Study

	<u>Average</u>	<u>Number</u>
Out-of-Home Placement	3.3	115
Probation/Other	3.5	194

TABLE 38
 AVERAGE NUMBER OF SUBSEQUENT OFFENSES
 BY DISPOSITION OF TRACKING OFFENSES
 TWO-YEAR POST-TEST PERIOD
 Case Study

	<u>Average</u>	<u>Number</u>
CYA	1.6	16
Camp	3.4	73
24-Hour School	4.0	25
Probation	3.4	188
Prison/Jail	0	1

Limitations

Attrition rates at the different decisions points in the system result in a smaller sample size for analysis of court disposition (309). Therefore, definitive conclusions cannot be reached regarding specific alternatives such as 24-hour school placements for which data were only available in 25 cases. Further study is necessary regarding the effectiveness of 24-hour schools for specific types of offenders. The programs in these facilities are diverse and are directed toward specific types of youth (e.g., emotionally disturbed, character disordered). A study should be conducted on recidivism of all 24-hour school placements during a one-year period, with particular attention given to the type of youth placed (e.g., type of offense, emotional problems, living situation, etc.). This information would allow probation officers and juvenile court judges to make decisions based on the effectiveness of these programs for specific children.

LOCAL FACILITIES

The juvenile camp program in San Diego County (Rancho del Rayo) was modified significantly in 1983, which could affect recidivism rates in the future. Previously, the program emphasized a required school program and work activities (e.g., litter control, trail building, reforestation and general clean-up for the County and the U.S. Forestry Service). Youth spent six days a week on the work crews and attended classes in the evenings. In addition, an average of two hours per week of counseling was provided.

The primary focus of the program has changed, and is centered around an eight-month graduated step system in which youth earn privileges and reductions in commitment time based on good behavior. Performance is reviewed periodically with credit given for school, work, behavior and attainment of objectives stated in the treatment plan developed during the intake phase. This graduated, multiphase program consists of three levels: pre-citizen, citizen, and graduate.

The work crews are now only one day per week, with four days spent in the classroom. The work experience stresses vocational training to a greater degree, with specialized jobs in culinary arts, gardening, maintenance, laundry and office work. Additionally, vocational education classes are being provided by outside agencies such as the Regional Opportunity Program (i.e., engine repair class).

The counseling component has been expanded to include more intensive individual, group, and family counseling.

Prior to release, a reentry plan is developed for the ward. The planning is done in conjunction with the youth's family, the County Department of Education and community-based agencies. The reentry plan is to facilitate a smooth transition back to the community setting.

Program elements are consistent with concepts proposed in recent research regarding residential treatment of violent and serious offenders (Strasburg, Armstrong, Romig, Agee). These concepts include:

1. Treatment within the youth's area of residence to increase the reintegration of the juvenile into the home environment.
2. Initial diagnosis and assessment of needs and the development of an individual treatment plan.
3. A multiphase program which allows the juvenile to be gradually taken from a structured environment to one of increasing responsibility and self-reliance.
4. An aftercare program which provides support and assistance to the juvenile as he reenters the community (Pennell and Curtis, 1982).

Additionally, the camp program provides a wide range of treatment/services to meet the needs of individual wards (e.g., education, job training and career development, recreation, family and individual counseling and life skills training.)

In 1982, the County of San Diego considered contracting with a private vendor to provide a juvenile camp program. This has been postponed because of potential

legal constraints that require that the Chief Probation Officer be the appointing authority for the director or superintendent of juvenile homes and camps. The request for proposal process included submissions by private vendors and the Probation Department. Probation's proposal reflected the programmatic changes noted above. Prior to reconsideration of contracting for services, the County should assess the Probation Department's program over a two- to three-year period to determine the impact on youth.

INTERAGENCY AGREEMENT

Processing of juvenile cases in San Diego County over the next few years could change significantly as the result of an agreement reached by the District Attorney's office, Probation and all law enforcement agencies in the region. The Interagency Agreement, as it is called, is an approach which holds youth accountable for their behavior at an early stage through consistent, swift and early intervention by all justice components. The agreement was implemented in December 1982 and therefore had little, if any, effect on BCS data presented.

