

2014

SANTA CLARA COUNTY JUVENILE JUSTICE SYSTEM ANNUAL REPORT

Contributors: The Juvenile Justice Court; Probation Department, Juvenile Services and Institutions Divisions; District Attorney's Office; Offices of the Public Defender and Alternate Defender; Social Services Agency, Department of Family and Children Services; Mental Health Department; and W. Haywood Burns Institute.

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I. Introduction

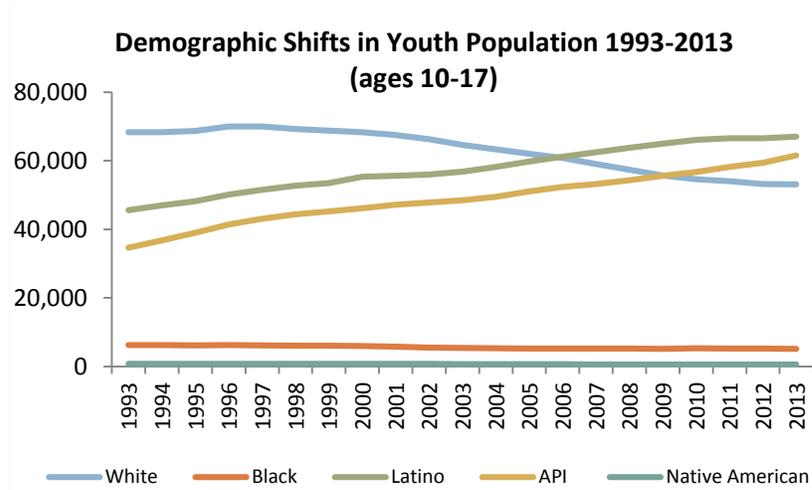
Purpose of Santa Clara County Juvenile Justice System Annual Report

Working collaboratively with project contributors, under the Juvenile Justice Model Court grant, this report will be used as a tool to evaluate performance, facilitate information sharing and manage operational information within Santa Clara County. Contributors to this report include: Juvenile Justice Court; Probation Department, Juvenile Services and Institutions Divisions; District Attorney’s Office; Offices of the Public Defender and Alternate Defender; Social Services Agency, Department of Family and Children Services; Mental Health Department; and W. Haywood Burns Institute.

This report seeks to contribute to the Juvenile Justice data compiled by other Model Courts throughout the nation in an effort to better understand how Santa Clara County can improve outcomes for our youth.

Youth Population Served

Over the last two decades, Santa Clara has had significant demographic shifts in its youth population (ages 10-17). Overall the population has increased by 21 percent, but the shift between racial and ethnic groups has been even more dramatic. The youth of Santa Clara are increasingly youth of color.



Population Change 1993-2013	White	Black	Latino	API	Native	Total
1993	68,387	6,243	45,567	34,649	753	155,599
2013	53,173	5,152	67,033	61,617	551	187,526
% Change 1993-2013	-22%	-17%	47%	78%	-27%	21%

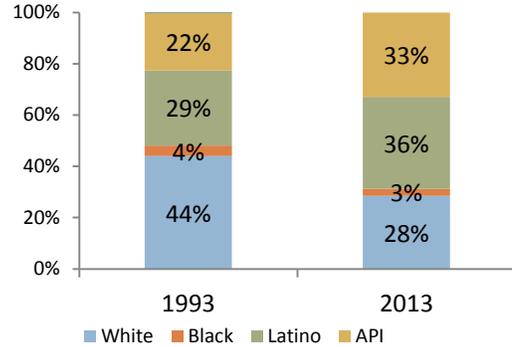
The White youth population has decreased by 22 percent since 1993 and is no longer a majority. The Latino youth population has increased by 47 percent to become the largest racial/ethnic population. During that same time, the Asian/Pacific Islander (API) numbers increased by 78 percent. The number of Black youth decreased by 17 percent, while the Native American youth population has had the greatest decrease of 27 percent.

Following this trend, the most recent youth population data (2013) for Santa Clara County shows the population to be 36 percent Latino and 33 percent API. By 1993, Santa Clara was already a “Minority

Majority” county, with youth of color representing over 50 percent of the population. White youth now make up 28 percent of the population, Black youth make up three percent, and Native youth make up less than one percent of the population.

