

**Understanding
Youth Who
Commit
Serious
Offenses:
A Five-Year
Snapshot
2013-2017**



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Youth with Serious Offenses

Probation developed this report to examine youth who have committed a serious offense between 2013 and 2017 and includes only the following offenses:

- PC187 (murder)
- PC192(A) (nonnegligent manslaughter)
- PC 261 (forcible rape)
- PC 245 (aggravated assault)
- VC10851 (auto theft)
- PC211 and PC213 (robbery)
- PC664/213 (attempted robbery)
- PC215 (carjacking)
- PC664/215 (attempted carjacking)
- PC459 (burglary: first degree).

A total of 2,356 unduplicated youth were referred for a total of 4,227 offenses described between 2013 and 2017.

Referrals for the noted serious offenses were 14 percent higher in 2017 than in 2013. Between 2016 and 2017 they increased by 68 percent. This five-year trend indicates that 2016 was the lowest year for offenses committed in Santa Clara County.

What Happens when a youth is Arrested?

- Given a citation by law enforcement officer and released to guardian or arrested by law enforcement officer and brought to Juvenile Hall. San Jose Police Department made 61% of referrals, 7% were made by the Sheriff's Office, and 5% by the Sunnyvale Department of Public Safety.

What happens when a youth comes to Juvenile Hall?

- The Probation Screening Officer will review the facts of the case and interview the youth, then administer an objective Risk Assessment Instrument (RAI) to determine a youth's risk of re-offense and risk of missing their first court date. Youth is either detained or released to a guardian.

What happens once a youth is detained?

- State law requires certain cases be reviewed by the District Attorney to determine if a youth will be charged with a crime and a youth be seen by a judge within three days. The Probation Department, in conjunction with the Board of Supervisors and Juvenile Justice Systems Collaborative, determine policies related to detention.

In 2016, of the 3,310 referrals to the Probation Department for all offenses, 32% were brought to Juvenile Hall and 88% were detained. While 92% of youth with the specified serious offenses were detained. In 2017, 55% of youth referred were aged 16 and older, 37% were aged 14 or 15, and 8% were aged 13 and under.

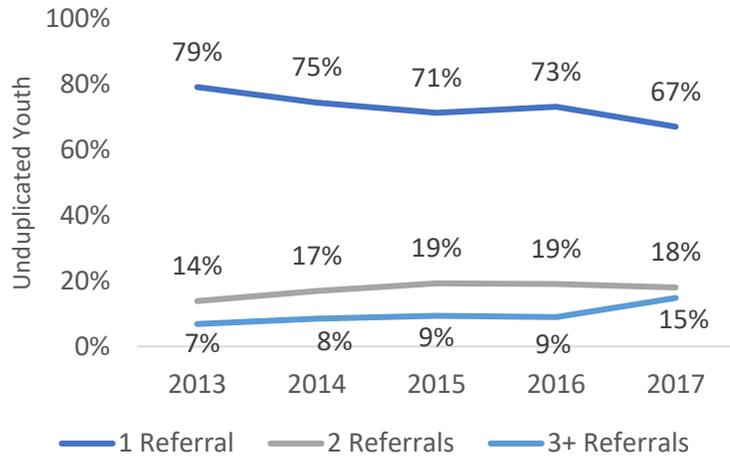
FACTS AT A GLANCE

Overall referrals for the noted serious offenses decreased on average by 12 percent per year between 2013 and 2016, before increasing by 68 percent between 2016 and 2017.

The number of youth with three or more referrals for specified offenses rose from 8 percent in 2016 to 15 percent in 2017. **A small number of youth were responsible for most of the increase in the first half of 2017.**

The top ten youth with the most referrals in 2017 were responsible for 135 referrals. It is important to note that 2017 had a unique group of youth who committed a series of offenses. Eight of the top ten youth with the most referrals were members of this group and were responsible for 117 referrals or over 10 percent of all referrals. **Five of these youth had no previous record.**

Referrals Per Youth Have Increased



High Criminogenic Risk

- 9% of girls
- 12% of boys

Moderate Criminogenic Risk

- 54% of girls
- 44% of boys

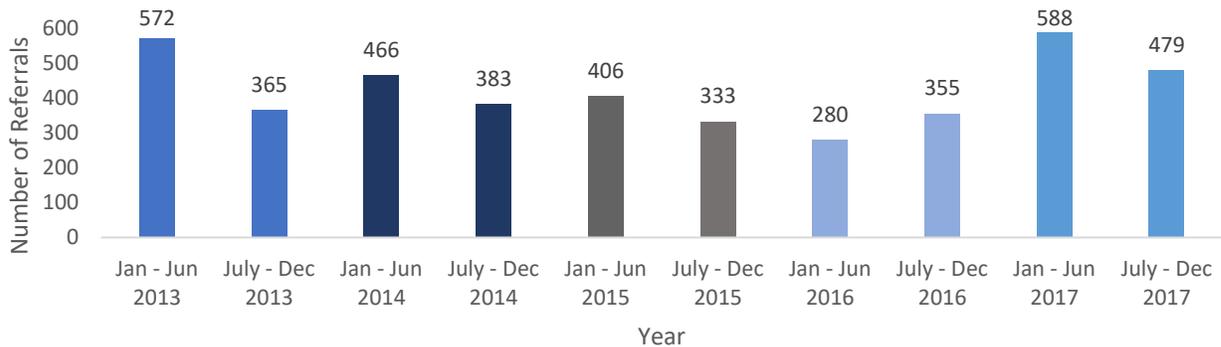
Low Criminogenic Risk

- 37% of girls
- 44% of boys

Very few high-risk youth over the last five years.

Although overall referrals increased from 2016 to 2017, no single offense had a consistent increase over the five-year study period. For burglary, there was a significant spike in referrals at the start of 2017 before returning to lower levels in the second half of the year.

Specified Offenses Referrals Increased from January to June 2017



Data show youth are increasingly involved in child welfare, struggling with school, dealing with mental health issues. The more we learn about these youth, the more the community and County agencies can improve responses and interventions.

INTRODUCTION

The Santa Clara County Probation Department (Probation) continuously strives to use data to ensure that policy, practices and programs correspond with best practices to meet the needs of youth in the juvenile justice system and ensure community safety. Annually, Probation collaborates with various County agencies to develop an annual report¹ on the overall state of juvenile justice in the County. In addition, various other evaluation projects are conducted throughout the Juvenile Probation Services Division such as the annual evaluation of programs that are funded by the State of California's Juvenile Justice Crime Prevention Act (JJCPA). What is clear, is that the current practice of screening, assessing and responding to youth has resulted in low re-offending rates. For example, most youth who are diverted through the Prevention and Early Intervention Program (PEI) have very low rates of recidivism. Over the last three years less than five percent of youth with a Letter of Reprimand or those who received Competency Development Services (CDS) treatment services went on to re-offend. Probation measures re-offending (recidivism) as a new sustained petition or adult conviction. For youth who end up at deeper ends of the system, re-offending rates increase. For example, youth in Support and Enhancement Services (SES) and Court Appointed Friend and Advocate (CAFA) have a 30 percent recidivism rate while the highest risk youth who participate in re-entry or Probation Gang Resistance and Intervention Program (Pro-GRIP) services have a 43 percent recidivism rate. For comparison, "low-risk" youth in San Mateo County have a 15 percent recidivism rate, youth with a gang affiliation have a 57 percent recidivism rate and "high-risk" youth have a 44 percent rate.²



Statewide or nationally, there is no comparison recidivism rate for juveniles due to the many differences in how cases are handled, and recidivism is measured. Most research on juvenile recidivism shows that many youth in the system for the first time (70 percent) do not commit a second crime, approximately 20 percent of first-time offenders will commit two to three crimes, and the remaining small percentage of first-time offenders will continue to commit crimes.³ Research also shows that this small group of youth are also responsible for most of the offenses. Researchers know surprisingly little about how many juvenile offenders persist into adult offending and what factors predict persistence. Large-scale

¹ Annual reports from 2011 to 2016 can be located on the Probation website at: <https://www.sccgov.org/sites/probation/reports/Pages/Annual-Reports.aspx>

² Applied Survey Research (2014) Comparative Study of Long-Term Justice Outcomes. Prepared for San Mateo County Juvenile Probation Department. Retrieved from: https://probation.smcgov.org/sites/probation.smcgov.org/files/events/08-01-2014_JJCC_Mtg_Recidivism%20Study%20Memo_Final.pdf

³ U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention; www.ojjdp.gov.

criminological research studies have shown that the prevalence of offending tends to increase from late childhood, peak in the teenage years (from 15 to 19) and then decline in the early 20s.⁴ Of most importance to public safety are the more serious offenses. To learn more, Probation developed this report to examine youth who have committed a serious offense between 2013 and 2017 and includes only the following offenses:

- PC187 (murder)
- PC192(A) (nonnegligent manslaughter)
- PC 261 (forcible rape)
- PC 245 (aggravated assault)
- VC10851 (auto theft)
- PC211 and PC213 (robbery)
- PC664/213 (attempted robbery)
- PC215 (carjacking)
- PC664/215 (attempted carjacking)
- PC459 (burglary: first degree)

A total of 2,356 unduplicated youth⁵ aged between seven and 20 years old were referred for a total of 4,227 offenses described above between 2013 and 2017. The more we learn about these youth, the more community and County agencies can improve effective interventions with youth who commit these offenses.

REPORT METHODOLOGY

The information contained in this report is drawn from both the Probation Department's case management system and the Juvenile Record System which holds official records. It should be noted that offenses for which youth are referred may change following the initial referral and subsequent review by the District Attorney's Office (DA). In some cases, the offenses that are ultimately petitioned and sustained may differ as well. As a result, the offenses listed in the referral section should not be considered a true measure of the exact crimes committed by juveniles in the County, but as a measure of why they were apprehended by law enforcement. For example, offenses that were settled at intake (dismissed by Probation or the District Attorney's Office) due to insufficient evidence would still be counted in the referral charts below. On average, 16 percent of referrals for specified offenses were settled at intake between 2013 and 2016. In 2017, only 13 percent were settled at intake⁶.

⁴ Farrington, David P., "Age and Crime," in *Crime and Justice: An Annual Review of Research*, vol. 7, eds. Michael Tonry and Norval Morris, Chicago, Ill.: University of Chicago Press, 1986: 189-250; Piquero, Alex R., David P. Farrington, and Alfred Blumstein, *Key Issues in Criminal Career Research: New Analyses of the Cambridge Study in Delinquent Development*, Cambridge, U.K.: Cambridge University Press, 2007.

⁵ This number reflects the number of individual youth with a referral during any of the years between 2013 and 2017. The earliest referral was the record kept for each youth. For the rest of the report, records were unduplicated per year (again, with the earliest referral in that period kept). For example if a youth was referred for a specified offense once in 2014 and once in 2017 they will be counted twice. If they were referred for a specified offense twice during 2014 they will be counted only once in unduplicated counts.

⁶ Referrals may be settled at intake for a number of reasons including insufficient evidence, District Attorney denial, and in the interest of justice. Some cases not included in the figures above were settled at intake and directly filed in adult court at the discretion of the District Attorney. The process for these cases changed following the passage of Proposition 57 in November 2016. No cases were directly filed in 2017.

DEVELOPMENTAL MILESTONES FOR YOUTH

To understand the population in the juvenile justice system, it is imperative to understand adolescent development. The following depicts key developmental milestones. While the behaviors described below represent normal and common adolescent behavior, it may not describe all youth. Many youth will experience fluctuating behaviors throughout their development.

YOUTH AGED 10-14

Research on this age range demonstrates youth are just starting to move from concrete to abstract thinking. Concrete thinkers focus on the here and now, while abstract thinkers focus on issues that are not associated with a specific instance. Because youth this age have strong emotions, they tend to either “love” school or “hate” it. Many kids at this age need help identifying parts that are more enjoyable—even if it’s recess, gym, and lunch. It is vital that a young teen develop a growth mindset to persevere in the face of challenges.

Emotional development of youth in this age range includes moodiness and roller-coaster emotions during the onset of puberty. Kids can be happy one moment and then violently angry or very depressed the next—and you often won’t be able to figure out why. Many talk in violent terms. “I’ll kill him.” “I want to beat her up.” “He’s so bad, he should die.” Some deal with anger and injustice verbally. Others slam doors or stomp their feet. If they act out in destructive ways, they need help learning how to express strong emotion. Many kids can become very emotionally sensitive. They are easily offended and easily hurt. Some kids will give the silent treatment when they become angry—or if they don’t get their way.



This is the age when peer pressure has the most influence. Kids are more interested in “being the same” and “being accepted.” Thus, many will do things with others they would never do alone⁷. Relationships can become quite complex. Some kids will not speak to others. Some relationships become very intense. Some kids have large shifts in their social circles as they go through puberty. Others withdraw and avoid their peers. Some stick with their friends no matter what. Cliques and tight-knit groups can form. Kids become very aware of who is in which group—even if they’re not always sure where they fit.

YOUTH AGED 15-18

At this stage of development, when youth are entering high school, they are improving their abstract thinking although they often struggle with considering the future. Due to this growth in thinking they can

⁷ In contrast to adults, it is also common for adolescents to commit crimes in groups, and in ways that are “more expressive and less instrumental”. Sullivan, ML 2004, “Youth perspectives on the experience of reentry”, Youth Violence and Juvenile Justice, vol.2, no.1, pp.56–71.

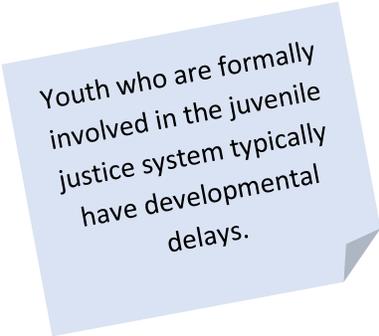
have more back-and-forth conversations and will often have expanded logic and reasoning abilities, however, many struggle to match their forming intellectual capacity with their emotional actions.

Physically youth are experiencing large fluctuations in development. Often youth in this age range can look physically older than they are. A small number of studies have also found that youth of color are more often miscategorized as adults by law enforcement and are also more likely to be sentenced as adults⁸. This leads adults to making assumptions about the youth's capability to make decisions and can lead some youth into troubling situations. These biological changes also cause changes in sleep which is why it is difficult for youth to wake up in the morning.

Youth in this range have a stronger need for independence, especially from their guardians. As a result, youth will often use words as "weapons" to separate themselves from their parents. Even though youth want their independence, they are still striving to find a sense of personal identity. Youth this age may change quickly as they work through this process of self-discovery. School expectations become more pronounced and overwhelming for youth during this time which can be an added struggle for youth with a learning disability or developmental delay.

IMPACT ON ADOLESCENT DEVELOPMENT

This section covered what a typical youth in the respective age ranges would experience. It is important to note that youth who encounter the juvenile justice system often do not meet the emotional and intellectual milestones of their peers⁹ due to a variety of issues (i.e., trauma, mental health issues, substance use, family issues, etc.). As such, youth are not able to respond or react like peers in their age range. Most significantly, there may be negative impacts to their developing prefrontal cortex, which is involved in executive functions such as self-control and planning, from adolescence into early adulthood.¹⁰ These physiological differences¹¹ can often lead to poor decision making and planning by youth leading to their involvement in the juvenile justice system.¹² Often youth may act like or even look more mature than they really stand developmentally.



Youth who are formally involved in the juvenile justice system typically have developmental delays.

⁸ Goff, P. A., Jackson, M. C., Di Leone, B. A. L., Culotta, C. M., & DiTomaso, N. A. (2014). The essence of innocence: Consequences of dehumanizing Black children. *Journal of Personality and Social Psychology*, 106, 526-545. <https://www.apa.org/pubs/journals/releases/psp-a0035663.pdf>. Young, M. C., & Gainsborough, J. (2000). Prosecuting juveniles in adult court: An assessment of trends and consequences

⁹ "Network Overview: A Century of Change in Juvenile Justice." (Washington, DC: MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice, September, 2006). http://www.adjj.org/downloads/552network_overview.pdf, accessed December 18, 2017.

¹⁰ Monahan, Steinberg and Piquero, "Juvenile Justice Policy and Practice: A Developmental Perspective," and Jay Giedd. "The Amazing Teen Brain," *Scientific American*. June, 2015. 33-37. 35

¹¹ Edward Mulvey, "Highlights from Pathways to Desistance: A Longitudinal Study of Serious Adolescent Offenders" (Washington, D.C.: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, March 2011). <https://www.ncjrs.gov/pdffiles1/ojdp/230971.pdf>.

¹² Edward Mulvey, "Highlights from Pathways to Desistance: A Longitudinal Study of Serious Adolescent Offenders" (Washington, D.C.: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, March 2011). <https://www.ncjrs.gov/pdffiles1/ojdp/230971.pdf>.