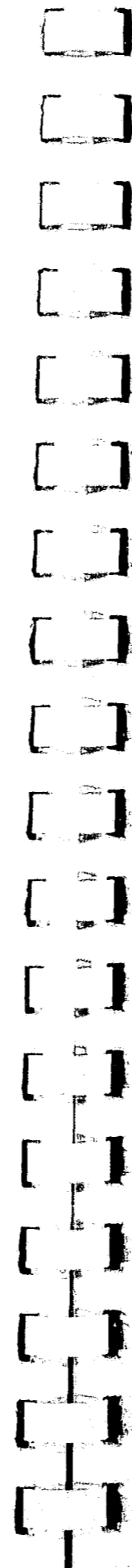
The agreement was in response to a realization that juveniles were being repeatedly diverted from the juvenile justice system with no action taken. In the past, a first-time offender was often counseled and released by police. Now, if the youth is a first-time misdemeanor, the minor will most likely be placed in an in-house diversion program or referred to a community agency rather than released. A second misdemeanor offense will result in a request for a petition by law enforcement, as will the first felony offense, unless there are extenuating circumstances. It is expected that subsequent felony and misdemeanor offenses will be referred and that petitions will be filed in a higher proportions of cases, compared to previous years. The new policy will not necessarily result in greater punishment for specific offenses, however. Dispositions will be graduated with options such as work project and restitution used as alternatives in less serious cases.

The effectiveness of this strategy in reducing delinquency can only be determined through a long-term pre- and post-test study of cases processed through the system. The results of the Interagency Agreement could have implications for reducing or preventing juvenile delinquency on a statewide level. This is particularly relevant now with efforts under way in the state legislature to make extensive changes in juvenile court law with emphasis on a consistent, graduated response to juvenile offenders.

CONCLUDING REMARKS

It is important to recognize that the juvenile justice system cannot totally solve the problem of the serious juvenile offender and recidivism, regardless of the approach. The response by justice agency personnel is after the fact. Many of these youth have a history of negative influences in their personal lives, either with their families, school, friends or the social and economic conditions surrounding them. Emphasis should be placed not only on earlier and more appropriate intervention by the juvenile justice system after an offense occurs, but on prevention through the community and social institutions. According to one researcher, "Intervention into serious delinquency, which includes but is not limited to violent crime, should focus on organizational change within the major socializing institutions, and given the importance of the high-risk neighborhood for

serious delinquency, special emphasis must be placed on community-based strategies" (Weis, 1981). Examples include community organization and youth development, parenting training, crisis intervention and alternative schools. Such community programs should serve areas with the greatest need (e.g., high juvenile crime rates, low socio-economic status).



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Appendices

Appendix A Methodology

CASE TRACKING STUDY

The purpose of the case tracking study was to evaluate the effectiveness of different intervention strategies or dispositions by the juvenile justice system in reducing repeat offenses among serious youthful offenders. A total of 614 juveniles were tracked from initial police contact for a serious crime (willful homicide, forcible rape, robbery, aggravated assault, burglary, grand theft and motor vehicle theft) to final case disposition. Additionally, data were recorded for all prior and subsequent police contacts, probation referrals, petitions filed, true findings and case dispositions up to two years after the tracking offense. Study results allow:

1. The development of a profile of the serious juvenile offender;
2. The review of juvenile justice system processing of offenders;
3. An analysis of the effectiveness of the system in reducing recidivism.

The current project is a follow-up to a 1982 study of juvenile offenders. Data from the previous study were augmented with more detailed information on recidivism for an extended time period to analyze the effects of intervention strategies using a pre- and post-test design. Comparison periods include two years before and after the tracking offense. The data collection forms used in both phases of this research are presented on pages 86 to 89.

Sample Selection

The study sample was selected from juvenile police contacts occurring from July 1 to December 31, 1980 in five San Diego County law enforcement jurisdictions. The law enforcement agencies (El Cajon, National City, Oceanside, San Diego City, and San Diego County Sheriff) were selected using the following criteria:

1. Geographic location (representative of all areas of the region);
2. Volume of juvenile contacts for the offense categories being examined;
3. Seriousness of juvenile offenses (i.e., a significant proportion of the total juvenile arrest in the County for crimes less frequently committed, such as homicide and rape, occurred in these jurisdictions);
4. Rate of referral to probation (high enough to provide a sufficient number of cases reaching juvenile court disposition).