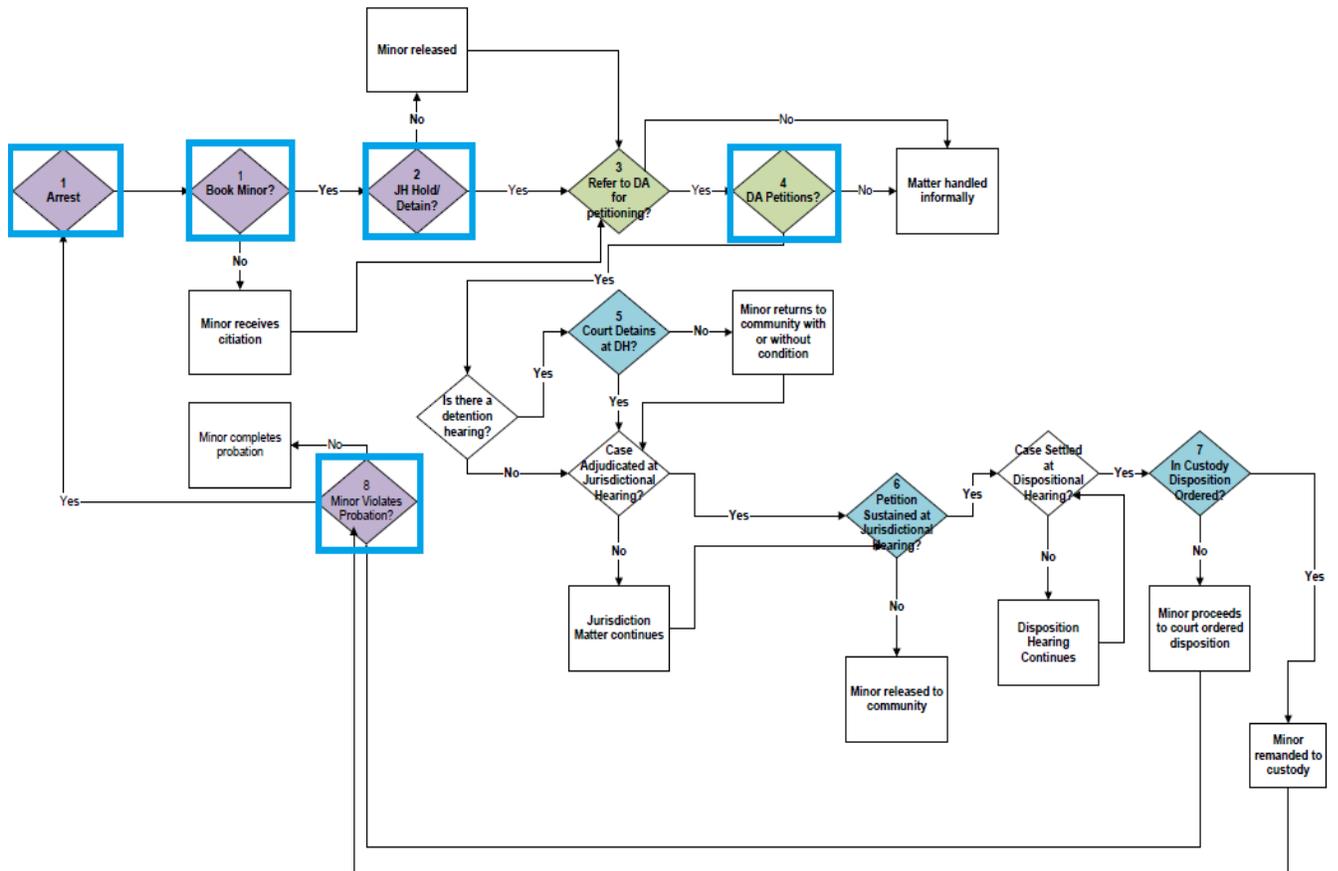
These demographic shifts remind us why improving outcomes for youth of color is critical to the future success not only of those individual youth, but of the county as a whole.

Youth Population Change
1993-2013



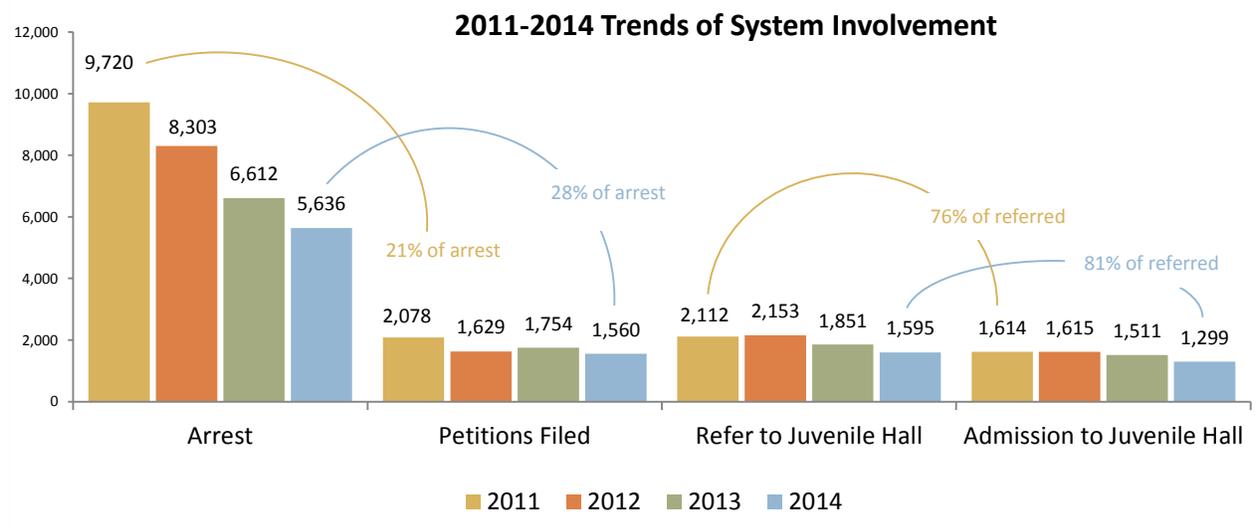
Juvenile Justice Flow

The flow chart below describes some of the key decision points within the Juvenile Justice System. At each of these points, one or more justice system stakeholders has decision making power over the trajectory of a youth’s case. The purple points represent areas where law enforcement and Probation are responsible for the decision, the green represent the District Attorney’s decision points and the blue represent Court decision points. This report will discuss some of the data points below, specifically those outlined in a blue box, as well as other areas of interest to the juvenile justice community.