HOW YOUTH ENTER THE JUVENILE JUSTICE SYSTEM

When a youth is apprehended by a law enforcement officer they may be given a citation and released to a guardian, or arrested and brought to Juvenile Hall. In 2016, of the 3,310 arrests/citations for all offenses, 1,048 youth were brought to Juvenile Hall (32 percent). When the youth arrives at Juvenile Hall, a Probation Screening Officer meets with the youth to review the facts of the case and interview the youth. During this intake, a detention risk assessment instrument (RAI) is administered by the Probation Screening Officer to determine whether the youth should be held in secure confinement pre-adjudication. The RAI includes a written checklist of criteria that are applied to identify in each youth specific detention-related risks. This objective tool provides staff with an estimation of the risk of the youth committing another crime and/or the risk of missing their first court appearance. The overall risk score is then used to assist the screening officer in making the critical decision of whether to admit the arrested youth to a secure facility, refer them to a non-secure detention alternative, or release them to their guardian. The objectivity, uniformity, and risk-based format of RAIs help to protect against disparate treatment at intake and focus on reducing the likelihood of failing to appear in court or reoffending before adjudication. Objective and standardized criteria anchor admission decisions in ascertainable and equally evaluated facts. For example, RAI indicators include the nature and severity of the offense and the number of prior referrals. In 2016, 88 percent of all youth, not just the serious offenses, brought to Juvenile Hall were detained (n=921) at the screening phase.

Only 32 percent of all youth who were arrested or cited for any offense in 2016 were brought to juvenile hall, and 88 percent of those youth brought to the hall were detained and 92 percent of youth with the specified serious offenses were detained.

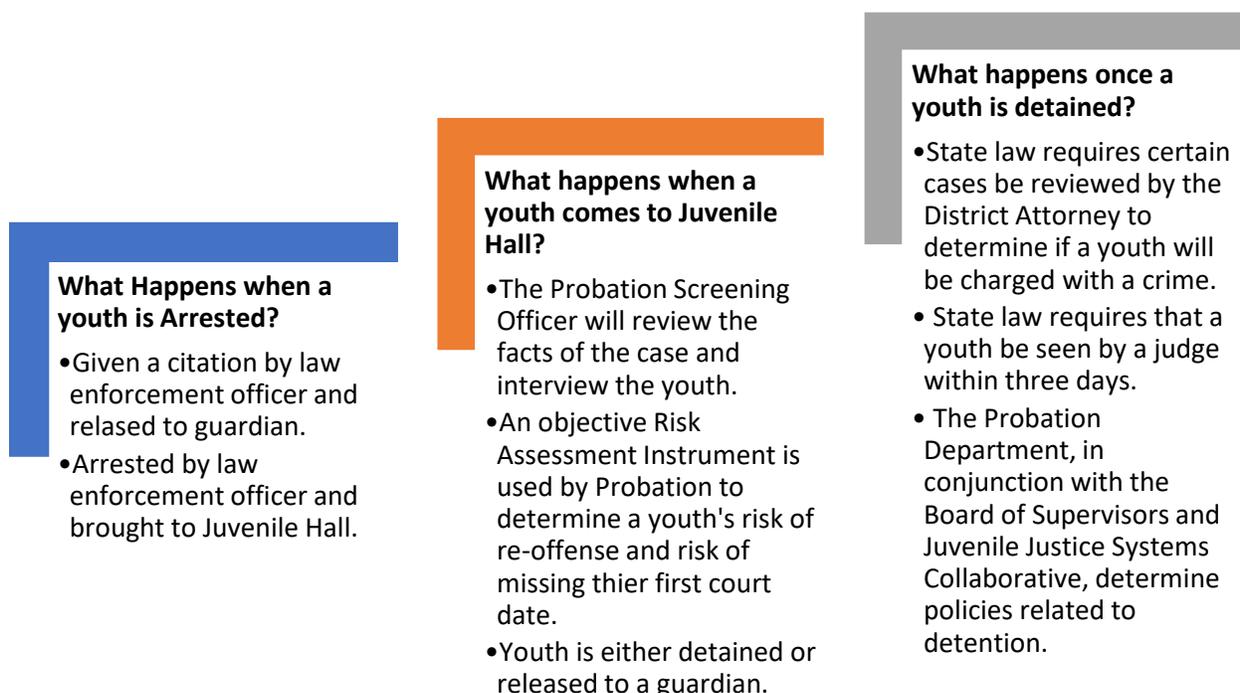
To ensure best practices are maintained regarding detentions, the Probation Department works closely with stakeholders, such as the Board of Supervisors who vetted the RAI, and the Santa Clara County Police Chiefs' Association, who agreed to the Booking Protocol in 2009. When the RAI was developed and implemented in the early 2000s, County public safety and justice agencies reviewed national and local best practice regarding which youth should be detained. In addition, consultants, including national correctional expert Edward Latessa, provided guidance in the development. The Probation Department works in partnership with stakeholder members of the Juvenile Justice Systems Collaborative (JJSC) to monitor the use of the RAI on a quarterly basis.

Research shows that detention has a profoundly negative impact on young people's mental and physical well-being, their education, and their employment prospects. Such negative outcomes include onset of mental health issues.¹³ One psychologist found that for one-third of incarcerated youth diagnosed with depression, the onset of the depression occurred after they began their incarceration, and another suggests that poor mental health, and the conditions of confinement together conspire to make it more likely that incarcerated teens will engage in suicide and self-harm. Economists have shown that the

¹³ Kashani, J.H., Manning, G.W., McKnew D.H., Cytryn, L., Simonds, J.F. and Wooderson, P.C. (1980), "Depression Among Incarcerated Delinquents." *Psychiatry Resources* Volume 3 185-191; Forrest, C.B., Tambor, E., Riley, A.W., Ensminger, M.E. and Starfield, B. (2000), "The Health Profile of Incarcerated Male Youths." *Pediatrics* Vol. 105, No. 1 286-291.

process of incarcerating youth will reduce their future earnings and their ability to remain in the workforce, and could change formerly detained youth into less stable employees. Educational researchers have found that upwards of 40 percent of incarcerated youth have a learning disability, and they will face significant challenges returning to school after they leave detention. Most importantly, for a variety of reasons to be explored, there is credible and significant research that suggests that the experience of detention may make it more likely that youth will reoffend. Recent research shows that detention not based on best practice can lead to unnecessary costs and negative outcomes for youth.¹⁴ Figure 1 below displays the decision points related to arrest and detention.

Figure 1: How a Youth Enters the Juvenile Justice System in Santa Clara County



REFERRALS FOR SERIOUS OFFENSES

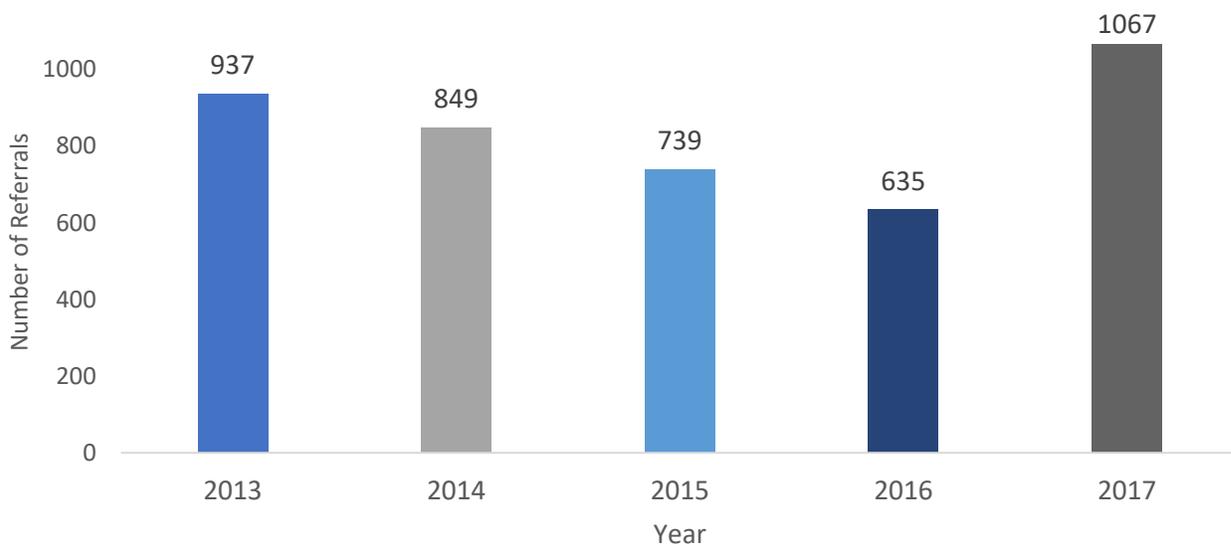
The first place to start in examining the issue of youth who commit serious offenses is to have a base understanding of the number and type of offenses. This section reviews the specified serious offenses prompting entry to the juvenile justice system. Figure 2 shows the trend in the specified offenses¹⁵ referred to the Probation Department between 2013 and 2017. A youth can be referred for more than one offense, so it is important to note that these numbers do not reflect the number of youth but rather the number of referrals. There are several youth who have numerous referrals from one event. Referrals for the noted serious offenses decreased by 32 percent between 2013 and 2016, before increasing by 68 percent between 2016 and 2017. This five-year trend indicates that 2016 was the lowest year for offenses

¹⁴ Holman, Barry and Zeidenburg, Jason (2013). Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities. Justice Policy Institute: Washington, D.

¹⁵ If one youth committed four specified offenses in four different years, each offense would be included in the yearly total.

committed in Santa Clara County, while in 2017 numbers returned to previous levels. It should be noted that these offenses have increased as a proportion of all referrals over the five-year period. In 2013 they accounted for 14 percent of all referrals and by 2016 they accounted for 19 percent. These overviews give a general idea of the number of referrals, later in the report a breakdown for each year by offense is provided for context. In addition, each year broken down into six-month increments is provided in the appendix.

Figure 2: Number of Referrals from 2013 to 2017

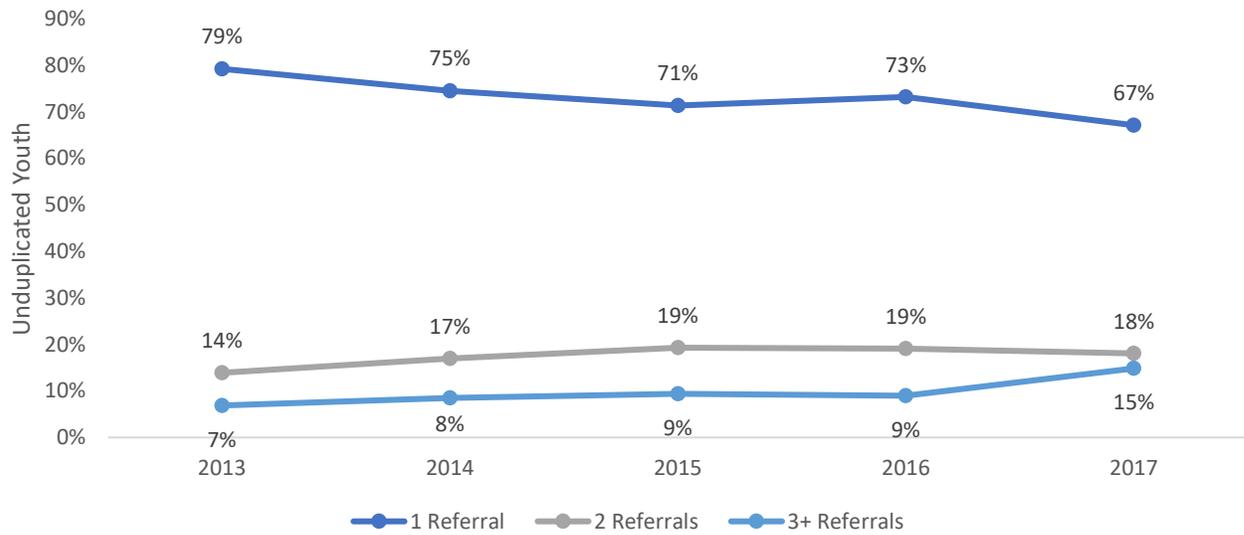


NUMBER OF REFERRALS PER YOUTH

In 2013, 79 percent of youth were referred for only one of the specified offenses during that year. This percentage decreased to 67 percent in 2017. The number of youth with three or more referrals for specified offenses rose from eight percent in 2016 to 15 percent in 2017. In short, a small group of youth accounted for more offenses; the top ten youth in 2017 were responsible for 135 referrals. It is important to note that 2017 had a unique group of youth who committed a series of offenses. Eight of the top ten youth with the most referrals were members of this group and were responsible for 117 referrals or over ten percent of all referrals. Five of these youth had no previous record. This data indicates that the proportion of youth committing multiple crimes increased in 2017. It should be noted that the crimes rose in the first part of 2017, compared to the end of 2016, before decreasing between July and December. Figure 3 displays the trend in the number of referrals per youth.

Serious crimes among youth rose in the first part of 2017, compared to the end of 2016, before decreasing between July and December. A small number of youth were responsible for most of the increase in the first half of 2017.

Figure 3: Number of Specified Referrals Per Youth Each Year 2013-2017



REFERRALS BY OFFENSE TYPE

The offense category which increased most between 2016 and 2017 was property crime (76 percent), including offenses such as auto theft and home burglaries, followed by felony crimes against people (61 percent). Referrals for weapons crimes remained consistent from 2015 to 2017. Referrals in this category decreased by 51 percent between 2013 and 2016. Figure 4 shows the trend of referrals in the specified offenses grouped into three categories from 2013 to 2017. Property crimes include burglary and auto theft, felonies crimes against people includes all offenses against people except for those involving weapons which are included in the weapon crimes category.

Figure 4: Referral Offense Categories 2013-2017

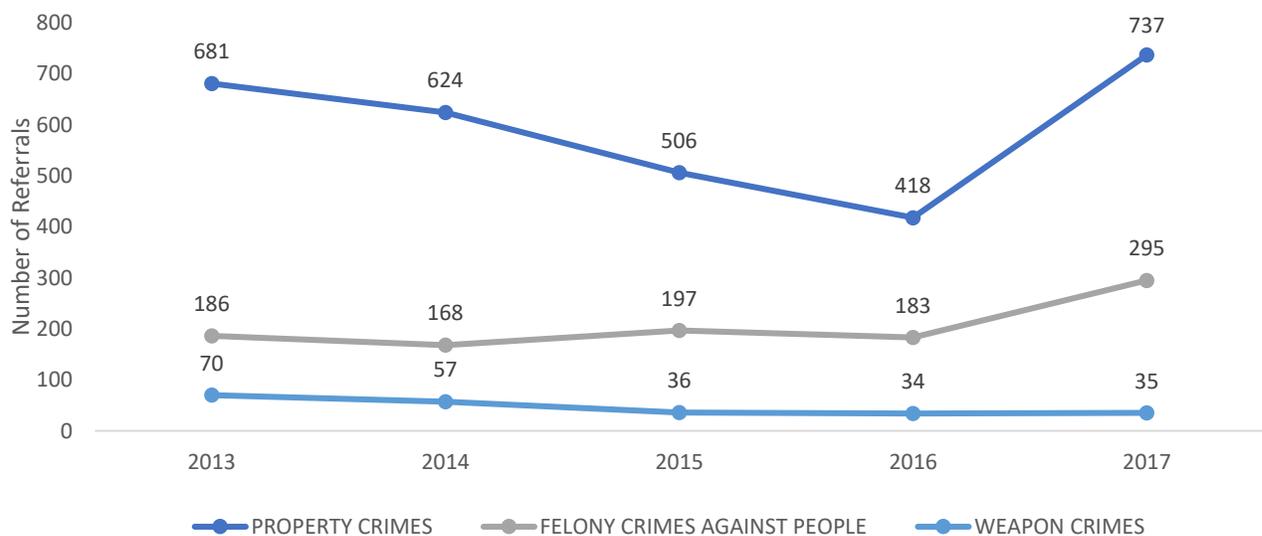
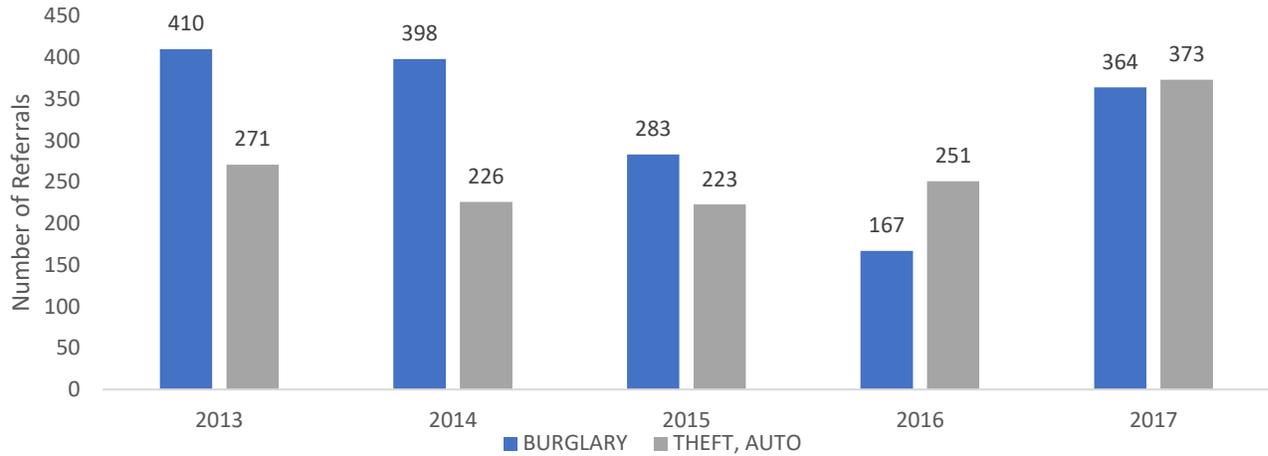