CONTINUED

1 OF 2

These five agencies represent 81% of all juvenile contacts for the seven major offenses studied and 80% of the probation referrals during 1980.

A probability sample of juvenile arrests/contacts was selected from the arrest and citation register at each law enforcement agency. To obtain a comparable number of violent and property offenses, all crimes against persons were included and 25% of the property offenders were chosen.

The following is a breakdown of study cases from each agency:

<u>Jurisdiction</u>	<u>Number</u>	<u>Percent</u>
El Cajon	32	5%
National City	52	8%
Oceanside	31	5%
San Diego	342	56%
Sheriff	157	26%
TOTAL	614	

If a juvenile was charged with more than one offense at the time of arrest, the most serious crime was coded based on the Uniform Crime Report (UCR) hierarchy of offenses. If an individual had more than one arrest during the study period, a single arrest was randomly selected as the tracking offense.

Recidivism data could not be collected for youth with sealed probation or arrest files (over 18) or those who had lived outside San Diego County for a significant time during the study periods. (Three months was used as the criterion for exclusion from the recidivism sample.) This reduced the sample to 282 youth for whom prior and subsequent arrests could be tracked. In most agencies, law enforcement files on juvenile arrests are automatically purged when a youth turns 18, and probation files are sealed after a court order is issued at the request of the juvenile.

Data Collection

Data were collected from the following sources:

- o Arrest and citation register (demographic and arrest information).
- o Probation files (socioeconomic variables, factors related to the tracking offense and other probation referrals, institution time).
- o District Attorney records (case disposition for remands to adult court).
- o Juvenile Hall Index (juvenile arrests).
- o Department of Social Services (welfare status of family, child abuse, 24-hour school placements).

Data elements include:

1. Age.
2. Sex.
3. Race.
4. Socioeconomic status.
5. Living situation.
6. Disposition of tracking offense by law enforcement, probation and courts.
7. Prior and subsequent arrests, probation referrals, petitions, true findings, case dispositions and commitments.
8. Attitude of juvenile at time of arrest.
9. Pre-adjudication detention and reason for detention.
10. Charges at arrest, on petition and at disposition.
11. Social factors identified by probation.
12. Intervention strategies.
13. Gang affiliation.
14. Case processing time.
15. Number of companions or accomplices.
16. Remands to adult court.
17. Referrals to outside community-based agencies.
18. Institution time.
19. Substantiated child abuse.

Appendix B

Juvenile Court Process

Proceedings at the juvenile level are not criminal and judging a minor to be a ward of the court is not deemed a conviction per Section 203 W&I. As a result, juvenile court uses its own terminology for events similar to those that occur in adult criminal courts. For example, a juvenile is not found guilty of an offense, but a true finding is made by the court. Such terms will be referenced and explained throughout the discussion of the juvenile court process.

Figure 12 presents an overview of the juvenile justice system and the possible disposition alternatives at each stage in the process. This is a simplified version of the flow of cases. Not all juveniles will proceed through every step or hearing. The chart is only used to clarify the following description of the role and decision alternatives of criminal justice actors (law enforcement, probation, courts and corrections) as set forth in state statutes and local policies and procedures.