Trends with Key Juvenile Justice Decision Making Points

From 2011 to 2014, there has been a decrease in youth involvement across the justice system. The largest decrease in numbers and percentage has been at the front of the system. The number of arrests/citations decreased by 42 percent between 2011 and 2014. Petitions decreased by 25 percent. Referrals to juvenile hall decreased by 24 percent and admissions to juvenile hall decreased by 20 percent.



Trends of System Involvement 2011-2014	Arrests/ Citations	Petitions Filed	Referral to Juvenile Hall	Admission to Juvenile Hall
2011	9,720	2,078	2112	1614
2012	8,303	1,629	2153	1615
2013	6,612	1,754	1851	1511
2014	5,636	1,560	1595	1299
Percent Change (2013-2014)	-15%	-11%	-14%	-14%
Percent Change (2011-2014)	-42%	-25%	-24%	-20%

II. Arrests and Citations

An arrest or citation marks the initial contact a youth will have with the juvenile justice system. In Santa Clara County, this includes paper tickets (citations, summons to appear, etc.) and actual arrests.

A. Highlights

In Santa Clara County, first time offenders may be arrested/cited, in some cases they are sent through the Direct Referral Program (DRP) or handled in the Prevention/Early Intervention (PEI) Unit. DRP provides voluntary counseling and life skills education for youth ages 11-14 who are first-time or low-level offenders in the Juvenile Justice System.

In collaboration with the Santa Clara County Department Juvenile Services, law enforcement agencies and community based organizations, the DRP aims to improve and build upon youth's relationships and coping skills through access to up to 14 individual or family counseling sessions. Youth are referred to DRP providers through assigned Probation Officers and according to designated ZIP Codes. The program began in Fiscal Year (FY) 2012 but is not operational countywide.

The Prevention/Early Intervention (PEI) Unit handles those cases where a low level offense has occurred, the department has received a citation from a law enforcement agency, and the Probation Department has not referred the case for petition by the DA. Cases are handled informally and include interventions such as receiving a letter of reprimand, a contract with Probation for up to 90 days and referral to appropriate services.

In 2014 there were 5,636 arrests/citations (duplicated youth). Of those, 2,691 arrests/citations (48 percent) were processed by the PEI Unit, and of those 2,110 cases were found eligible to remain in PEI. Additionally 289 cases were diverted to the Direct Referral Program (DRP) for counseling services and were not recorded as an official arrest. Thus, 43 percent (2,399 cases) of all arrests/citations were handled through PEI or DRP.

Quick Facts: Arrest/Citation (2014)

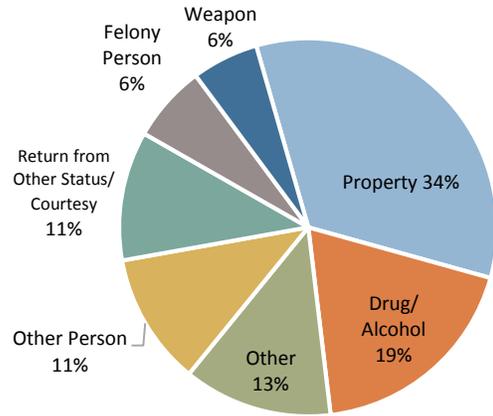
- **Numbers:** 5,636 arrests
- **Trends:** There were 15% fewer arrests in 2014 than in 2013
- **Most Frequent Reasons:** Property Crimes (34%) and Drug/Alcohol (19%)
- **Disparities:** Black and Latino youth were 6.4 and 3.6 times more likely than White youth to be arrested/cited
- **Geography:** 61% of arrested youth reside in San Jose, 6% in Gilroy, and 3% in Sunnyvale

Offenses

Not including those referred to DRP, nonviolent crimes made up the majority of arrests/citations made in 2014. Property crimes and Drug/Alcohol related offenses alone made up over half of the total 5,636 arrests/citations. Property Crimes¹ decreased by 9 percent in 2014, compared to 2013, and accounted for 34 percent of total arrests/citations in 2014.

Arrests/citations for Drug/Alcohol Related Offenses decreased by 19 percent from 2013 to 2014, and accounted for 19 percent of all arrests/citations in 2014. Arrests/citations for Return from Other Status/Courtesy Hold/Other Admits, which is primarily comprised of arrests/citations for Violations of Probation decreased by 26 percent in 2014 and accounted for 11 percent of all arrests/citations, these include returns from dispositional placement as well as courtesy holds for other agencies.