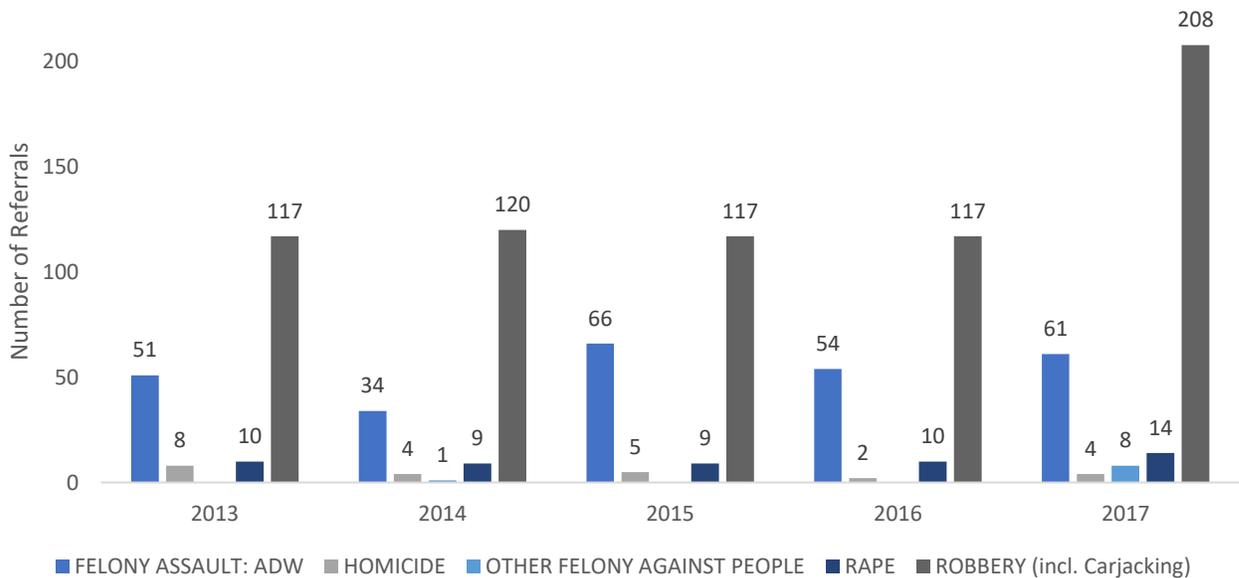
Figure 5 reveals that between 2016 and 2017, referrals for burglary increased by 118 percent after decreasing by 59 percent between 2013 and 2016. Referrals for auto theft increased by 49 percent from 2016 to 2017 after decreasing by seven percent between 2013 and 2016. However, referrals for burglaries have not yet reached the high 2013 or 2014 levels.

Figure 5: Referrals for Property Crimes 2013-2017



Referrals for robbery increased by 78 percent between 2016 and 2017 after remaining stable across the previous four years. Figure 6 shows the trend for felony crimes against people over the last five years.

Figure 6: Referrals for Felony Crimes Against People 2013-2017



Within the robbery category, referrals for “carjacking” increased significantly between 2016 and 2017. As shown in Figure 7, a significant spike occurred during the last three months of 2017 when 30 referrals were made for this offense. Twenty-three unduplicated youth accounted for these 30 referrals.

Figure 7: Referrals for "Carjacking" (PC215) 2013-2017

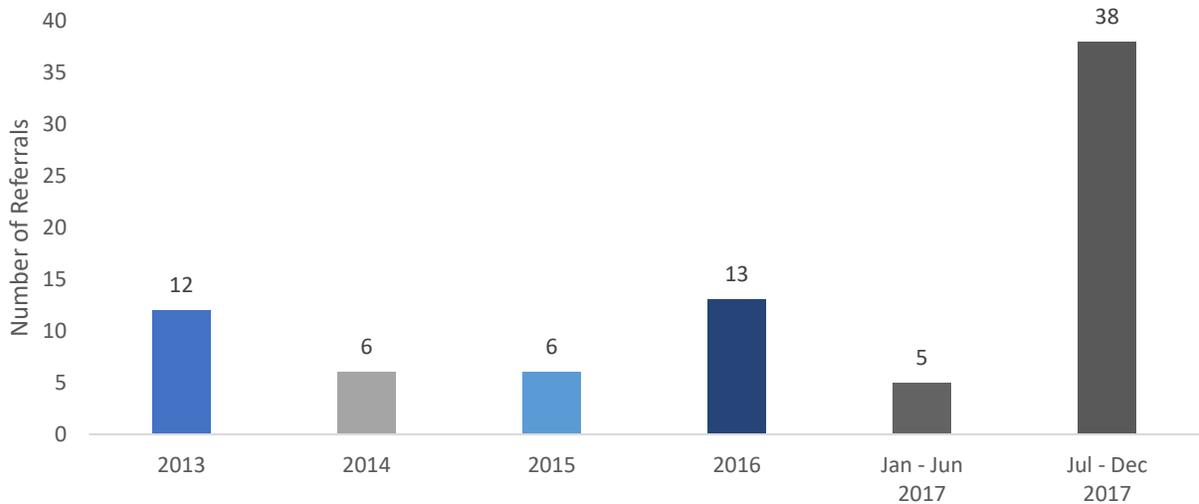


Figure 8 shows that most types of violent offenses have remained stable over the five-year period except for robberies (includes “carjacking”) which increased by 78 percent between 2016 and 2017.

Figure 8: Number of Referrals Violent Offenses 2013-2017

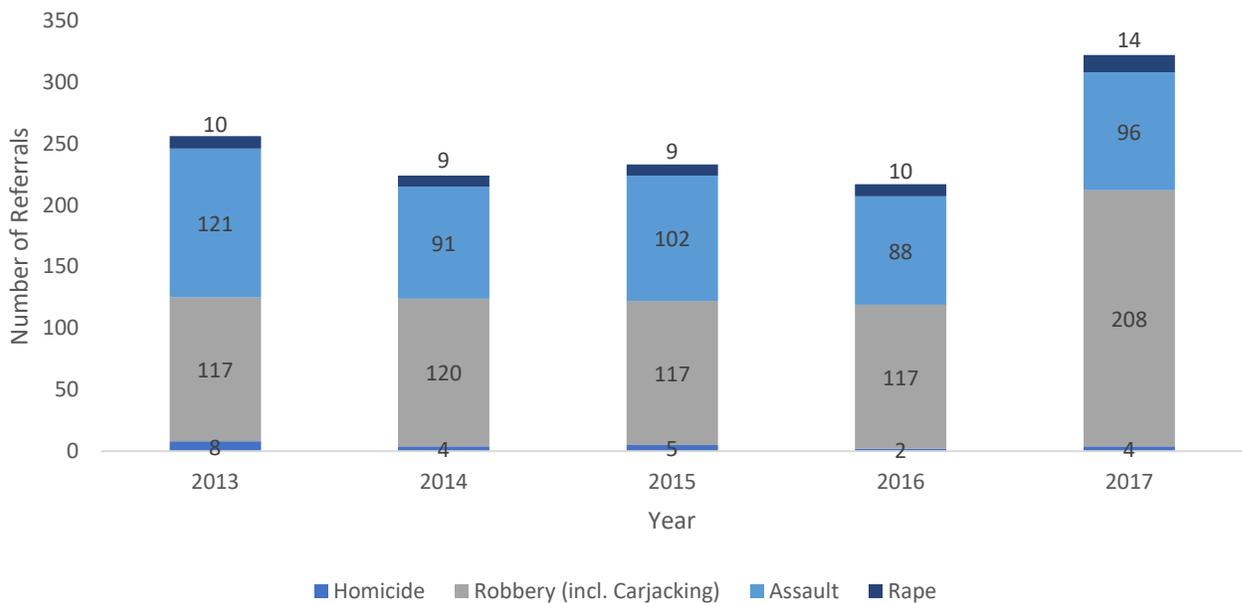
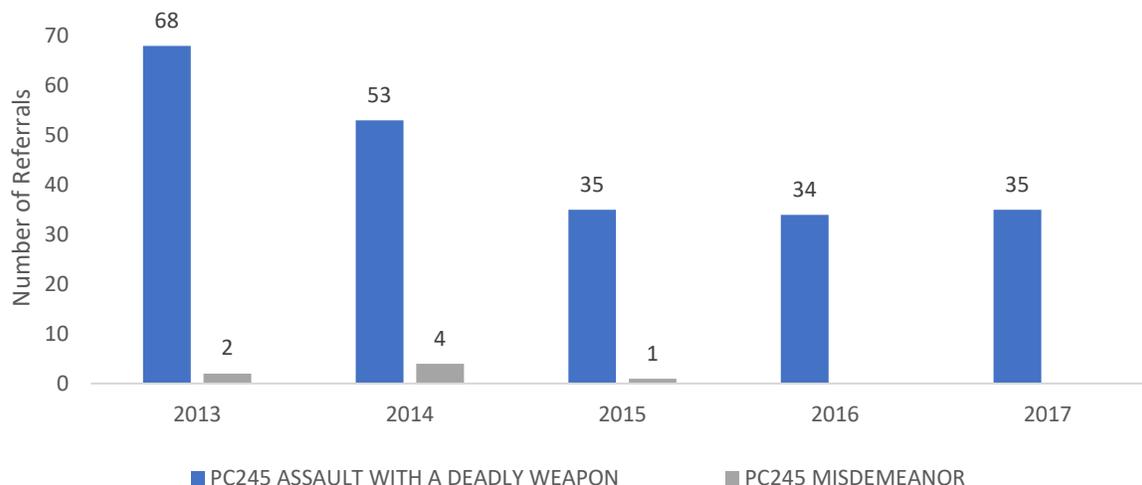


Figure 9 displays the trend in specified offenses involving weapons over time. Referrals for assault with a deadly weapon decreased by 51 percent between 2013 and 2015 and remained at the same level for the following years.

Figure 9: Referrals for Weapon Offenses 2013-2017



REFERRALS PETITIONED

When a law enforcement agency cites a youth for any crime, the citation is sent to the Juvenile Probation Division of the Santa Clara County Probation Department.

Upon receipt of the citation or in-custody notification, the Probation Officer determines whether the citation must be reviewed by the District Attorney’s Office for a decision regarding filing a petition or handling the case informally. These guidelines are outlined in section 653.5 of the Welfare and Institutions Code (WIC). Any youth over the age of 14 with a felony charge, the second felony for a youth under the age of 14, and any violent felony listed under WIC Section 707(b),

require review by the District Attorney’s Office, otherwise filing a petition is at the discretion of the Probation Department. The Probation Officer must review the citation or in-custody case with the District Attorney within 48 hours.

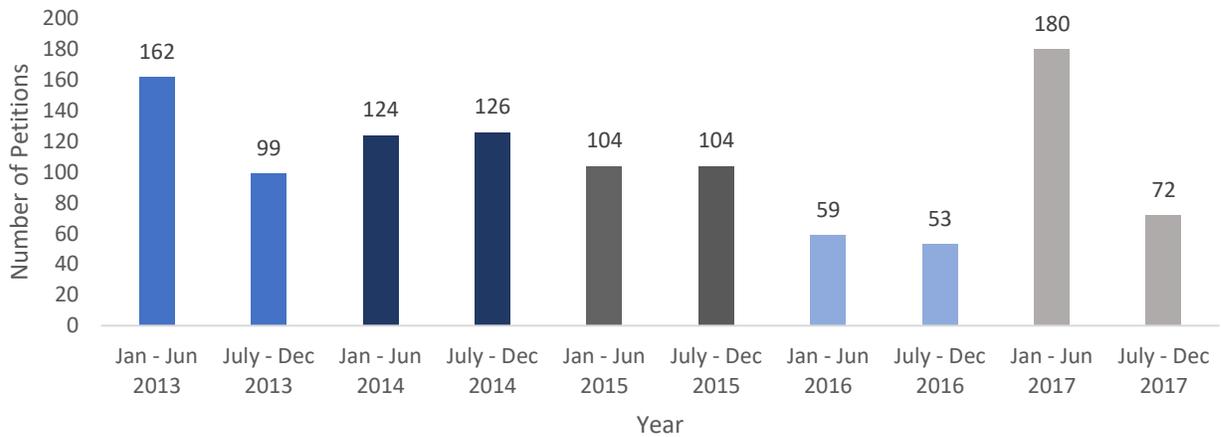
Referrals petitioned for some serious offenses have seen a spike and then returned to lower levels (i.e., burglary) while others have seen an increase over time (i.e., robbery and/or “carjacking”).

The District Attorney decides whether to file a petition immediately, or allow time for the Probation Officer to investigate the case, if a youth is not in custody. By policy, petitions are brought to the District Attorney once a youth has been accused of committing a felony or specified misdemeanor (DUI or Domestic Violence). Once an out-of-custody petition is filed, the probation officer must serve the minor

and parents with a notice of the upcoming court date. If a youth is in-custody, their case must be scheduled for court within 48 to 72 hours of arrest, excluding weekends and holidays.

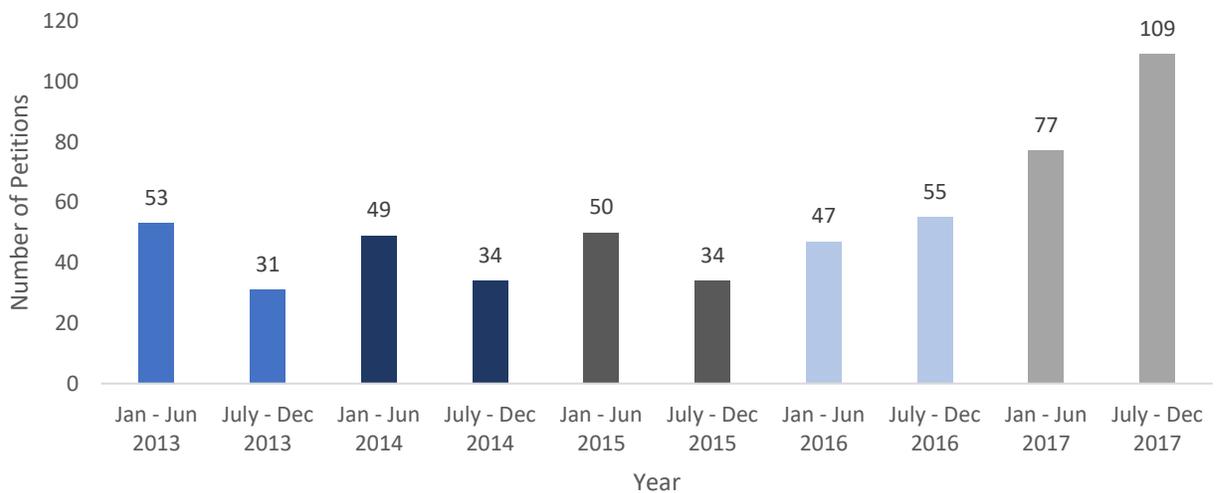
During the first six months of 2017, referrals for burglary petitioned by the District Attorney’s office increased significantly compared to 2016. As seen in Figure 10, in the second half of 2017, numbers returned to levels experienced in previous years.

Figure 10: Burglary Referrals Petitioned



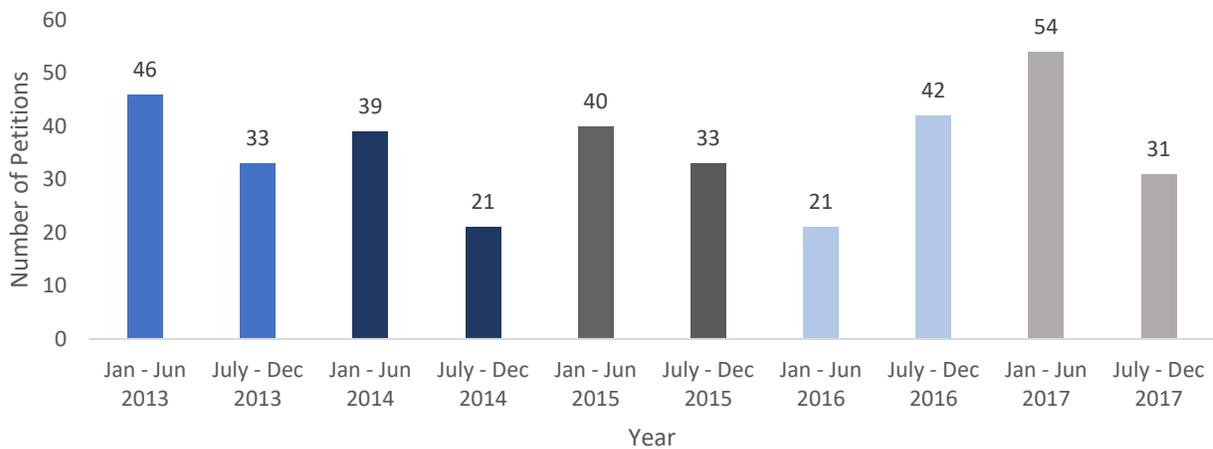
In contrast to burglary petitions, robberies (including carjacking) rose in the second half of 2017. Carjacking offenses accounted for much of this change. A figure excluding carjacking offenses is included in the appendix.

Figure 11: Robbery (incl. Carjacking) Referrals Petitioned



The number of assault referrals petitioned increased during the first half of 2017, but has generally remained stable across the five-year period as shown in Figure 12.