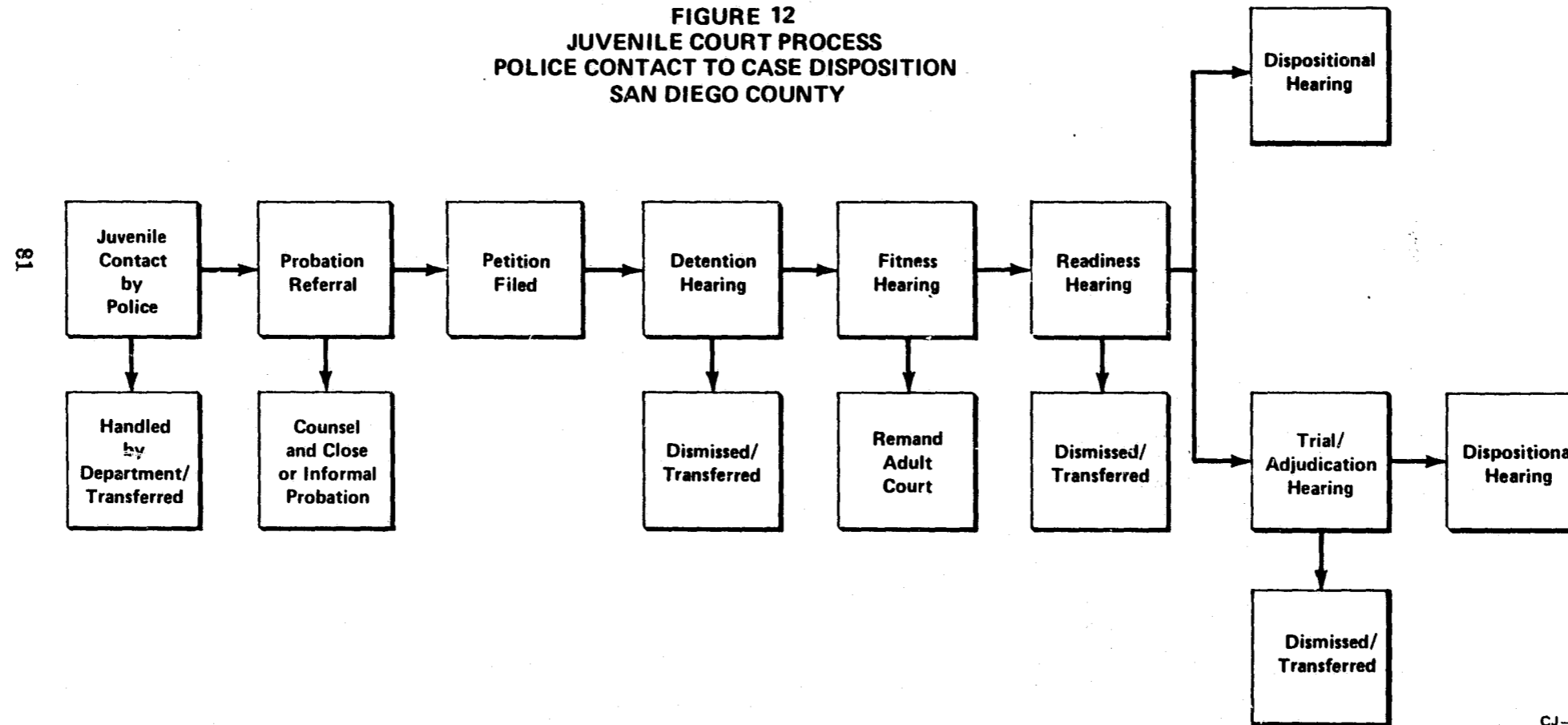
Law Enforcement

Initiation into the juvenile justice system for 601 and 602 W&I offender¹ begins with contact by law enforcement. A contact is similar to an arrest for an adult and the terms are used interchangeably in this report. The first decision made by law enforcement personnel after arrest is whether to place the minor in Juvenile Hall or release to the parents (626 W&I). The criteria for detention by probation are stated in Section 628 W&I:

1. The minor has no parent or guardian willing to exercise proper care or control.
2. The minor is destitute with no suitable home.
3. The minor has a home which is unfit.
4. The minor or the person or property of another requires protection.
5. The minor is likely to flee the jurisdiction.
6. The minor has violated a court order.
7. The minor is physically dangerous to the public due to a physical or mental deficiency or disorder.

¹ Status offenders (601 W&I) and youth who have violated criminal statutes (602 W&I).

FIGURE 12
JUVENILE COURT PROCESS
POLICE CONTACT TO CASE DISPOSITION
SAN DIEGO COUNTY



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The law enforcement officer may refer the case to probation for further processing or the juvenile can be handled informally. In some jurisdictions, informal disposition includes referrals to diversion programs in individual police agencies or an outside community-based agency.