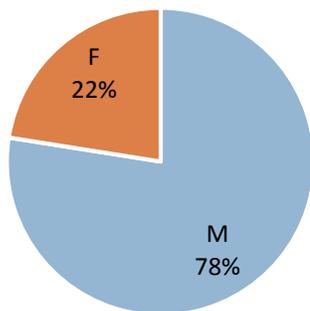
2014 Arrests/Citations by Offense Category (not including DRP)



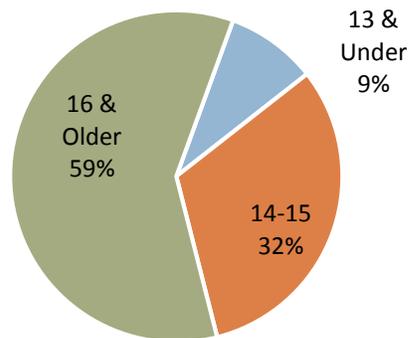
Age & Gender

In 2014, nine percent (500) of arrests/citations were of youth 13 years or younger, 32 percent (1,782) were for youth 14 and 15 years old, and 59 percent (3,354) were youth 16 years and older. Of youth arrested/cited in 2014, 78 percent (4,368) were male and 22 percent (1,268) were female.

2014 Gender of Youth Arrested/Cited



2014 Age of Youth Arrested/Cited

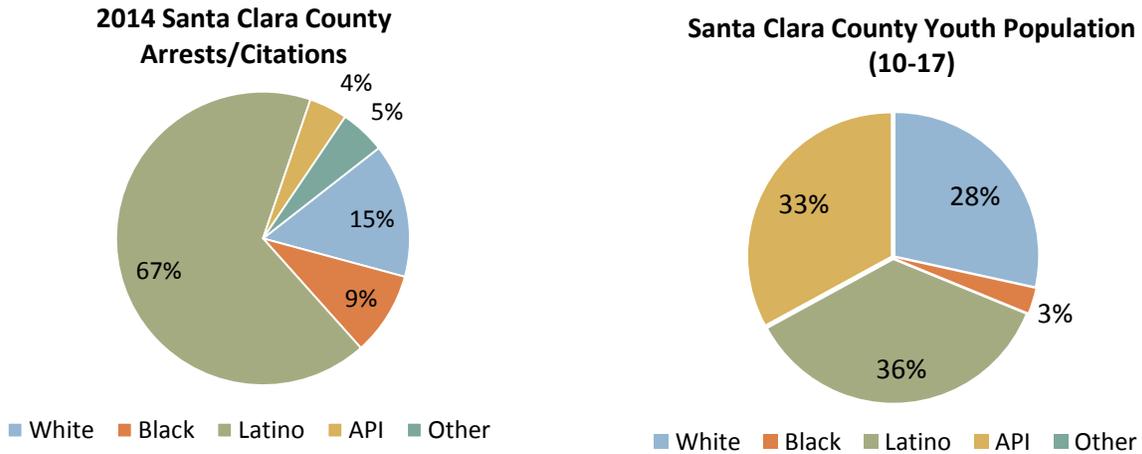


¹ In 2013, Probation moved Burglary in the First Degree from Felony Crimes Against People to Property Crimes, for purposes of categorization therefore comparison to 2012 is not possible at this time.

Data also showed that youth of color tend to be younger than White youth when first arrested.

Racial and Ethnic Disparities

A review of the youth population and arrests/citations clearly indicate overrepresentation for Latino and Black youth. While Latino youth represent 36 percent of the overall youth population, they represent 67 percent (3,767) of youth arrested/cited. Black youth represent three percent of the overall youth population, but nine percent (518) of arrested/cited youth.



*2013 is most recent population data available

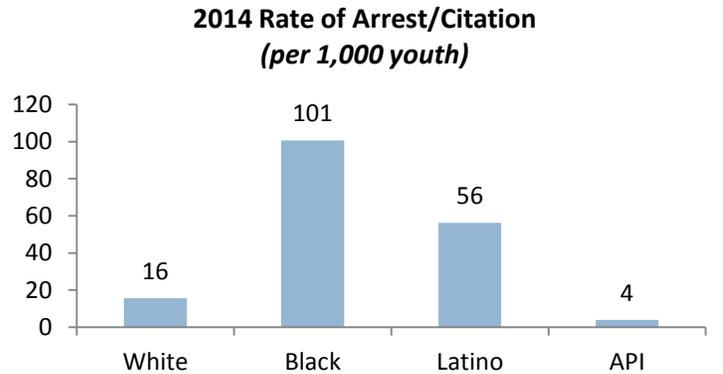
Number and Rate of Arrests/Citations in 2014 to Youth Population (2013)*	White	Black	Latino	API ²	All Other	Total
Youth Population (10-17)	53,173	5,152	67,033	61,617	551	187,526
Arrests/Citations	832	518	3,767	238	281	5,636
Youth Population Percent	28%	3%	36%	33%	0%	100%
Arrest/Citation Percent	15%	9%	67%	4%	5%	100%
Rate of Arrest (per 1,000 youth)	16	101	56	4	**	30
Disparity Gap: Times More Likely to be Arrested/Cited		6.4	3.6	(0.3)		

There is an inverse relationship for White and API youth. White youth account for 28 percent of the population, but 15 percent (832) of arrests. Similarly, API youth account for 33 percent of the population and four percent (238) of arrests/citations.