Figure 12: Assault Referrals Petitioned



Referrals petitioned in the County for the very serious offenses of rape and homicide, have remained stable across this five-year period. Charts showing the number of referrals received for these offense categories are included in the appendix.

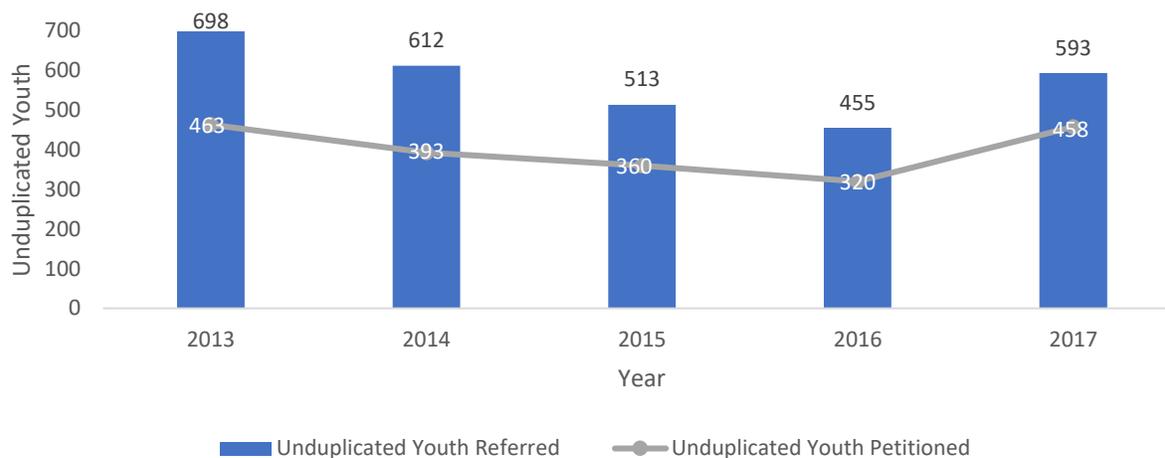
NUMBER OF UNDUPLICATED YOUTH REFERRED AND PETITIONED

As well as counting the number of referrals made, it is important to consider how many youth are referred as many research studies using both official and self-report data have found that a small subset of youth account for a large portion of all offending.¹⁶ Figure 13 shows the five-year trend in unduplicated youth referred for specified offenses since 2013. The number of youth referred for these offenses decreased by 35 percent between 2013 and 2016 before increasing by 23 percent between 2016 and 2017. The percentage of youth petitioned for these offenses has increased from 66 percent in 2013 to 77 percent in 2017 (illustrated by the gray line on figure 13).

The percentage of youth petitioned for these offenses has increased each year, from 66 percent in 2013 to 77 percent in 2017.

¹⁶ Piquero, AR, Farrington, DP & Blumstein, A 2007, Key Issues on Criminal Career Research, Cambridge, Cambridge University Press.

Figure 13: Number of Unduplicated Youth Per Year Referred and Petitioned for Specified Offenses 2013-2017



Most referrals for these offenses during 2017 (61 percent) were made by San Jose Police Department, seven percent of referrals were made by the Sheriff’s Office, and five percent by the Sunnyvale Department of Public Safety. Referrals from San Jose Police Department increased by 86 percent between 2016 and 2017 following a decrease of 34 percent between 2013 and 2016. The proportion of referrals to the Probation Department for the specified offenses from San Jose Police Department increased moderately from 56 percent in 2013 to 61 percent in 2016. See appendix for referral trends for San Jose Police Department.

ABOUT THE YOUTH REFERRED FOR SERIOUS OFFENSES

To properly respond to the youth committing the serious offenses discussed in this report, it is important to understand more about who these youth are (demographics), what risk they pose to the community (criminogenic risk), and how to treat the needs related to their delinquent behavior (criminogenic needs).

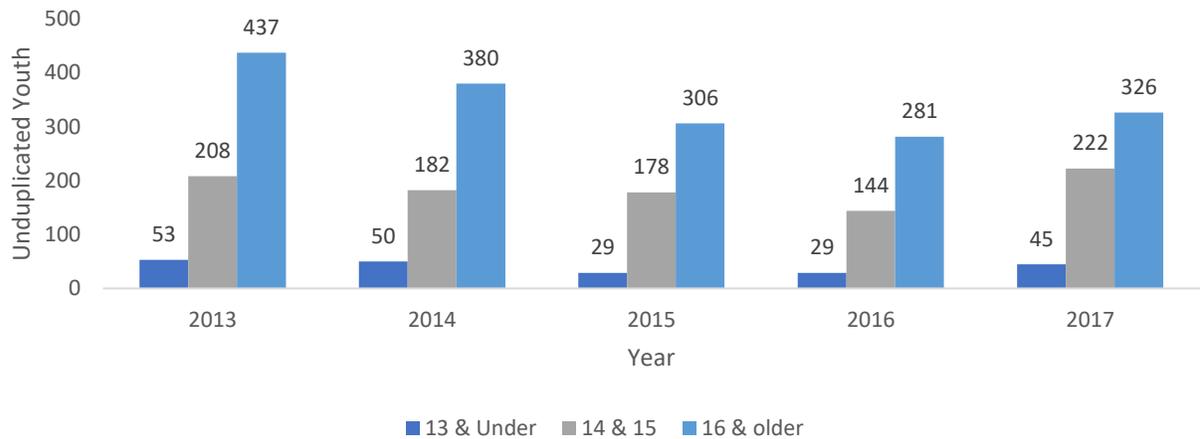
DEMOGRAPHICS

AGE OF YOUTH

Figure 14 shows the trend in the age of youth referred for specified offenses between 2013 and 2017. More than half of the youth referred during 2017 (55 percent) were aged 16 and older, 37 percent were aged 14 or 15, and eight percent were aged 13 and under. Less than ten percent of youth referred each year has been aged 13 and under. While the overall number of younger youth referred for serious offenses has increased, the proportion of these youth has remained stable over the five years. Referrals in 2017 saw a slight increase in 14 and 15-year-old youth, comprising 37 percent of referrals in 2017 compared to 32 percent of referrals in 2016.

In 2017, 55 percent youth referred were aged 16 and older, 37 percent were aged 14 or 15, and eight percent were aged 13 and under.

Figure 14: Age of Unduplicated Youth Referred 2013-2017



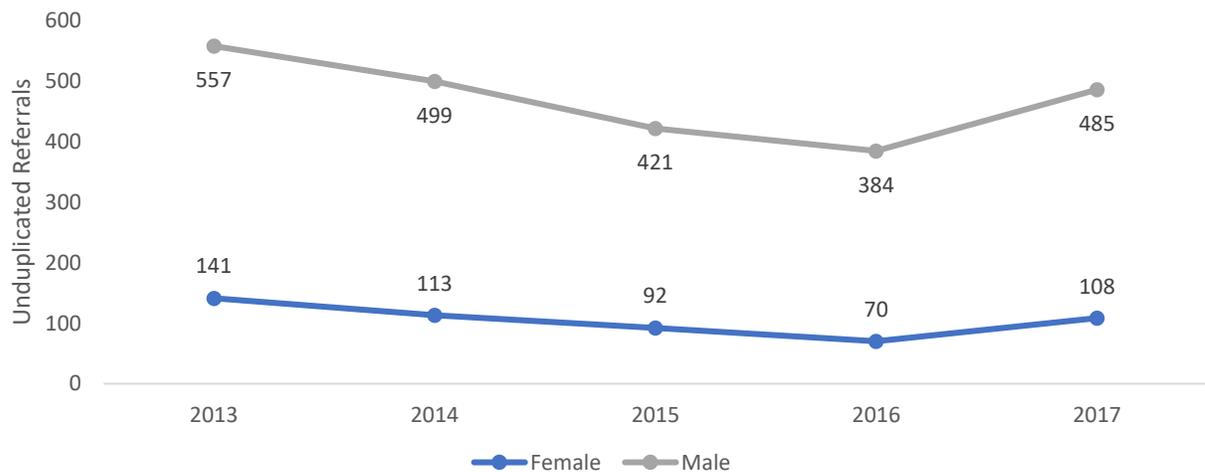
RACE/ETHNICITY OF YOUTH

The proportion of Latino youth referred for the specified offenses has remained stable across the five-year period, fluctuating between 67 and 73 percent of referrals. The second largest racial group referred were Black youth (12 percent in 2017), followed by White youth (ten percent in 2017). Asian and Pacific Islander youth and others comprised five and four percent of referrals respectively in 2017.

SEX OF YOUTH

Of the youth referred for specified offenses in 2013, 80 percent were male, and 20 percent were female. Remaining consistent across the years, in 2017, 82 percent of youth referred were male and 18 percent were female. The number of girls referred for these offenses increased by 54 percent between 2016 and 2017. However, the total number of girls referred (108) remains significantly lower than in 2013 when 141 girls were referred.

Figure 15: Sex of Youth Referred 2013-2017



CRIMINOGENIC RISK

Over the past few decades, experts have developed and refined risk/needs instruments to measure the likelihood of an individual re-offending. Santa Clara County Probation uses the Juvenile Assessment Intervention System (JAIS). The JAIS is a gender-responsive tool that has been validated by the National Council on Crime and Delinquency (NCCD). This tool is used by the Probation Department to identify the risk and criminogenic needs of the youth. The first component of the JAIS is a risk tool to determine if the youth is low, moderate or high-risk for re-offending. One key finding over the past several years in the JJCPA evaluations is that the JAIS risk tool is statistically one of the best methods to determine the possibility of a youth re-offending. Although no tool offers perfect prediction, the JAIS has been helpful in determining the appropriate level of service for youth. Differentiating offenders by risk level is important—intensive programming can work well with higher-risk offenders, but can increase recidivism rates among lower-risk offenders.

Research shows assessing risk, matching supervision and treatment to a youth's risk and needs with proven programs reduces recidivism.

For the analysis in this report, we are focusing on the first JAIS risk tool administered for each youth following a referral to probation.

BOYS

The initial risk assessment for boys contains 10 questions and generates a risk category for the youth. A total of 818 JAIS risk assessments were completed resulting in 96 boys in the high-risk category, 362 in the moderate-risk category, and 360 in the low-risk category.

The following summary highlights trends found in the initial risk assessment for boys based on the most reliable source of information. This could be a combination between the youth being interviewed and data that is available to the Probation Officer completing the risk assessment tool. Court or court services include but are not limited to: juvenile, teen, family, and municipal courts.

Only 30 percent of boys stated that they were attending school regularly and had no issues at school. About 39 percent stated that they had been suspended at least once and 32 percent reported having major truancy issues or having dropped out of school. Of the 818 youth, 73 percent stated that their friends had been in legal trouble, were associated/gang members or a mixture of both. Forty-six percent of youth indicated not having any problems with drugs or experimenting a few times only. For 28 percent of youth, drugs and/or alcohol interfered with their daily functioning. Frequent/chronic usage accounted for 26 percent of youth. This means that a little over half of the boys in this sample have major issues with substance use. Almost half of these boys (47 percent) said their parents had been reported to

Over the 818 risk assessments completed in the five-year period with boys, 12 percent of youth scored high, 44 percent scored moderate, and 44 percent scored low criminogenic risk.

child welfare for child abuse or neglecting them. During the past three years, 27 percent of youth reported having at least one parent or sibling incarcerated or on probation. Most of these boys received their earliest arrest between the ages of 14-16 (60 percent). The earliest arrest for boys aged 13 or younger accounted for 28 percent. This number can be influenced by boys perceiving a deeper involvement with the juvenile justice system. Some boys received referrals to court services: none or one referral (66 percent), two or three referrals (29 percent), and four or more referrals (5 percent). Furthermore, 36 percent of these boys received a referral to court services as a result for a violent/assaultive offense. Probation continues to work diligently to reduce the use of out-of-home placements and 89 percent of youth had no out-of-home placement, seven percent had one placement, and four percent had two or more placements. Parental supervision was reported as often ineffective/inconsistent for half of these boys.

GIRLS

The initial risk assessment for girls contains eight questions and generates a risk category for the youth. Of the 202 girls with their initial Pre-JAIS assessment completed, 18 were high-risk, 109 were moderate-risk and 75 were low-risk to reoffend.

The following summary highlights trends found in the initial risk assessment for girls based on the most reliable source of information. This could be a combination between the youth being interviewed and data that is available to the Probation Officer completing the risk assessment tool. Court or court services include but are not limited to: juvenile, teen, family, and municipal courts.

In the past two years, 62 percent of these girls reported being enrolled in two or more schools, not attending school or having dropped out altogether. Regarding their friends, 87 percent stated that their friends had been in legal trouble, had some level of gang-involvement or a combination of the two. Similar to the boys, over half of them had issues with substance use that interfered with functioning (29 percent) or they had frequent/chronic use (30 percent). Most girls received their earliest arrest or referral to court services at age 13 or older (90 percent). However, 21 girls (ten percent) were 12 or younger when they received their earliest arrest or referral to court services. Girls with two or three arrests or referrals to court services accounted for 29 percent of the group, and girls with four or more accounted for five percent. The remainder of girls had one or no arrest/referral to court services. Arrests or referrals to court services due to drug offenses accounted for 11 percent. Seventy girls (35 percent) had at least one referral for violent/assaultive offenses. Girls with arrests or referrals to court services due to having one or more status offense accounted for 17 percent.

Over the 202 risk tools completed in the five-year period with girls, 9 percent of youth scored high, 54 percent scored moderate, and 37 percent scored low-criminogenic risk.

DETAINING YOUTH

Not all youth are brought to the Juvenile Hall after a citation or arrest. Youth can be cited by a law enforcement officer and released to their guardian, or a youth can be brought to Juvenile Hall. This section will look only at youth who were transported to Santa Clara County Juvenile Hall. At Juvenile Hall intake, a detention risk assessment instrument (RAI) is administered by the Probation Screening Officer to determine whether the youth should be held in secure confinement pre-adjudication.

The objectivity, uniformity, and risk-based format of RAIs help to protect against disparate treatment at intake and focus on reducing the likelihood of failing to appear in court or reoffending before adjudication. Objective and standardized criteria anchor admission decisions in ascertainable and equally evaluated facts. For example, RAI indicators include the nature and severity of the offense and the number of prior referrals.



From the sample of specified offenses, 1,336 unduplicated youth were brought to Juvenile Hall at some point during 2013-2017 for the identified serious offenses. All referrals were for new law violations and violations of probation (WIC777s) were excluded from this sample. Males accounted for 84 percent ($n = 1,118$) of this population. Latino youth represented 71 percent of this sample ($n = 953$), followed by Black youth (13 percent, $n = 176$) and White youth (nine percent, $n = 115$). At the time the data was pulled in January 2018, 41 youth remained in custody. Figure 16 shows the age of unduplicated youth per year when they were brought to Juvenile Hall. This means that a youth is only counted once per year, but may be counted across two or more years. The number of youth brought to Juvenile Hall who were 14 and 15 years old at the time of entry has increased by 45 percent between 2016 and 2017. The number of youth brought to Juvenile Hall who were 13 years old and younger are back to levels seen in 2014, where this age group peaked at 25 youth for these specified offenses.

Figure 16: Age of Unduplicated Youth Brought to Juvenile Hall 2013-2017

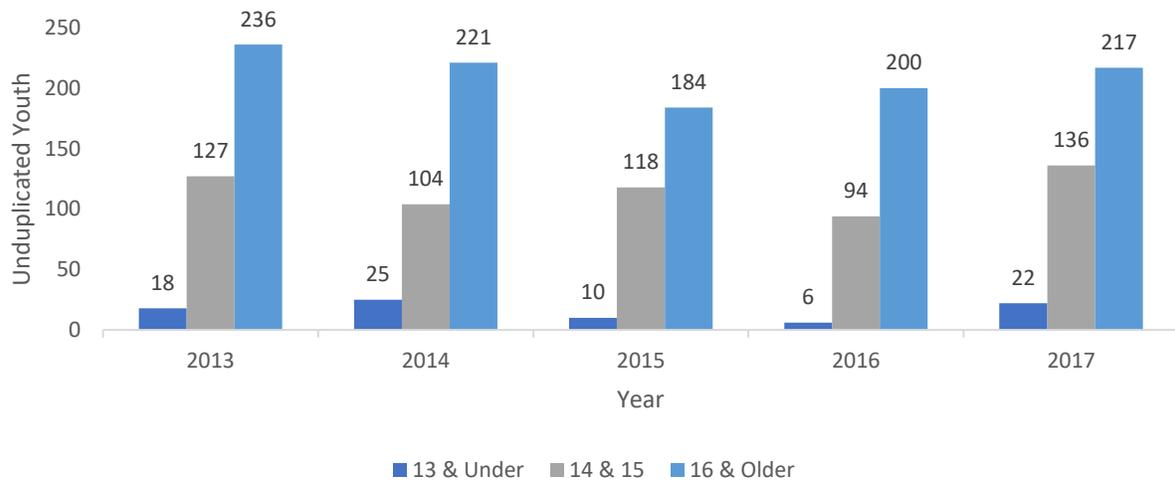


Figure 17 shows the total number of duplicated youth (n = 2,372) brought to Juvenile Hall between 2013 and 2017 for the specified offenses. This means that a youth could have been brought to Juvenile Hall across multiple years and/or multiple times within a specific year. The number of duplicated youth brought to Juvenile Hall for these specified offenses decreased by 18 percent between 2013 and 2016 before increasing by 36 percent between 2016 and 2017. Furthermore, Figure 17 shows the number of duplicated youth who were detained per year (gray line on figure). In 2013, 89 percent of youth brought to Juvenile Hall for the already specified offenses were detained compared to 86 percent in 2014 and 2015. In 2016, the percentage of duplicated youth detained returned to 89 percent and in 2017 it peaked at 92 percent. For unduplicated youth who were detained a figure is available in the appendix.