Probation

In San Diego County, felony cases are screened by the District Attorney's office to determine provability of the charges and then referred to Probation for processing. Misdemeanors are referred directly to probation by law enforcement and are handled by an intake officer who determines if a petition will be requested from the District Attorney's office. A petition is similar to filing a complaint in the adult court system. The petition must be filed within 48 hours (two judicial days) for juveniles in custody and 21 days for "paper" referrals (non-custody cases - 653 W&I). Probation's decision not to request a petition can be appealed by the victim or police agency (655 W&I).

Other disposition alternatives include counseling by the intake officer and closing the case, or informal supervision which is a six-month period of supervision authorized by probation.

Three units within the Probation Department Juvenile Services Division are involved in the decision-making process in court cases. The investigation unit prepares an in-depth investigation of the child's background and submits a social study to the court which includes recommendations regarding case disposition. The placement unit decides what institutional setting is appropriate for the minor if the court orders placement in a 24-hour school. Finally, the supervision unit actually supervises minors placed on probation. This unit also handles subsequent referrals for juvenile wards of the court who commit additional offenses during the period they are under jurisdiction of the court.

District Attorney

If the deputy district attorney determines that the case is provable, the petition is filed. The deputy district attorney represents the state at all proceedings in juvenile cases. With the exception of a shared responsibility for filing a petition, the role of the deputy district attorney is similar to the role in the adversary system in adult court.

Courts

At the initial hearing for any juvenile, the matter of court-appointed counsel is decided. Section 634 W&I states that if a minor or his/her parents desire counsel, but cannot afford it, the court may appoint a defense attorney. If a juvenile appears without counsel, the court must appoint an attorney, unless there is an intelligent waiver by the minor of the right to counsel.

Detention Hearing. A juvenile in custody must be brought before a judge or referee of the juvenile court to determine if the minor will be detained further. This occurs within one judicial day of the filing of a petition. (632 W&I). Subsequently, the issue of detention can be reevaluated at other court appearances.

Fitness Hearing. The prosecuting attorney may move to have a 16 or 17 year old declared unfit for juvenile court based on the following criteria:

1. The degree of criminal sophistication exhibited by the minor;
2. Whether the minor can be rehabilitated prior to the expiration of the juvenile court's jurisdiction;
3. The minor's previous delinquent history;
4. Success of previous attempts by the juvenile court to rehabilitate the minor;
5. The circumstances and gravity of the offense alleged to have been committed by the minor. (707 W&I).

The juvenile is presumed fit for juvenile court and has to be proven otherwise, except when the minor has been charged with one of 16 major offenses. In the latter case, the juvenile is presumed unfit unless there are extenuating or mitigating circumstances.

Readiness Hearing. The first court appearance for most non-custody cases is the readiness hearing, unless a fitness hearing has been required. At the readiness hearing, the court determines whether a final disposition of a case can be reached without a full trial or adjudication hearing. The juvenile at this time may plead no contest or "admit" to some or all of the charges (similar to a guilty plea). This admission is considered a true finding by the court and disposition (sentencing) either occurs at readiness or a subsequent disposition hearing. If the case is not settled, a date is set for the adjudication hearing. The readiness hearing is not mandated by statute and therefore is not used in all jurisdictions in California.

Adjudication Hearing. The adjudication hearing is similar to a trial. The deputy district attorney presents evidence in support of the petition. The minor has most of the same constitutional and statutory rights as in an adult criminal trial (e.g., right against self-incrimination, confrontation of witnesses, etc.). At this hearing, the petition is either found to be true or dismissed.

Dispositional Hearing. At the dispositional hearing, the judge or referee decides what alternatives are most appropriate for the juvenile based on information and recommendations supplied by the probation officer in the social study as well as recommendations of the deputy district attorney and possibly defense counsel. The court may retain jurisdiction over the minor by declaring the juvenile a ward of the court. This places the court in the role of the minor's guardian during the period of wardship. Disposition options include:

1. Commitment to California Youth Authority (CYA);
2. Placement in a County camp facility (Rancho del Rayo) or Girls Rehabilitation Facility;
3. Placement in a 24-hour school (residential setting) or foster home;
4. Short-term placement in Juvenile Hall;

5. Return home on probation either with or without wardship. Probation may include conditions such as restitution, court costs and work projects.