² For all Probation data, Pacific Islanders are represented in the "Other" category.

While reviewing the proportion of youth of color in the youth population and arrests/citations is a quick and simplistic way to identify whether youth of color are overrepresented in arrests, it is not as accurate of a measure as to what extent racial and ethnic disparities exist as rates.

In simply reviewing proportions, jurisdictions may miss disparate rates of system involvement experienced by some populations. A more accurate measure is the rate or *likelihood* of arrests/citations. For example, Black youth represent three percent of the population and nine percent of youth arrested/given citations, but by measuring rates, we see that for every 1,000 Black youth, 101 were arrested or given a citation.

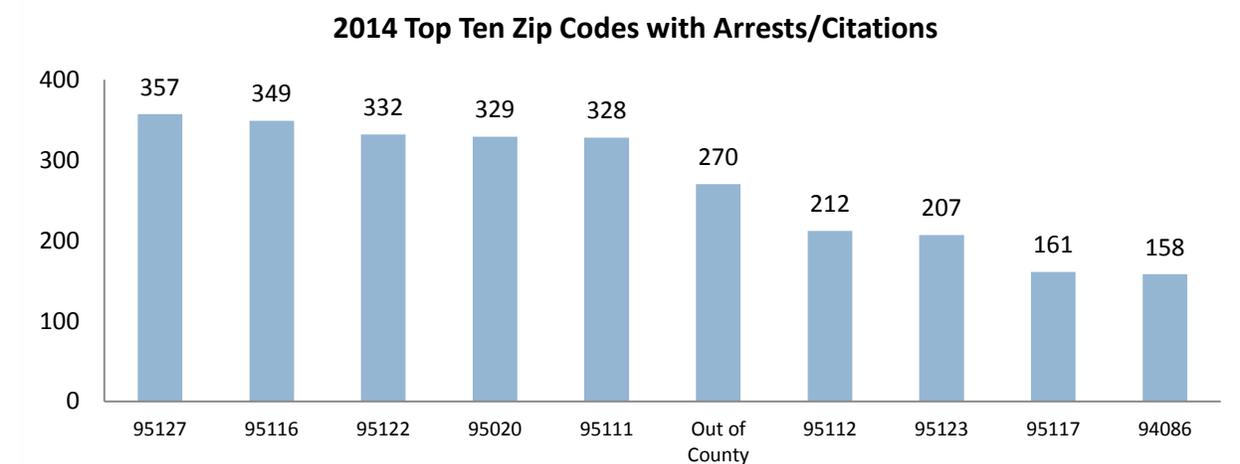


Compared to the rate of 16 for White youth, Black youth were over six times more likely than White youth to be arrested or given a citation (101/16). For every 1,000 Latino youth, 56 were arrested or given a citation. The likelihood of a Latino youth being arrested/cited was 3.5 times that of White youth (56/16). API youth had the lowest rate of four youth arrested/cited for every 1,000 API youth in the population.

Reviewing arrest rates clearly illustrates that Black and Latino youth are significantly more likely to be arrested than White or Asian youth.

Geography

A geographic analysis helps determine whether youth arrested live in particular parts of a community.



This information is important because it allows Santa Clara County stakeholders to gain an increased understanding of the relevant resources that are present near where the youth live. Further, the stakeholder group may identify potential community partners located in these areas to collaborate with to develop or provide crucial support to youth and their families.

The top ten ZIP Codes of residence for youth arrested were primarily located in East and Central San Jose. Arrested youth also reside in Gilroy (95020) and Sunnyvale (94086).³