Figure 17: Total Number of Duplicated Youth Detained 2013-2017

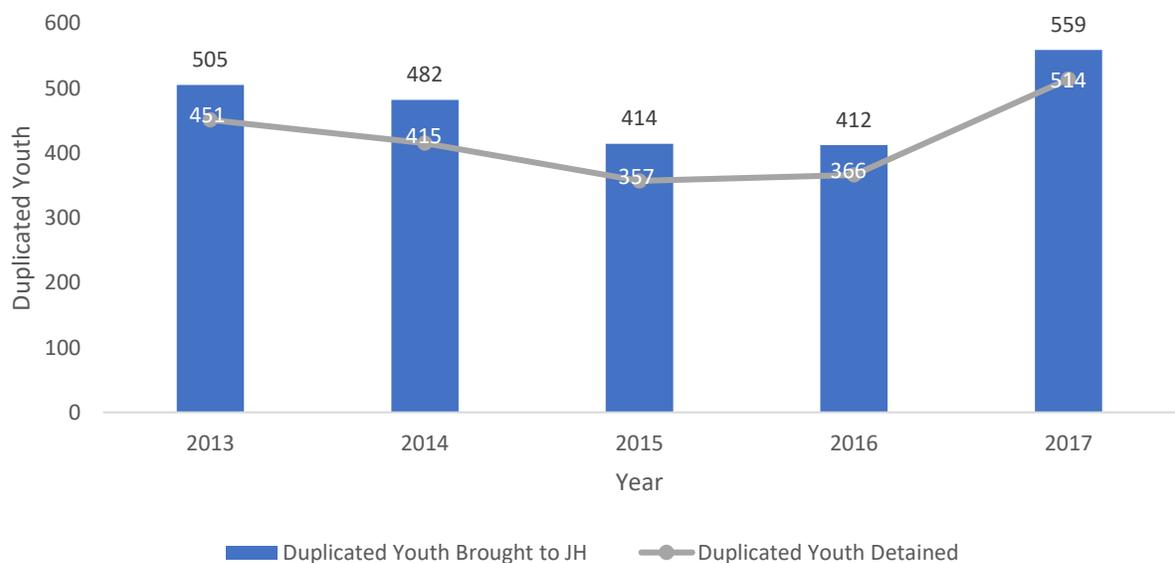


Figure 18 shows the number of youth who were brought in to Juvenile Hall and their outcome for the top three offenses from the above list of offenses. Youth that were detained for Property Crimes accounted for 45 percent of the total number of youth brought to Juvenile Hall for the above offenses. Detentions for Felony Crimes Against People accounted for 37 percent and detentions for Weapon Crimes accounted for five percent of all the youth brought to Juvenile Hall. Youth who were released for Property Crimes accounted for ten percent of the youth who were brought to Juvenile Hall. The number of unduplicated youth (counted only once per year) detained per year is provided in the appendix.

Figure 18: Top Three Offense Categories and Outcomes for Duplicated Youth 2013-2017

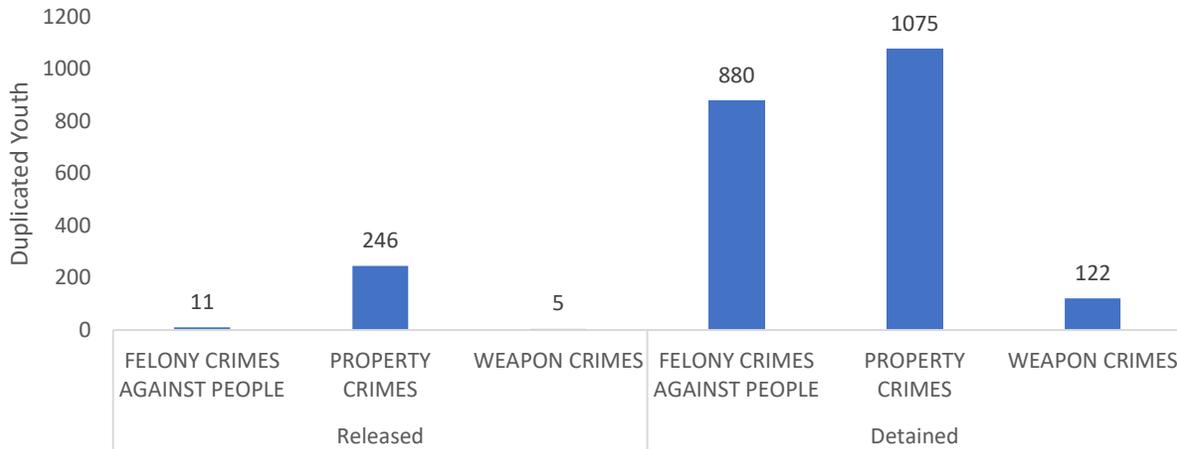


Figure 19 shows the top three offense categories for which a youth was detained at some point between 2013 and 2017 (includes duplicates). The number of youth detained for Property Crimes decreased by 25 percent between 2013 and 2016 before increasing by 60 percent between 2016 and 2017. The number of youth detained in Juvenile Hall for Felony Crimes Against People was somewhat consistent between 2013 and 2016. However, this number increased by 50 percent between 2016 and 2017. The number of youth detained for Weapon Crimes is at the lowest point in the last five years.

Figure 19: Top Three Offense Categories for Detained Youth 2013-2017

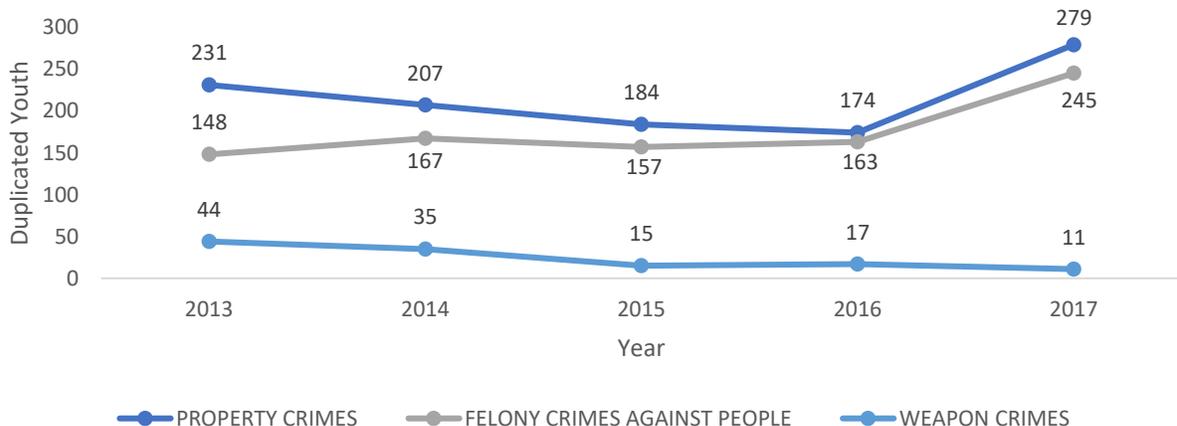


Figure 20 shows the length of time a youth spent at Juvenile Hall while they were detained. The number of youth who spent more than 31 days in custody increased by 110 percent between 2016 and 2017. Youth who spent between seven to 30 days in custody increased by 19 percent between 2016 and 2017. Youth who were in custody between two to six days increased by 43 percent between 2016 and 2017. For youth who were released, the majority spend up to one day in custody, often as a result of not being able to reach parents and/or caregivers to come and pick up the youth.

Figure 20: Total Time in Custody 2013-2017

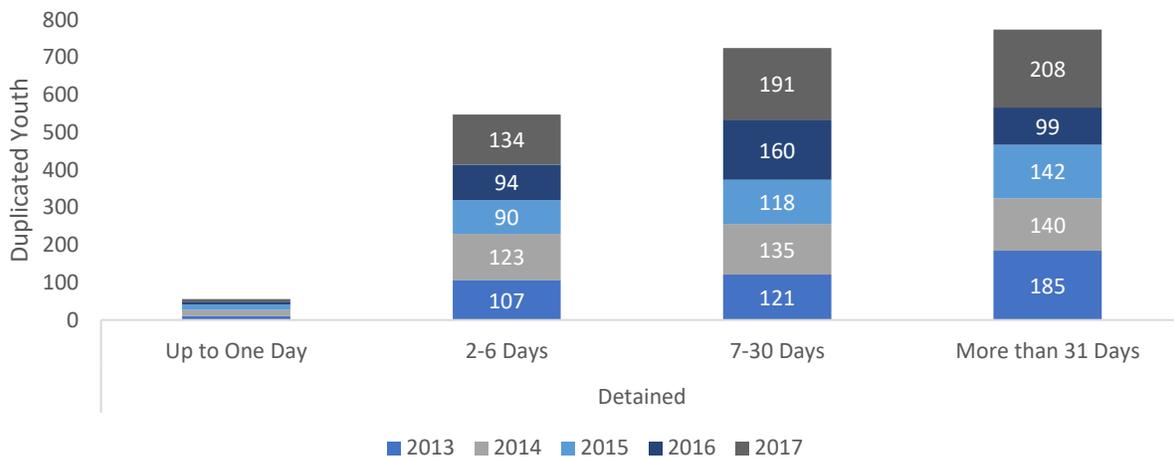
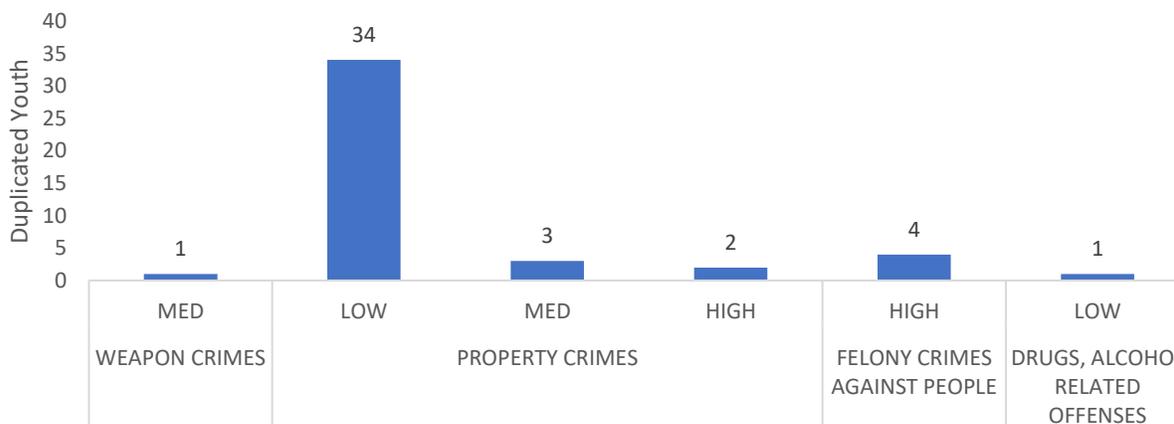


Figure 21 shows the number of duplicated youth who were released, what their offense was, and the RAI score during 2017. A total of 559 youth were brought to Juvenile Hall in 2017. From these, only 45 youth were released from custody. Most of the releases were in the Property Crimes offense category and the vast majority (76 percent) scored Low on the RAI. Two youth with a Property Crime offense had a high-level score on the RAI and four youth with a Felony Against People Crime offense had a high-level score on the RAI. Combined they accounted for 13 percent of the releases for 2017.

Figure 21: Offenses and RAI Score Levels for Released Youth 2017

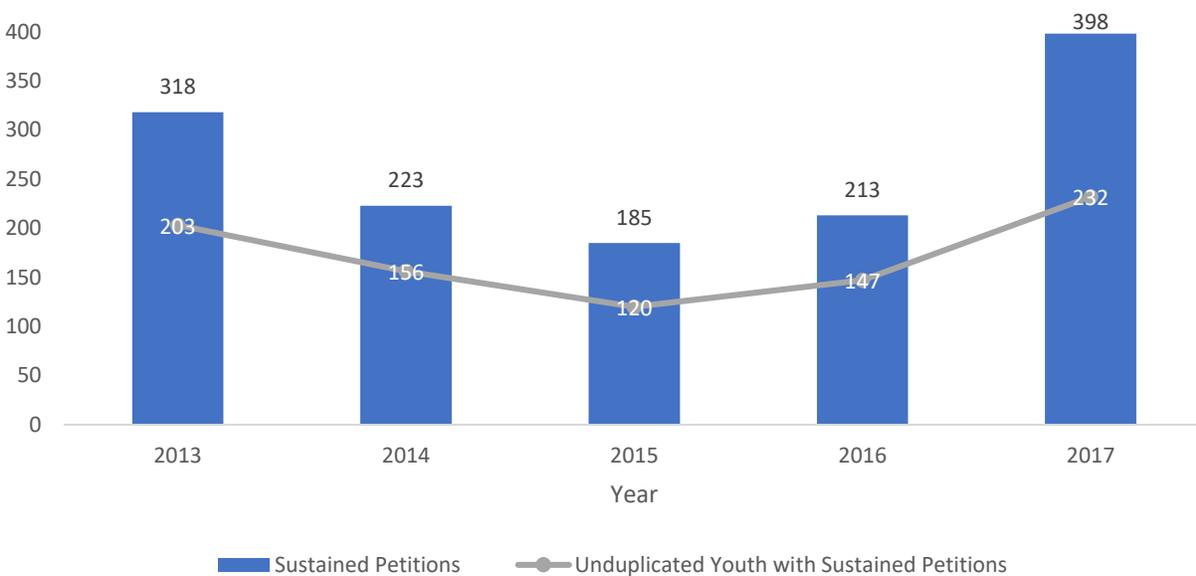


PETITIONS SUSTAINED IN COURT

This section first covers the number of sustained petitions (which is similar to a conviction in adult criminal courts) resulting from referrals for the specified offenses for youth referred between 2013 and 2017. It should be noted that not all cases may be resolved within the calendar year, and the number of petitions and sustained petitions will not match. Youth may also have more than one petition in each year.

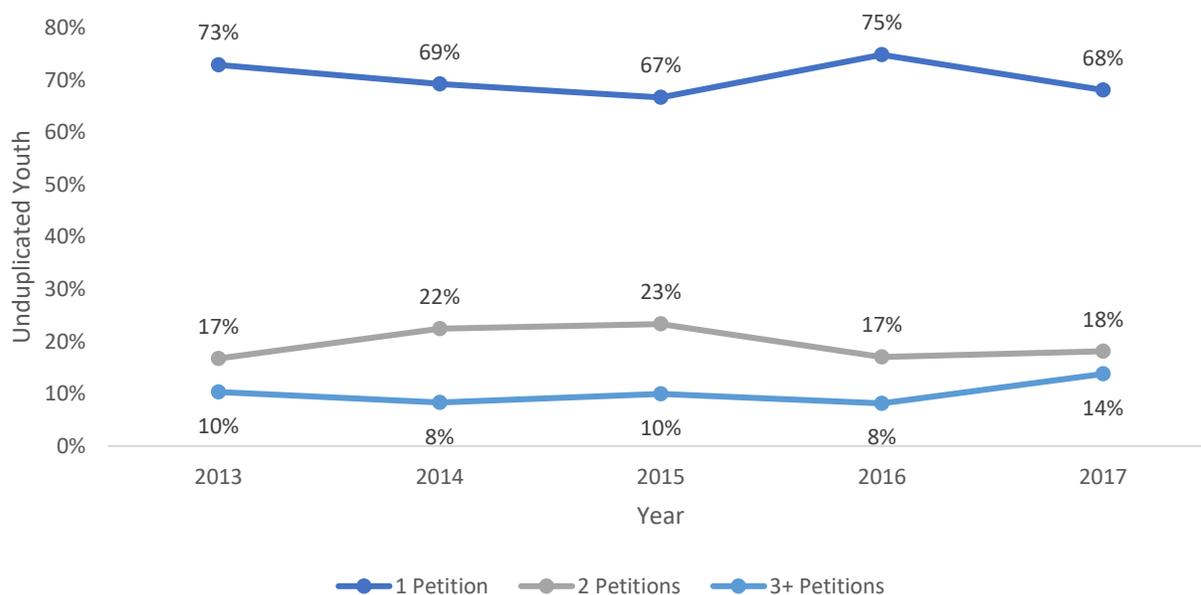
Figure 22 shows sustained petitions decreased by 33 percent between 2013 and 2017 before increasing by 87 percent from 2016 to 2017. In 2017, 232 youth accounted for 398 sustained petitions for these offenses. A similar pattern is evident in cases originating from San Jose Police Department, which decreased by 43 percent between 2013 and 2016 before increasing by 128 percent from 2016 and 2017.

Figure 22: Sustained Petitions for Specified Offenses 2013-2017



More than two thirds of youth had only one sustained petition per year for a specified offense. Figure 23 shows a trend of youth having a larger proportion of multiple petitions in 2017, similar to the trend in referrals. While the proportion of youth committing multiple offenses grew in 2017, the number of youth remains small, 32 youth in 2017 had three or more sustained petitions for a specified offense compared to 12 youth in 2016.