Appendix C Definition of Terms

Adult Court Remand

A juvenile, 16 or 17 years of age, may be transferred (remanded) to adult court if the minor is deemed not amenable to treatment available to the juvenile court.

Disposition (Court)

The disposition in juvenile court is similar to sentencing in the adult court system. Disposition alternatives include commitment to California Youth Authority (a state institution), placement in local county or private school facilities, placement in a foster home, short-term placement in Juvenile Hall, or probation.

Juvenile

Juvenile court law defines a juvenile as 17 years of age or younger.

Juvenile Contact

A contact is similar to an arrest for an adult. A juvenile contact report, rather than an arrest report, is completed by the law enforcement officer.

Petition

A petition is similar to filing a complaint in the adult court system. The petition lists the formal charges against the juvenile to be considered by the court.

Probation Referral

A law enforcement agency may refer a juvenile case to probation for further processing. The probation officer may handle a case informally or request that the District Attorney file a petition with the juvenile court.

True Finding

If a juvenile either admits involvement in an offense, or the court determines the juvenile was involved based on evidence presented, a true finding is made. This is similar to a guilty verdict in adult court.

APPENDIX D

0=Unknown
Blank=Not Applicable

CASE TRACKING FORM

I.D. NUMBER

JUVENILE NAME & ALIAS
ARREST REPORT NO.
PROBATION FILE NO.
DOB:
I.D. NUMBER 1 5

1. LAW ENFORCEMENT

- A. AGENCY
1 = SDDP
2 = SDDO
3 = National City
4 = Oceanside
5 = El Cajon
B. RACE OF SUSPECT
1 = White
2 = Mexican-American
3 = Black
4 = Indian
5 = Chinese
6 = Japanese
7 = Filipino
8 = Other
C. AGE (As of arrest date)
D. SEX
1 = Male
2 = Female
E. DATE OF ARREST
F. ARREST CHARGE
1 = homicide
2 = rape
3 = robbery
4 = agg. assault
5 = burglary
6 = grand theft
7 = MV theft
G. PLACEMENT AFTER ARREST
1 = JH (Date)
2 = released
3 = other
H. L.E. DISPOSITION (verify)
1 = turned over to another LE agency
2 = Juv. Court/Probation referral
3 = Handled by Dept.
4 = Originally diverted then referred to Probation
5 = Other
I. NO. OF COMPANIONS
J. COOPERATION
1 = Answered questions re: incident
2 = Refused to answer questions
0 = Unknown
K. ATTITUDE
1 = Good (remorse, concern)
2 = Fair
3 = Bad (unconcerned)
0 = Unknown
Specify:
L. RACE OF VICTIM (See 1B)
M. L.E. DISPO DATE
N. ARREST IN RESPONSE TO CRIME REPORT
1 = Yes
2 = No

NOTE: For cases not referred to Probation, get mother's name & DOB from arrest report at agency - list on separate sheet.

2. PROBATION

- A. DATE CASE REC'D
B. FACE SHEET INFO - THIS OFFENSE
(List mother's name & DOB on separate sheet.)
1. Living Situation
01 = mother
02 = father
03 = mother & father
04 = mother & stepfather
05 = father & stepmother
06 = guardian
07 = other relative
08 = friend
09 = self
10 = other
2. Parents Occupation
Father
Mother
1 = employed
2 = unemployed
C. PROBATION DISPO
Date
Result
1 = counsel & close
2 = informal supervision
3 = informal/then petition filed
4 = petition filed
5 = petition rejected-counsel & close
6 = petition rejected-informal
7 = Other

D. REASON FOR REJECTION OF PETITION

- 1 = insufficient evidence
2 = victim refuses to prosecute
3 = other
E. STATUS AT INTAKE
1 = ward
2 = alleged (non) ward
3 = parolee
4 = other
F. HIGHEST CHARGE ON PETITION
1-7 (see 1F)
8 = other felony
9 = misdemeanor
11 = infraction
10 = status offense
12 = other