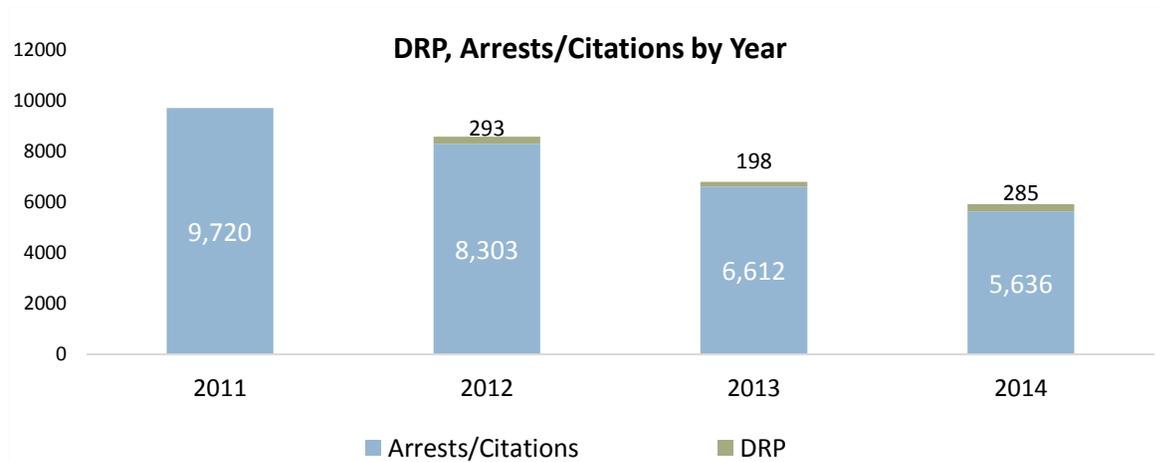
In addition to the general Juvenile Supervision Units which serve youth on probation in specific zip codes, the Probation Department has committed a full time Probation Officer position to work with the South County Youth Task Force in various schools throughout Morgan Hill, San Martin and Gilroy. The Department continues to partner with the District Attorney’s Office and the 95122 Subcommittee of the Juvenile Justice Systems Collaborative to address issues of crime and safety in the 95122 zip code. In the fall of 2014, the Probation Department dedicated one Probation Officer to be on the Overfelt campus one day a week and additionally as needed. The campus and San Jose Police Department continued to partner using the “No Citation” policy for low level crimes committed on campus. Instead of citation for Probation action, the youth receive access to counseling and substance abuse treatment as well as in school suspension. Between 2013 and 2014, there was a 23 percent decline in youth being arrested/cited in 95122.

B. Arrest/Citation Trends

Overall Trends

Following national trends, Santa Clara County experienced a reduction in arrest.

In 2014, there was a 15 percent decrease in arrests/citations for all youth compared to 2013, with almost 1000 fewer arrests/citations in 2014. Since 2011, there has been 42 percent decrease in the number of arrests/citations.



³ See Appendix A for map of Top 10 Zip Codes with Arrest

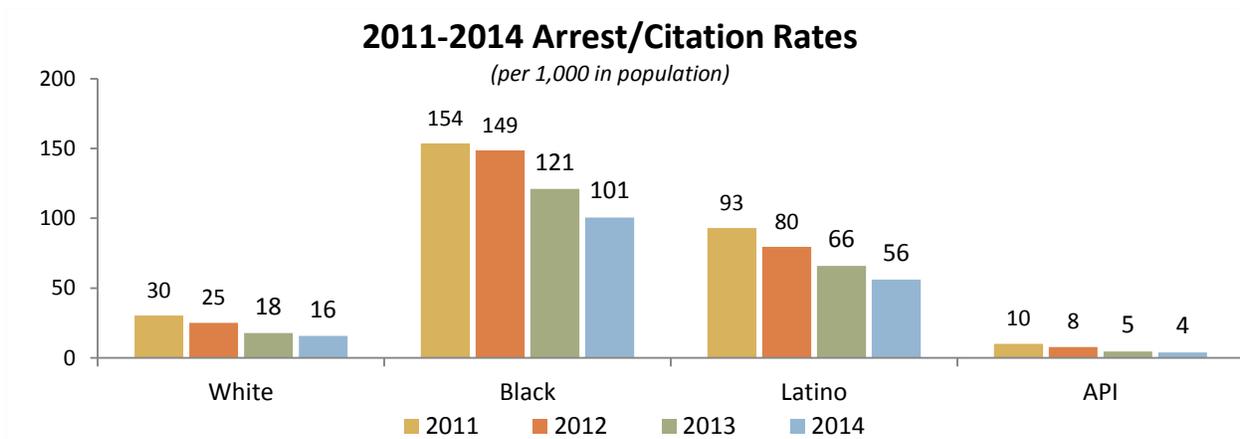
Racial and Ethnic Disparities

There was a 42 percent decrease in arrests/citations for all youth between 2011 and 2014. The decrease in arrests/citations from 2011 to 2014 was greater for White youth than for Black and Latino youth. Between 2011 and 2014, White youth arrests/citations decreased by 49 percent while arrests/citations of Black and Latino youth decreased by 36 and 39 percent, respectively. API youth experienced the greatest decrease in arrests/citations between 2011 and 2014, a 59 percent decrease.

Between 2013 and 2014, there was a 15 percent decrease in arrests/citations. The decrease was greater for youth of color than it was for White youth. Whereas the number of White youth arrests/citations decreased by 12 percent, the number of Black youth arrests/citations decreased by 17 percent, and the number of Latino youth arrests/citations decreased by 15 percent.

Arrest/Citation Numbers	White	Black	Latino	API	Other	Total
2011	1,641	805	6,198	583	493	9,720
2012	1,341	771	5,300	460	431	8,303
2013	950	624	4,424	280	334	6,612
2014	832	518	3,767	238	281	5,636
Percent Change 2013-2014	-12%	-17%	-15%	-15%	-16%	-15%
Percent Change 2011-2014	-49%	-36%	-39%	-59%	-43%	-42%

A decrease in the number of youth arrested/cited does not control for changes to population that have occurred over the same time period. In order to look at the number of arrests as a factor of population, we need to look at arrest/citation rates.⁴



⁴ Rates help to remove variations in population size between different groups and provide a standardized measure of the likelihood of system involvement for each group. To calculate the rates, we divide the number of youth arrested by the number of youth in the population and multiply by 1,000 youth.