Figure 23: Unduplicated Youth with Multiple Sustained Petitions Per Year for Specified Offenses



In 2017 the percentage of sustained petitions for Latino youth decreased to 69 percent, from 81 percent in 2015 and 2016. The percentage of Black youth increased from nine percent of all sustained petitions in 2016 to 15 percent in 2017. In 2016, 91 percent of youth with a sustained petition for these offenses were male. In 2017, sustained petitions for females increased to 17 percent. This equates to a 55 percent increase in girls with sustained petitions between 2016 and 2017.

From 2016 to 2017, there has been an increase in the number of Black (9 percent) and female youth (55 percent) with sustained petitions.

FACTORS THAT LEAD YOUTH TO CRIME

There are various factors that are related to the underlying causes of a youth’s delinquent behavior. These factors are referred to as criminogenic needs. The section below details the challenges faced by these youth.

Court or court services include but are not limited to: juvenile, teen, family, and municipal courts. The following summary highlights trends found in the initial risk assessment for boys and girls based on the most reliable source of information. This could be a combination between the youth being interviewed and data that is available to the Probation Officer completing the risk assessment tool.

CRIMINOGENIC NEEDS FOR BOYS

A full JAIS Assessment was completed for 923 unduplicated boys from the above sample population. For this analysis, the first full JAIS Assessment was used. However, due to changes in the way data is captured and recorded, individual question level data was only available for 317 boys. The following is a summary of the trends (n = 317):

Criminal History: Emotional reasons (e.g., anger, sex) was the reason why almost half (49 percent) of youth said they committed their most recent offense. Material (monetary) reasons accounted for 29 percent and a combination of both for 22 percent. Most of the youth admitted committing their offense (63 percent) and made no excuses for their actions. Twenty-nine percent admitted committing the crime, but emphasized excuses and nine percent denied committing their offense. For almost half of the youth (46 percent) this was their first offense. However, 39 percent stated being involved in the justice system before mainly for criminal offenses and not as a result of status offenses. From the above offenses, 59 percent of youth stated never being armed or hurting someone and 37 percent admitted to hurting someone in non-sexual offenses. Impulsivity was the main reason why youth decided to commit these offenses (67 percent) and only 16 percent admitted to planning out their crimes. Most boys were with their accomplices when they got in trouble (64 percent) and 24 percent were alone. Forty-six percent of the boys stated that they were drinking or on drugs when they got in trouble. Most of these boys have never been arrested for committing crimes against their families (91 percent) and they also reported never been assaultive toward a family member (83 percent).

School Adjustment: About half of the youth stated having issues with schoolwork. For 21 percent of the boys the problems were related to lack of intellectual capacity while 39 percent was due to other achievement problems. However, an alarming 70 percent of youth stated not receiving additional learning support or special education for their learning deficiencies. The number is even higher for boys who never received special help for emotional or behavioral problems in school (74 percent). Truancy was another big issue for these boys and 53 percent reported extensive truancy followed by 26 percent with minor truancy issues (79 percent combined). Almost half of the boys reported having major issues completing their homework. About

a quarter of these boys (26 percent) had issues with teachers and principals (authority figures). For 76 percent of these boys, suspensions were another disruptive behavior. Some positive trends included 83 percent of the boys being enrolled in school at the time their assessment was completed, and most boys had educational goals (obtaining high school diploma/GED accounted for 40 percent and 56 percent planned post-high school training). Forty-three percent of boys had a positive attitude towards school, 33 percent were neutral or had mixed feelings, and 24 percent had a generally negative attitude.

Half of boys and girls identified school issues. However, 70 percent of boys and 86 percent of girls reported not receiving additional learning support or special education. Youth not receiving help for emotional or behavioral problems was 74 percent for boys and 71 percent for girls.

Interpersonal Relationships: Regarding their friends, 44 percent preferred hanging out with one or two friends, 25 percent preferred groups, and the rest a mixture of both. Most of these boys' friends have had issues ranging from being associated with gangs, legal troubles, and a combination of both (83 percent). Like their friends, most of these boys admitted to frequent and/or chronic alcohol and drug use (75 percent). Marijuana was the drug of choice for half of the boys, followed by other drugs (25 percent) and alcohol (19 percent). One in three parents disapproved of their kids' friends (33 percent). However, 45 percent of parents had mixed or neutral feelings towards their kids' friends and 22 percent approved of them. When asked who generally decided what to do, 74 percent said it was a combination between their friends and themselves, taking accountability for their actions. Half of these boys reported having a romantic partner similar in age to them and 43 percent stated that they have been sexually active with at least one person other than their romantic partners.

Feelings: When feeling depressed, boys sought an activity to distract themselves (35 percent). However, some boys turned to drinking, using drugs and/or self-mutilation (19 percent), some boys isolated themselves (16 percent) and some boys denied getting depressed altogether (23 percent). Boys who had attempted suicide or had definite thoughts of committing suicide accounted for 12 percent. Anger issues are present for these boys and 23 percent admitted to being physically aggressive toward people, 23 percent had trouble expressing anger appropriately, and 20 percent avoided expressing anger. Some of these boys (63 percent) emphasized their strengths when describing themselves. Almost half of them had trouble trusting others (45 percent) and some had mixed or complex views when it came to trusting people (31 percent).

Family Attitudes: Most youth considered their current living situation suitable (93 percent). Boys reported having a close relationship with their mothers (73 percent) and whenever they got in trouble their mother would handle the situation verbally or by withdrawing privileges (83 percent). Numbers were lower when it came to their relationship with their father: 47 percent reported being close to them and 57 percent would handle the situation verbally or by withdrawing privileges. A big difference is that when it came to mothers, only six percent were found not applicable compared to 31 percent for fathers. It is not clear if this means that fathers were not present in their kids' lives or if the other parent was the only one providing discipline. For some of these boys, parental supervision was often ineffective/inconsistent (57 percent). Only ten percent of boys admitted to ever being abused by their parents. However, 41 percent stated that their parents had being reported to the child welfare system for abusing or neglecting them. Furthermore, six percent of these boys admitted being physically or sexually abused by someone else. Most youth (68 percent) have experienced a traumatic event that significantly impacted their lives, such as witnessing violence, death of parent/sibling/friend, domestic violence, divorce, serious accident or another major event. Prior to age ten, most boys believed their parents would have described them as good kids (80 percent). Most of these boys agreed with their parents (83 percent) and they reported being happy during their childhood (89 percent). Families receiving Temporary Assistance for Needy Families (TANF) accounted for 25 percent. Boys stated having parents with a history of criminal behavior (57 percent) and parents with a history of probation, jail, or

Parental supervision was ineffective/inconsistent - boys: 57 percent, girls: 62 percent.

prison accounted for 54 percent. Parents with a history of drinking and/or drugs problems accounted for 47 percent. Some boys had at least one sibling who had ever been arrested (33 percent). Over one-third of these boys (37 percent) reported having a parent and/or sibling incarcerated or on probation within the last three years. At the time of these assessments, ten percent of these boys reported having a parent and/or sibling incarcerated. Eight boys reported being fathers and four had no custody of their children.

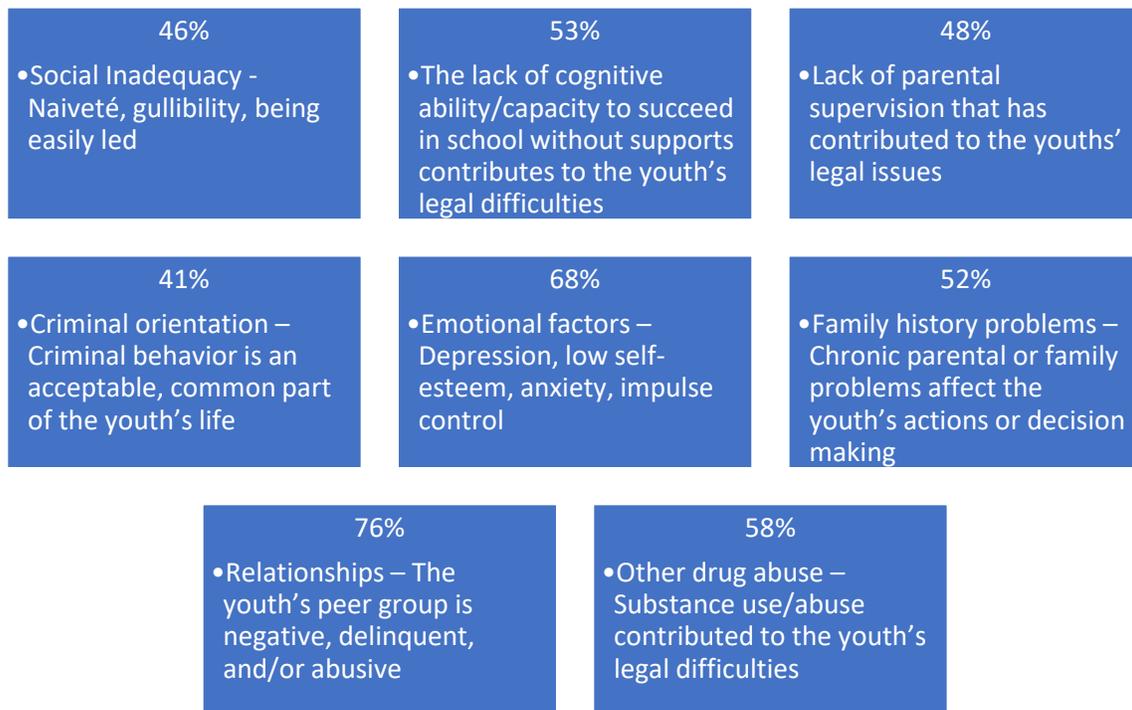
Plans and Problems: Aside from trouble with the law, education was identified as the biggest problem these boys were facing (35 percent), followed by personal issues (18 percent) and relationships (ten percent). Seventy percent of these youth reported having long-term goals and knowing of resources to help them achieve their goals. Boys believed that being supervised will help to keep them out of trouble (37 percent) and an additional nine percent stated that receiving counseling services will help them.

Psychological/Psychiatric treatment accounted for 14 percent of boys compared to 22 percent for girls. Twelve percent of boys reported having attempted suicide compared to 19 percent of girls.

Objective History: Half of these boys had their first arrest or referral to court services at age 15-16 (51 percent). Boys with their first arrest at age 14 and younger accounted for 28 percent. Youth with two or three arrests or referrals for criminal offenses accounted for 43 percent. Drug offenses or referrals to court services accounted for 16 percent. Referrals to court services for violent/assaultive offenses accounted for 49 percent and status offenses accounted for 14 percent. The Probation Department continues working hard to keep youth at home. Only 14 percent of these boys had a placement in a correctional institution and only seven percent had a court-ordered out-of-home placement. For 79 percent of these boys, this was their first time under probation supervision. Fourteen percent of these boys received psychological/psychiatric treatment.

Interviewer Impressions – The following issues were found somewhat significant to highly significant for these boys:

Figure 24: Top Criminogenic Needs for Boys



CRIMINOGENIC NEEDS FOR GIRLS

A full JAIS Assessment was completed for 177 unduplicated girls from the above sample population. For this analysis, the first full JAIS Assessment was used. However, due to changes in the way data is captured and recorded, individual question level data was only available for 63 girls. The following is a summary of the trends (n = 63):

Criminal History: The girls who received a full JAIS Assessment listed emotional reasons such as anger and sex as the primary reason for committing an offense (62 percent). Most girls admitted committing their offense and took responsibility for their actions (64 percent). Another 33 percent also admitted committing their offense, but they emphasized excuses for their behavior. For half of these girls, this was their first time getting in trouble with the law (52 percent). However, 32 percent of the girls reported getting in trouble before mainly as a result of criminal offenses and not because of status offenses. About 30 percent admitted to being armed or hurting someone while committing these offenses. Impulsivity was the main reason why these youth committed these offenses (64 percent) compared to planned offenses (16 percent). Most of them were with accomplices when they got in trouble (78 percent) and about half of them were drinking or on drugs when they got in trouble (49 percent). Most offenses were not against their family members (83 percent) and most girls have never been assaultive toward a family member (73 percent).

School Adjustment: Half of these girls had problems at school. Problems primarily due to lack of intellectual capacity accounted for 13 percent and other achievement problems accounted for 38 percent.

However, 86 percent of them stated not receiving additional learning support or special education for learning deficiencies. Furthermore, 71 percent of them never received special help for emotional or behavioral problems at school. Girls reported enrolling in two or more schools in the past two years (71 percent). Truancy (minor and extensive) was an issue for 83 percent of the girls and 35 percent stated having major problems completing their homework. Major truancy and suspensions were the two main problems for these girls at school (76 percent). Girls with a negative attitude towards school accounted 24 percent, followed by neutral or mixed feelings towards school (33 percent). Some positive trends included girls getting along with their teachers and principals (84 percent), being enrolled in school (81 percent), working towards a high school or GED diploma (29 percent), and obtaining some type of post-high school training (70 percent).

Interpersonal Relationships: Girls preferred to hang out with one or two friends at a time (49 percent). An alarming 87 percent of the girls' friends had been involved in gangs, had legal trouble, or a combination of both. Their friends' frequent or abusive use of alcohol and/or drugs accounted for 52 percent. This number is very similar to the number of girls who reported their frequent or abusive use of alcohol and/or drugs at 46 percent. Marijuana was the drug of choice (54 percent) followed by other drugs (27 percent). Almost half of the girls' parents disapproved of their friends (44 percent). Most girls reported that deciding what to do is a combination of their friends and themselves making these decisions (71 percent) followed by girls deciding what to do (18 percent). Again, these numbers show girls taking accountability for their actions. Girls with a close friend reported doing things together (18 percent) and talking or helping each other (54 percent). However, 29 percent of these girls reported having no close friends. Half of the girls were in a romantic relationship. Those with a partner similar in age accounted for 43 percent and those with partners significantly older accounted for eight percent. Girls who been sexually active with someone else besides their significant romantic partner accounted for 33 percent.

Feelings: Most girls admitted getting depressed. Almost half of them reported seeking activities that will distract them or seeking someone to talk to about their problems (51 percent). However, some girls dealt with depression by isolating themselves or drinking, using drugs, or self-mutilation (43 percent). Furthermore, 41 percent of them admitted to ever tattooing or cutting themselves. Suicide attempts accounted for 19 percent and girls with definite suicide thoughts accounted for 13 percent. Most girls had anger issues such as trouble expressing anger appropriately (37 percent), being physically aggressive toward people (29 percent), and avoiding expressing anger (13 percent). Most girls had trust issues and basically mistrusted others (65 percent) while others had mixed or complex views when it came to trusting people (18 percent). A positive trend was girls emphasizing their strengths when asked to describe themselves (75 percent).

Family Attitudes: Mobility is a concern, as girls reported living in zero to four different houses (64 percent) and some girls reported living in five to nine different houses (32 percent). Most girls found their current living arrangement as suitable (92 percent). Over half of the girls have a close relationship with their mothers (56 percent) and they reported that whenever they got in trouble their mothers would verbally handle the situation or would handle it by removing privileges (84 percent). Hostile relationships with their mothers accounted for eight percent compared to 22 percent with their fathers. When getting in trouble, only about half of the fathers would verbally handle the situation or by privilege withdrawal (52 percent). In addition, 29 percent answered this question as not applicable and it is unclear if these fathers were part of their daughters' lives. Parental supervision was often ineffective and inconsistent (62 percent) or these girls had little or no parental supervision (14 percent). Girls who reported being abused by their parents accounted for 21 percent. However, when asked if their parents were ever reported to child welfare for abusing them or neglecting them the number increases to 65 percent. When asked if they were ever abused by anyone else, 21 percent said yes regarding sexual abuse, ten percent said yes to physical abuse, and ten percent said yes to a combination of both. Traumatic events such as witnessing violence, domestic violence, sexual abuse, death of parent/sibling/friend, divorce, and other major disruption have significantly impacted these girls' lives (84 percent). Prior to age ten, the girls' parents would have described them as good kids (97 percent) and most girls agreed with this (91 percent). Girls reported their childhood as a happy time (79 percent) and they were basically satisfied with their childhood (76 percent). About one-third of parents were receiving Temporary Assistance for Needy Families (TANF) benefits. Parents with a history of criminal behavior accounted for 71 percent and parents with a history of probation, jail, or prison accounted for 71 percent as well. Parents with a history of drinking and drug problems accounted for 59 percent. Siblings who had been arrested accounted for 43 percent. Within the last three years, 48 percent of these girls had either a parent or sibling who had been incarcerated or on probation. At the time of these assessments, 18 percent of girls had a parent or sibling currently incarcerated. Two girls (three percent) have at least one child and they have custody of their children.

Prior to age ten, girls believed that they were good kids (91 percent) compared to boys (83 percent).

Girls reported higher numbers of parents with history of criminal behavior (71 percent) compared to boys (57 percent).

Plans and problems: Aside from trouble with the law, these girls stated having trouble with personal issues (35 percent) and education (33 percent). About 78 percent of the girls stated having long-term goals for their future. Once leaving probation supervision, 68 percent of these girls stated knowing of existing resources that they were willing to use to stay out of trouble and 18 percent identified barriers that limited their ability to access community resources. Girls saw being supervised as a way to stay out of trouble (44 percent) and another 18 percent valued counseling or being enrolled in programs to help them out.