3. COURT PROCESS

- A. DETENTION HEARING
Date
Result
1 = Juv. Hall
2 = Hillcrest
3 = jail
4 = own home
5 = home supervision
6 = released-case dismissed
7 = FTA-BW
8 = other
REASON FOR DETENTION (from court order)
1 = likely to flee
2 = danger to others
3 = violation of court order
4 = no parent or guardian
5 = protection of minor
B. DEFENSE ATTORNEY
1 = appointed
2 = retained
C. FITNESS HEARING
Date
Result
1 = adult court
2 = juvenile court
3 = other

ID NUMBER 1 2 5

D. FINDING

- 1 = admit/uncontested/guilty plea
2 = contested-true finding /guilty finding
3 = admit & transfer
4 = contested-true finding court & transfer
5 = dismissed
6 = transfer
7 = FTA-BW
8 = other
DATE OF FINDING HEARING
1 = detention
2 = readiness
3 = trial
4 = fitness hearing (707)
5 = other
CHARGES (IF TRUE FINDING) (See 2F)

E. DISPOSITION (FROM COURT ORDER)

- 1 = CYA
2 = YCC
3 = Juv. Hall
4 = camp
5 = Lightning Unit
6 = 24 hour school
7 = Vision Quest
8 = foster home
9 = home-ward w/conditions (e.g., work project, restitution, costs, counseling)
10 = home-ward w/o conditions
11 = non-ward probation
12 = no supervision w/conditions
13 = FTA-BW
14 = Other
DATE OF DISPOSITION HEARING
1 = detention
2 = readiness
3 = trial
4 = dispositional hearing
5 = other
TIME ORDERED (MAXIMUM DAYS)
INSTITUTION
PROBATION
999 = indefinite
F. PROBATION RECOMMENDED (See Codes Section E)

G. TOTAL DAYS DETAILED

- PRIOR TO DISPO
Juvenile Hall
Foster Home
Home Supervision
Other

4. SOCIAL STUDY

- A. PROBLEMS IDENTIFIED
Drugs
Alcohol
Lack of guidance/supervision
Poor living quarters
Recent situational factors at home (e.g., divorce)
Disharmony in family
Beyond control of parents
Psych. evaluation requested
Medical factors affecting behavior
School attendance
Grades
School behavior
Bad attitude
Other offenses
Peer associations
B. POSITIVE FACTORS
Good attitude
Grades
Good family relations
No school behavior problems
No priors
Accessory to crime
Employed
Attendance
Appropriate parental guidance
Receiving counseling
Good health
C. PRIORS IN SOCIAL STUDY
Felony
Misdemeanor
Status
Infraction
Traffic
Probation Violation

5. SUPERVISION CLASSIFICATION

- 1 = minimum
2 = medium
3 = maximum
4 = intensive

6. FORMAL REFERRAL TO AGENCY

- (1 year)
1 = yes
2 = no
Agency
TYPE OF SERVICES
1 = none (didn't appear)
2 = counseling
3 = alcohol programs
4 = employment/training program
5 = other

7. CASES WITHOUT PETITIONS

- A. ATTITUDE
1 = good
2 = bad
3 = neutral
B. PARENTAL PLANS
1 = handle at home
2 = counseling
3 = change in placement
C. REASON FOR INFORMAL DISPO
Good attitude
Not timely
Restitution paid
Moving
Low maturity level
DA discretion
Lack of signif. record
Lack of serious charge
Can't locate minor
Counseling
Parent handling
Other

8. GANG AFFILIATION NOTED

- 1 = yes
2 = no

9. ALL PRIOR OFFENSES

Table with columns: Arrest, Prob, Pet, True, Finding, CYA, Camp. Rows: F, M, S, I, Same, Prob, Viol.

ID NUMBER 1 4 5

10. PRIOR OFFENSES (1 yr.)

Table with columns: Arrest, Prob, Pet, True, Finding, CYA, Camp. Rows: F, M, S, I, Same, Prob, Viol.

11. SUBSEQUENT OFFENSES (1 yr.)

Table with columns: Arrest, Prob, Pet, True, Finding. Rows: F, M, S, I, Same, Prob, Viol.

12. WELFARE

- 1 = General Relief, AFDC
2 = food stamps
3 = other
4 = no

Table with columns: ARREST DATE, CHARGE, AGENCY, PROB. REF., PET. REJ., PET. FILED, FINDING, CYA, CAMP.

END