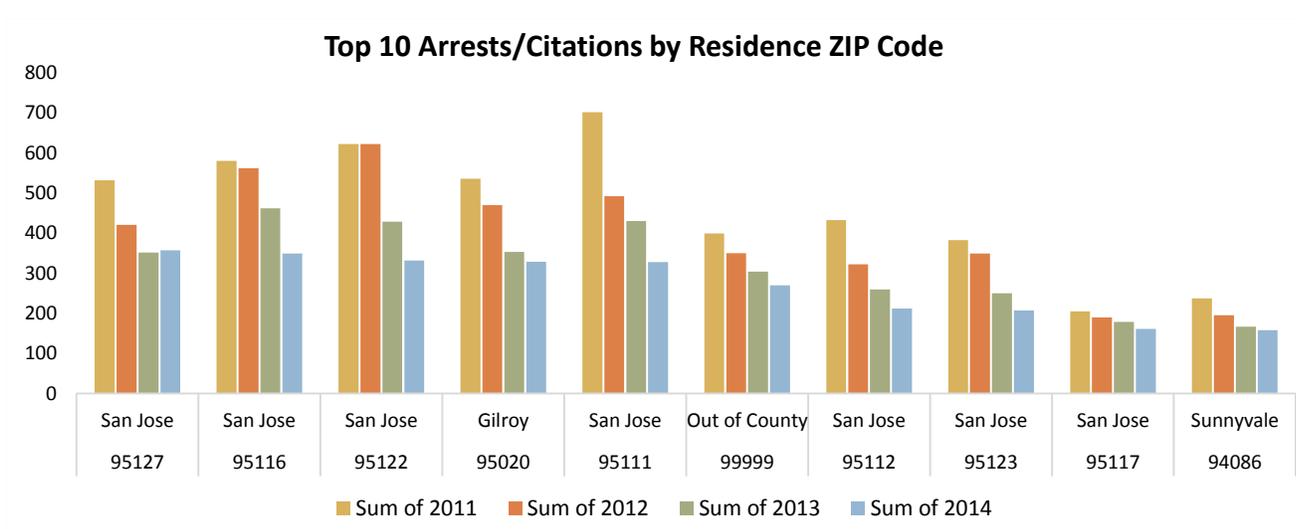
Arrest/Citation Rates 2011-2013 (per 1000 youth)	White	Black	Latino	API	Total
2011	30	154	93	10	53
2012	25	149	80	8	45
2013	18	121	66	5	36
2014	16	101	56	4	30
Percent Change 2013-2014	-12%	-17%	-15%	-15%	-15%
Percent Change 2011-2014	-48%	-35%	-40%	-61%	-43%

In reviewing arrest/citation rates, we can note that there has been a reduction, but that rates of arrest/citation remain higher for youth of color than for White youth.

Between 2011 and 2014, arrest rates declined by 43 percent. The rate at which White youth were arrested/cited decreased by almost half: in 2011 rate for White youth was 30, and by 2014 it was 16. The arrest/citation rate for Black youth dropped from 154 in 2011 to 101 by 2014, a 35 percent decline. During this same time, the arrest/citation rate for Latino youth dropped from 93 to 56. The rate for API youth dropped from a rate of 10 to four.

As above, despite the decline in arrest/citation rates, Black and Latino youth continue to be arrested/cited at a significantly higher rate than White and Asian youth.

Trends in Geography



From 2013 to 2014, arrests/citations for youth residing in the 95127 ZIP Code increased by 1 percent. Both the 95116 and 95111 ZIP Codes experienced a 24 percent decrease in arrests/citations compared to 2013. 95122 experienced a 23 percent decrease in arrests/citations compared to 2013. Similar to 2013, the majority of youth who were arrested/cited in 2014 reside in East and Central San Jose. In part due to the

significant decreases in arrests/citations in the San Jose ZIP Codes, the Sunnyvale ZIP Code of 94086 was included in the top 10 for the first time in last four years.

<i>Arrests: Top 10 Residence ZIP Codes</i>	2011	2012	2013	2014	% Change 2013-2014
95127	532	421	352	357	1%
95116	580	562	462	349	-24%
95122	622	622	429	332	-23%
(Gilroy) 95020	536	470	353	329	-7%
95111	702	492	430	328	-24%
Out of County	399	350	304	270	-11%
95112	433	322	260	212	-18%
95123	383	349	250	207	-17%
95117	205	190	179	161	-10%
(Sunnyvale) 94086	237	195	167	158	-5%
All Other ZIP Codes with Arrests	4,955	4,238	3,319	2,933	-12%
Total Arrests	9,720	8,303	6,612	5,636	-15%

III. Intake and Admissions

Some arrested youth are booked at Santa Clara Juvenile Hall. In 2014, of the total 5,636 youth arrested in Santa Clara County, 1,595 youth (28 percent of all youth arrested) were booked at (or referred to) Juvenile Hall. At Juvenile Hall intake, a detention risk assessment instrument (RAI) is administered by the Probation Screening Officer through the Juvenile Records Service (JRS) to determine whether or not the youth should be admitted to pre-adjudication secure confinement. The RAI includes a written checklist of criteria that are applied to rate each youth for specific detention-related risks. The overall risk score is then used to guide the intake officer in making the critical decision of whether to admit the arrested youth to a secure facility, send them to a non-secure detention alternative, or release them home.