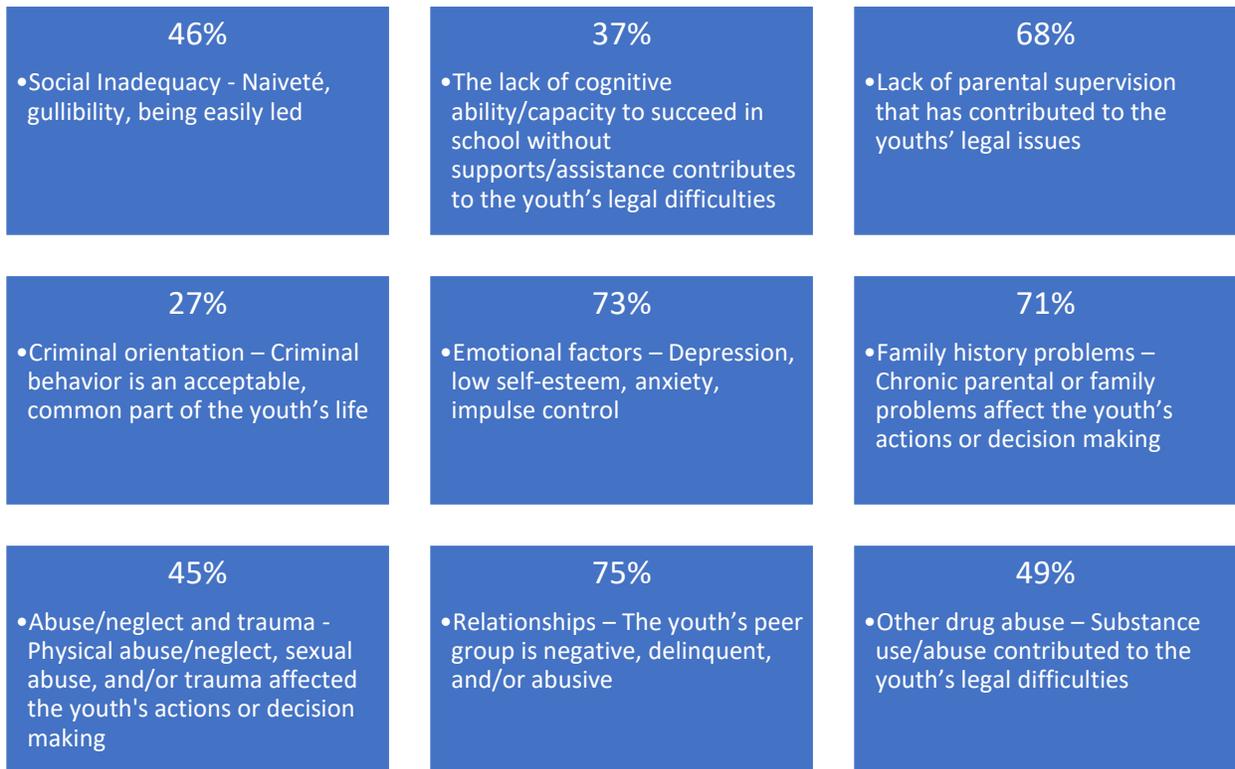
Objective History: Over half of these girls were 15-16 years old at the time of their earliest arrest or referral to court services (59 percent). However, 27 percent were 14 years or younger at the time of their earliest arrest or referral to formal court processing. Girls with one referral due to criminal offenses

accounted for 43 percent and girls with two or three referrals due to criminal offenses accounted for 44 percent. About eight percent had no referrals and the remainder had four or more referrals. Drug offenses accounted for ten percent of referrals to court services. Referrals for one violent/assaultive offense accounted for 32 percent and two or more referrals for violent/assaultive offenses accounted for six percent. Ten percent of referrals were for status offenses. The number of placements in correctional institutions was 13 percent and number of court-ordered out-of-home placements was 19 percent. For 83 percent of these girls, this was the first time that they were under probation supervision. Girls who had received psychological and/or psychiatric treatment accounted for 22 percent.

Boys and girls had similar numbers of placements in correctional institutions (14 percent for boys and 13 percent for girls). However, boys had less out-of-home placements (seven percent) compared to girls (19 percent).

Interviewer Impressions – The following issues were found somewhat significant to highly significant for these girls:

Figure 25: Challenges for Girls



COMMERCIAL SEXUALLY EXPLOITED CHILDREN (CSEC)

The Juvenile Probation Division (JPD) recognizes the widespread and serious social issue of child sex trafficking. Further, JPD recognizes that the commercial sexual exploitation of a child is a form of child abuse that causes multiple levels of trauma. Victims of commercial sexual exploitation may exhibit behaviors that are manifestations of the trauma they have experienced; such behaviors can put trafficking victims at risk of entering the juvenile justice system. The physical, psychological, emotional and social harms of sexual exploitation require a range of victim-centered and trauma-informed services which build upon a youth's strengths. JPD is committed to providing individualized, flexible services to commercially sexually exploited children (CSEC) to reduce harm and re-traumatization. JPD is also committed to ensuring that probation officers have access to the evolving information on law, policy, and best practices regarding CSEC. Therefore, JPD created a CSEC Unit comprised of one Deputy Probation Officer who serves as a coordinator and a Supervising Probation Officer.

In 2016 JPD developed a robust policy and procedures specifically to meet new identification, reporting and training requirements set forth by the State of California. As a result, beginning May 2017, probation officers began screening all youth over the age of ten, every six months, following the first in-person interview. The screening is completed using the WestCoast Children's Clinic Commercial Sexual Exploitation Identification Tool (CSE-IT). A score is generated during the screening to indicate the level of concern for exploitation. A case review by the coordinator takes place for screenings that result in a finding of 'possible concern' or 'clear concern'. If the youth is suspected or confirmed as CSEC, reports are made pursuant to mandatory reporting requirements.

Table 1 below shows the outcome of the 148 screenings of youth referred for the specified offenses since screenings began in May 2017.

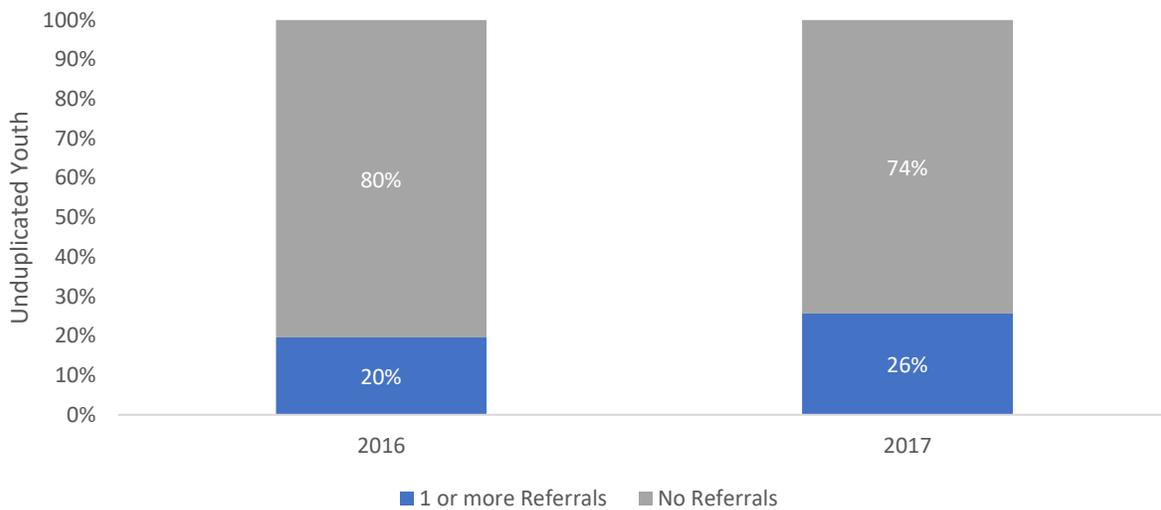
Table 1: CSEC Status 2017

Status	Female	Male
No Concern	16 (50%)	112 (97%)
Suspected	9 (28%)	3 (3%)
At Risk	4 (13%)	1 (1%)
Confirmed	3 (9%)	0
Grand Total Screened	32	116

CHILD WELFARE REFERRALS

In August 2015, the Probation Department started checking for child welfare history for youth who received a referral to probation. Every time a youth receives a new probation referral (excluding youth dealt with by the Prevention and Early Intervention Unit), staff check CWS/CMS (child welfare system) for child welfare referrals for the family and probation youth. More than a quarter of youth referred for specified offenses during 2017 had at least one child welfare referral in their history, an increase from 2016.

Figure 26: Child Welfare Referrals



SUPERVISING YOUTH WHO COMMIT SERIOUS OFFENSES

As discussed earlier, the Probation Department utilizes an evidence based tool called the Juvenile Assessment and Intervention System (JAIS) that weaves together a risk assessment and strengths and needs assessment. As well as analyzing risks and needs, the JAIS incorporates a supervision strategy model and determines the best approach for each youth. The JAIS assessment is effectuated as a one-on-one interview with the youth, focusing on the underlying motivation for their behavior and includes one of the four types of supervision strategies: Selective Intervention (SI), Environmental Structure (ES), Limit Setting (LS), and Casework Control (CC).

Table 2: JAIS Supervision Strategy Groups Overview

JAIS Supervision Strategy Groups Overview			
Strategy Group	General Characteristics	Why Youth Get in Trouble	Intervention Goals
Selective Intervention (SI)	<ul style="list-style-type: none"> • Pro-social values • Positive adjustment • Positive Achievements • Good social skills 	<ul style="list-style-type: none"> • External stressors • Internal, neurotic need 	<ul style="list-style-type: none"> • Resolve external stressor • Resolve internal problems • Return to school • Return to appropriate peers and activities
Limit Setting (LS)	<ul style="list-style-type: none"> • Anti-social values • Prefers to succeed outside the rules/law • Role models operate outside the rules/law • Manipulative, exploitive 	<ul style="list-style-type: none"> • Motivated by power, excitement • Straight life is dull 	<ul style="list-style-type: none"> • Substitute pro-social means to achieve power, money, excitement • Change attitudes and values • Use skills in pro-social ways • Protect the school environment
Environmental Structure (ES)	<ul style="list-style-type: none"> • Lack of social and survival skills • Poor impulse control • Gullible • Naïve • Poor judgment 	<ul style="list-style-type: none"> • Manipulated by more sophisticated peers • Difficult generalizing from past experiences 	<ul style="list-style-type: none"> • Improve social and survival skills • Increase impulse control • Develop realistic education program • Limit contact with negative peers
Casework/Control (CC)	<ul style="list-style-type: none"> • Broad-range instability • Chaotic lifestyle • Emotional instability • Multi-drug abuse/addiction • Negative attitudes toward authority 	<ul style="list-style-type: none"> • Positive effort blocked by: <ul style="list-style-type: none"> *Chaotic lifestyle *Drug/alcohol use *Emotional instability • Unable to commit to long-term change 	<ul style="list-style-type: none"> • Increase stability • Control drug/alcohol abuse • Overcome attitude problems • Forster ability to recognize and correct self-defeating behavior

Table 3 shows the breakdown of Supervision Strategies for the 922 boys who completed a JAIS Assessment. The supervision strategy of Selective Intervention has the highest numbers for the last five years' worth of these assessments.

Table 3: Supervision Strategies for Boys (n = 992)

Supervision Strategy	2013	2014	2015	2016	2017	Total
Casework Control	35 (12%)	23 (11%)	23 (17%)	20 (14%)	9 (6%)	110
Environmental Structure	68 (23%)	52 (26%)	25 (18%)	24 (17%)	30 (20%)	199
Limit Setting	82 (28%)	37 (18%)	18 (13%)	22 (16%)	15 (10%)	174
Selective Intervention	110 (37%)	89 (44%)	70 (52%)	73 (53%)	97 (64%)	439
Grand Total	295	201	136	139	151	922

Table 4 shows the breakdown of Supervision Strategies for the 177 girls who completed a JAIS Assessment. The supervision strategy of Selective Intervention has the highest numbers for the last five years' worth of these assessments.

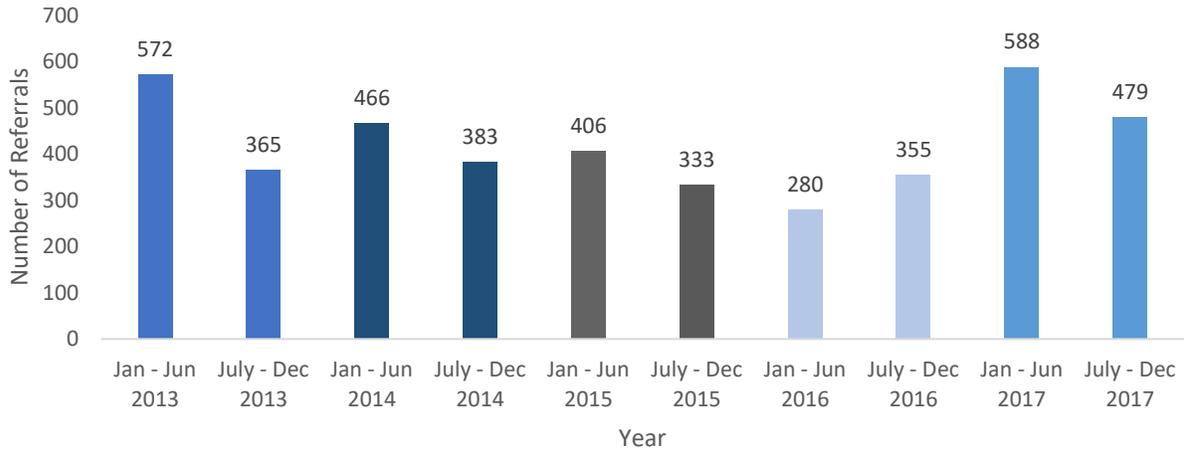
Table 4: Supervision Strategies for Girls (n =177)

Supervision Strategy	2013	2014	2015	2016	2017	Total
Casework Control	10 (19%)	6 (18%)	9 (26%)	5 (28%)	5 (14%)	35
Environmental Structure	6 (11%)	7 (21%)	2 (6%)	5 (28%)	1 (3%)	21
Limit Setting	7 (13%)	9 (27%)	2 (6%)	2 (11%)	1 (3%)	21
Selective Intervention	31 (57%)	12 (35%)	22 (63%)	6 (33%)	29 (81%)	100
Grand Total	54	34	35	18	36	177

APPENDIX: DETAILED DATA TABLES

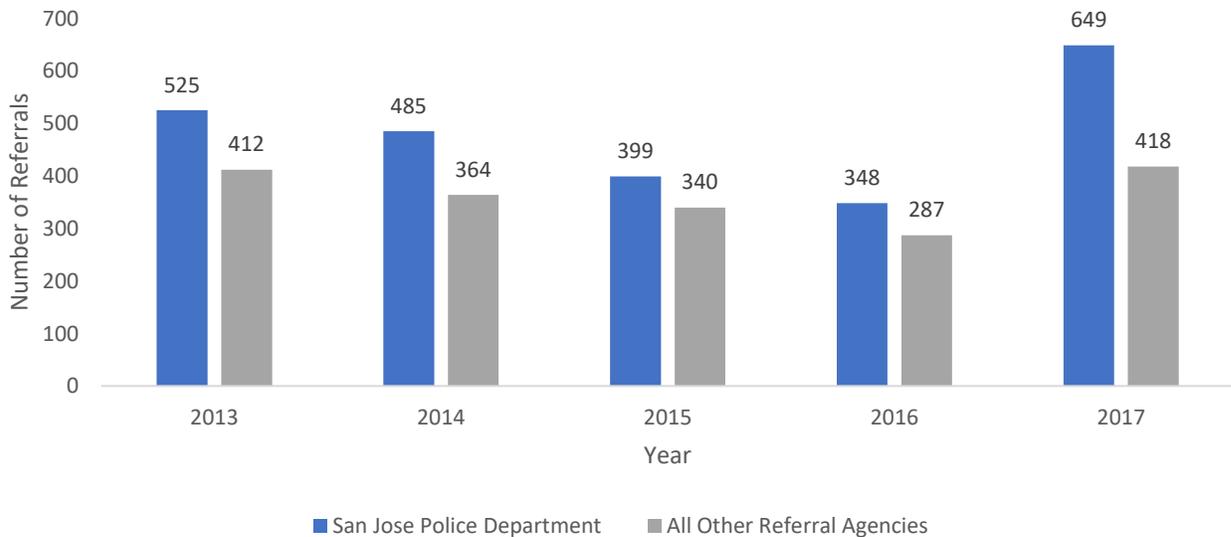
In all years except for 2016, referrals have followed a similar pattern with more referrals for these offenses during the first half of the year compared to the second half.

Figure 27: Referrals for the Specified Offenses 2013-2017



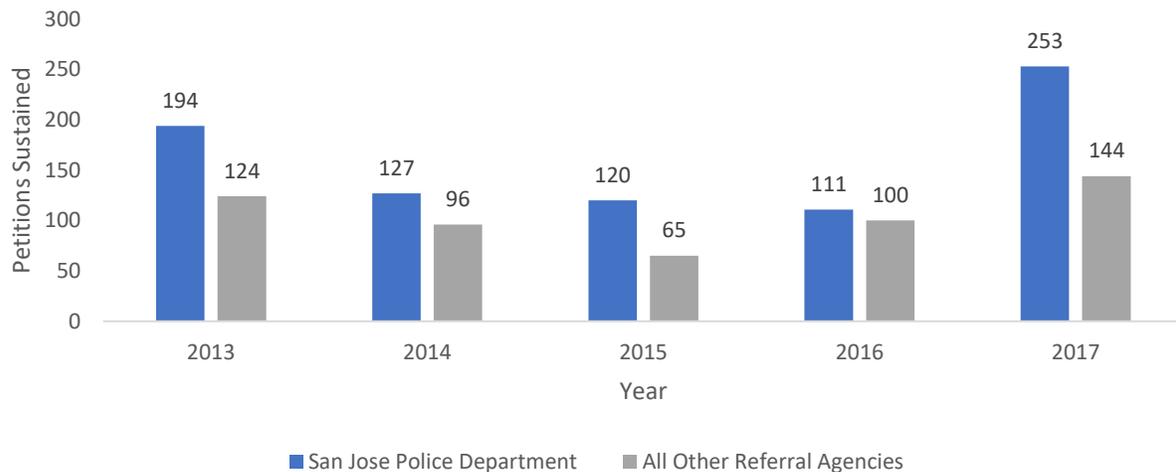
Comparing referrals from San Jose Police Department with all other agencies who make referrals to the Probation Department shows that while referrals from all other agencies increased by 46 percent between 2016 and 2017, referrals from San Jose Police Department increased by 86 percent during the same period.

Figure 28: Number of Specified Offenses Referred 2013-2017 San Jose Police Department and All Other Referral Agencies



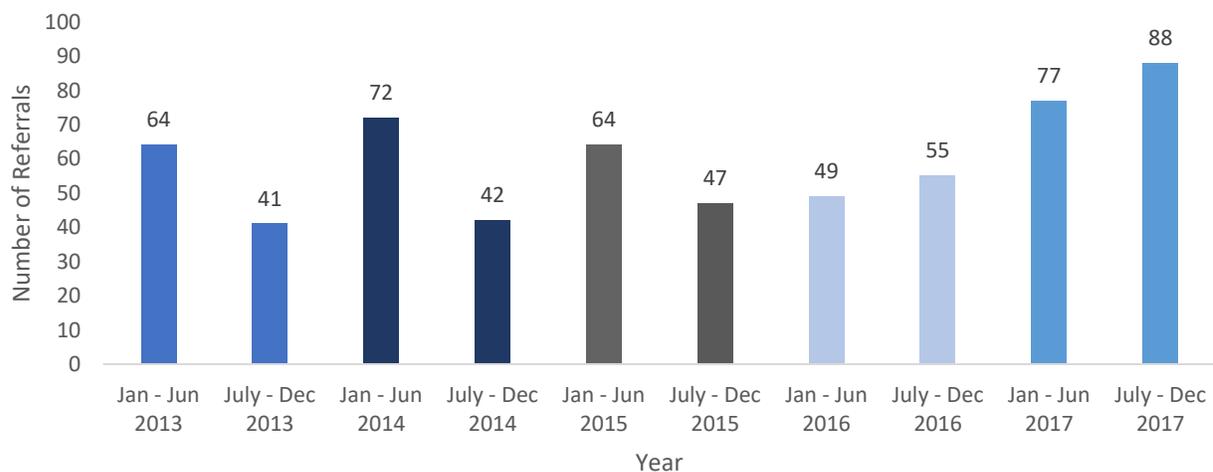
Sustained petitions originating from referrals by all other referral agencies increased by 44 percent between 2016 and 2017 after decreasing by 19 percent between 2013 and 2016. Sustained petitions originating from referrals from San Jose Police Department by contrast more than doubled between 2016 and 2017 (128 percent), after decreasing by 43 percent from 2013 to 2016.

Figure 29: Sustained Petitions for Specified Offenses 2013-2017 San Jose Police Department and All Other Referring Agencies



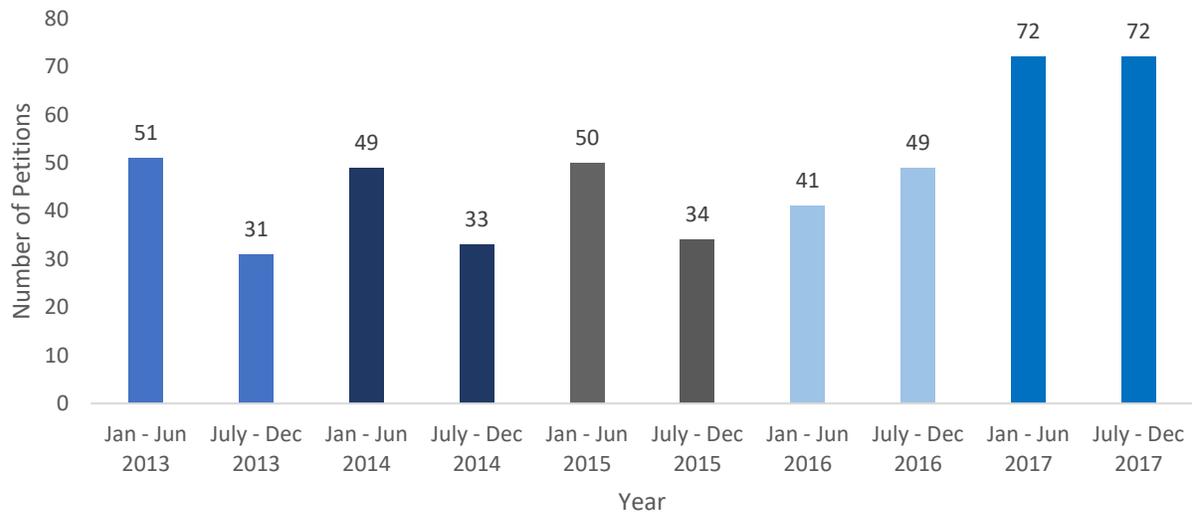
Referrals received for robbery (excluding “carjacking”) increased by 59 percent between 2016 and 2017. Most of these referrals were subsequently petitioned.

Figure 30: Robbery (excluding “carjacking”) Referrals Received 2013-2017



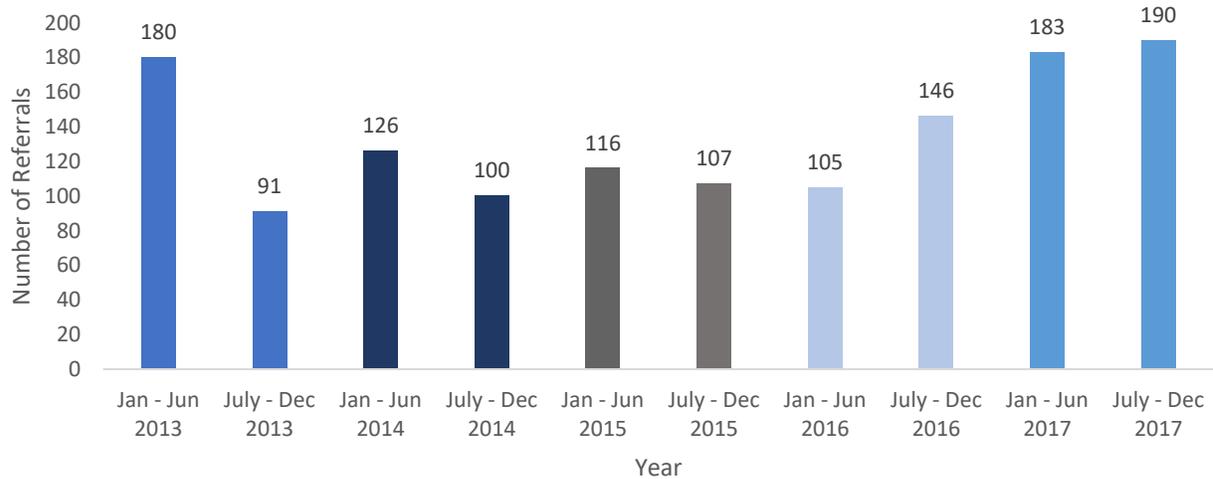
Referrals subsequently petitioned for robbery, excluding carjacking offenses, remained stable until 2017 when the number of robbery offenses petitioned increased by 60 percent.

Figure 31: Referrals Petitioned for robbery (excluding carjacking) 2013-2017



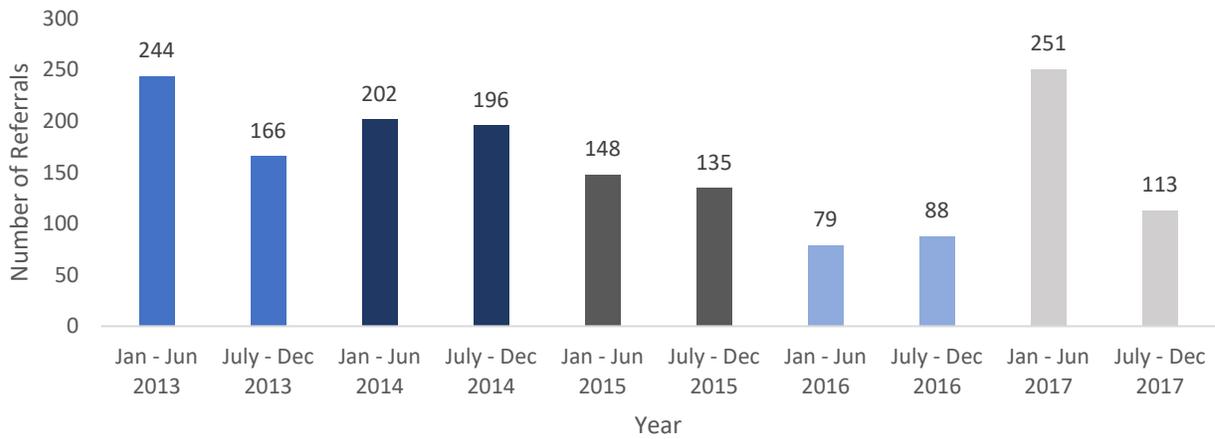
Referrals for auto theft were higher during 2017 than at any other time across the five-year period. The number of referrals was also consistent over the course of 2017.

Figure 32: Auto Theft Referrals Received 2013-2017



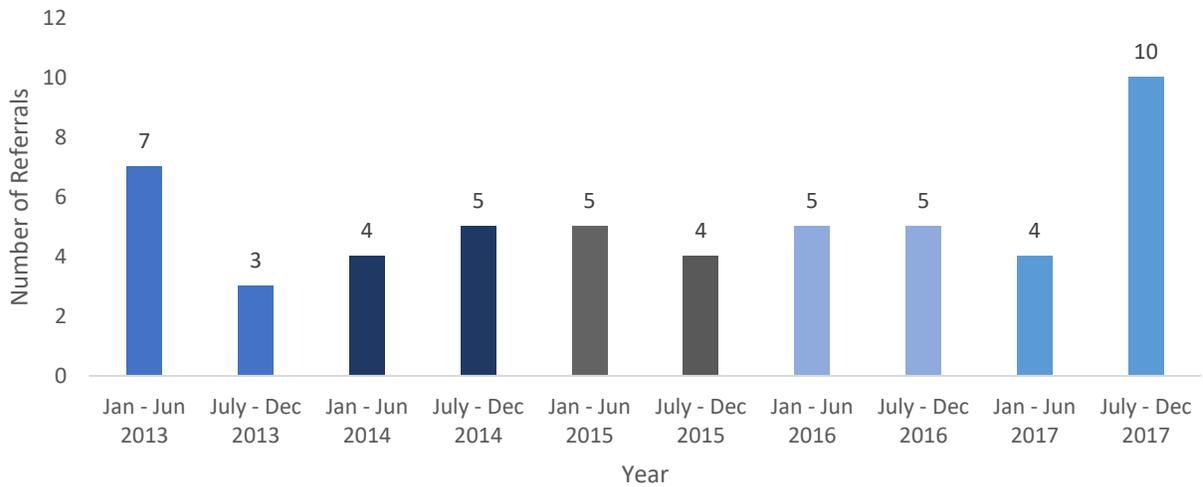
Referrals for burglary increased significantly in the first half of 2017 before decreasing by 55 percent in from July to December.

Figure 33: Burglary Referrals Received 2013-2017



Referrals for rape remained at ten or below referrals each year before increasing to 14 referrals in 2017. It should be noted that the charges included in a referral may change as a case progresses through the system.

Figure 34: Rape Referrals Received 2013-2017



Homicide referrals have been stable across the five-year period and remained under five in 2017.

Figure 35: Homicide Referrals Received 2013-2017

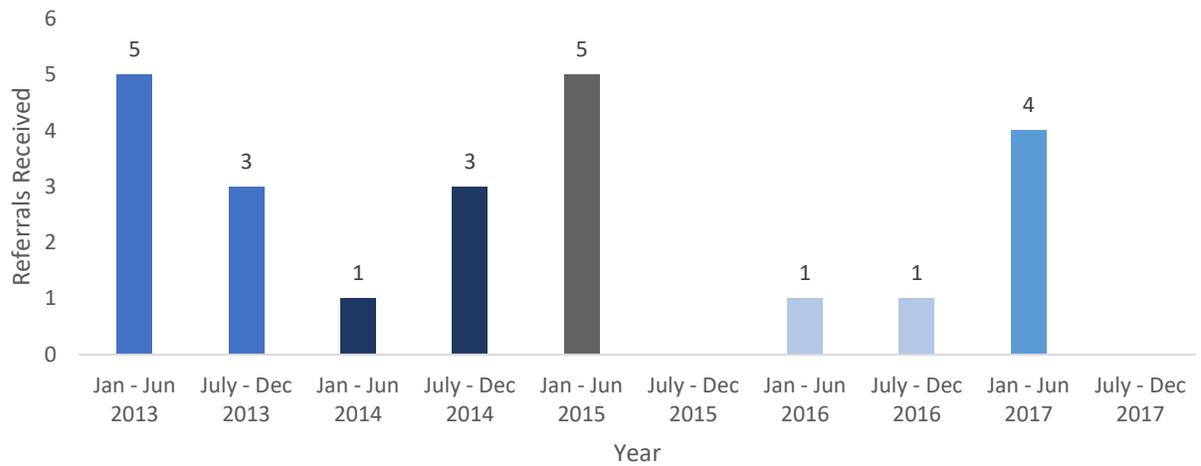
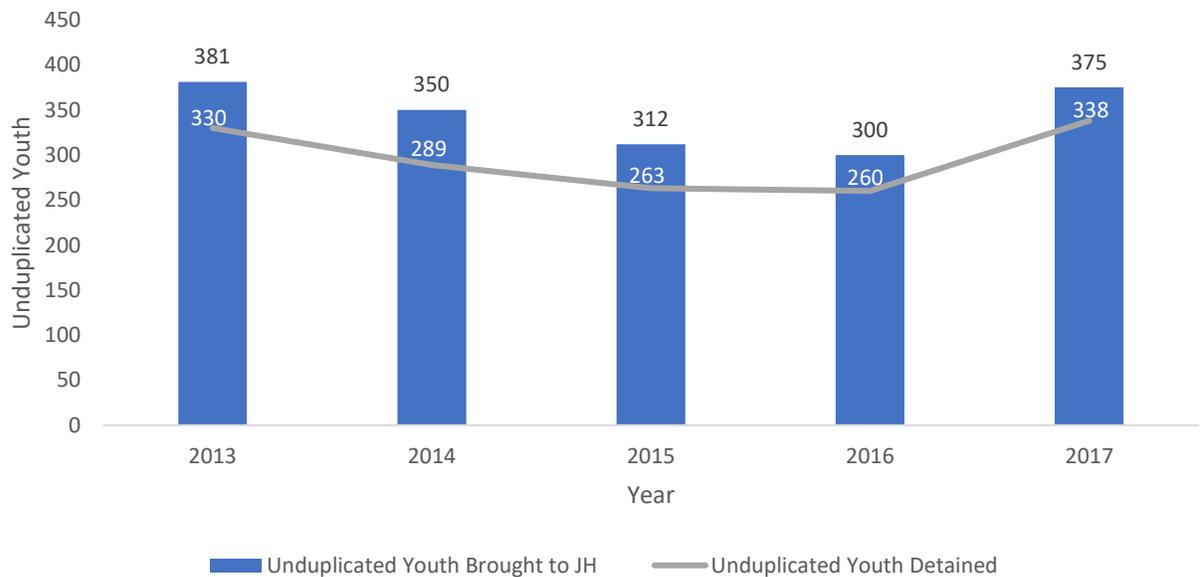


Figure 36 shows the number of unduplicated youth who were brought to Juvenile Hall. Each youth is counted only once per year, but may be counted across several years if the youth was detained in multiple years. In 2013, 87 percent of youth brought to Juvenile Hall were detained. In 2014, the number dropped to 83 percent (lowest point in five years), before it increased to 84 percent in 2015 and 87 percent in 2016. The number of unduplicated youth detained peaked at 90 percent in 2017.

Figure 36: Total Number of Unduplicated Youth Detained 2013-2017



Numbers for duplicated released youth brought to Juvenile Hall have been somewhat consistent in the last five years for the top three of the above specified offenses. The vast majority of releases (83 percent)

scored Low in the RAI score range. Furthermore, Property Crimes (n = 214) accounted for 82 percent of Low RAI scores during the five-year period of youth who were released.

Figure 37: RAI Score Range for Top Three Offenses for Duplicated Released Youth 2013-2017