The objectivity, uniformity and risk-based format of RAIs help to protect against disparate treatment at intake and focus on whether or not the youth is likely to disappear or reoffend before adjudication. Objective and standardized criteria anchor admission decisions in ascertainable and equally

evaluated facts such as the nature and severity of the offense or the number of prior referrals, so that all youth are held to the same standards.

A. Highlights

Of the youth brought to Juvenile Hall in 2014, 81 percent were detained (1299 of 1595 youth). Of 1595 youth referred to (or booked at) Juvenile Hall, 17 percent (276 youth) were released at detention screening. Of the 1299 youth detained at intake between 15-20 percent were released by Probation prior to their detention hearing, the average custody time was approximately 40 hours.

Overrides

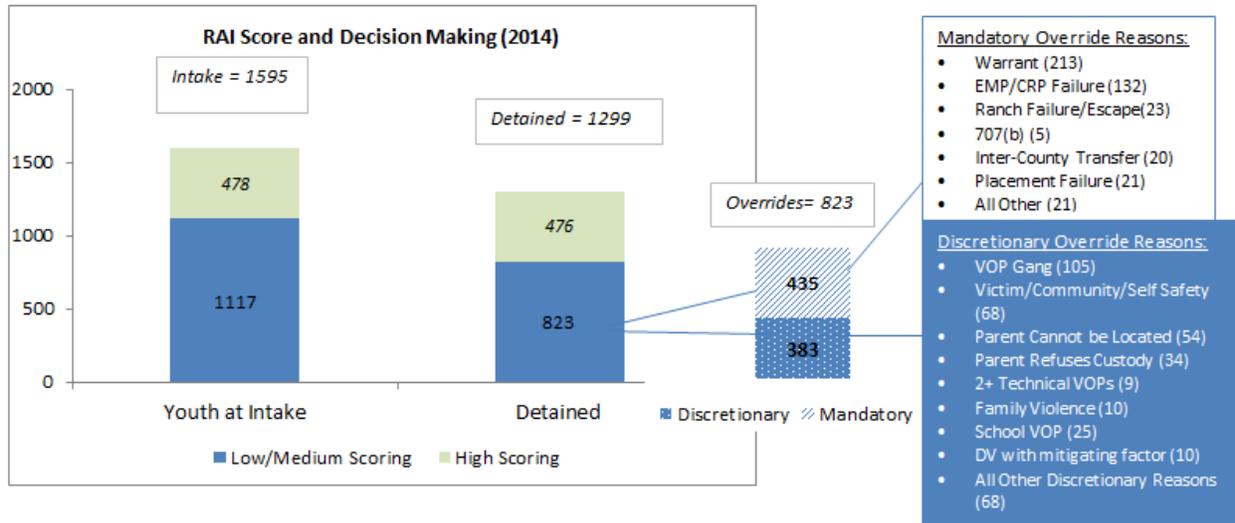
Overrides are a decision to admit or release a child in contravention of the risk score and outcome recommended by the RAI. A high level of detention overrides undermines the integrity of the risk-screening process. The detention override rate is the percent of children who score below the detention threshold score and are nevertheless detained. Some of these youth are detained due to a local or state policy mandating detention, while some of these youth are detained at the discretion of the Probation Screening Officer.

The 2014 detention override rate was 74 percent. In other words, of the total 1,117 youth who were eligible for release based on their RAI score, 823 youth (74 percent) overridden into detention.

Quick Facts: Admissions (2014)

- **Admission Numbers:** 1,299
- **Trends:** There were 14% fewer admissions in 2014 than in 2013
- **Most Frequent Reasons:** Violations of Probation (32%); Property Crimes (25%); Felony Crimes Against People (19%).
- **Racial and Ethnic Disparities:** Black and Latino youth were 12 and 7 times more likely than White youth to be detained.
- **Geography:** 95127 and 95116 were the ZIP Codes that had the highest number of youth admitted to secure detention.
- **Age:** 17 and 16 year olds accounted for 60 percent of all referrals to Juvenile Hall.

Of the 823 youth who were overridden, 53 percent (435 youth) were detained under mandatory detention policies, while the remaining 47 percent (383 youth) were held under discretionary detention policies.



Override Rate for 2014	White	Black	Latino	API ⁵	Other	Total
Total Eligible for Release (L/M RAI Score)	99	100	866	49	3	1117
Eligible for Release (L/M RAI Score) but Detained	69	68	651	34	1	823
Override Rate	70%	68%	75%	69%	33%	74%

The most frequent mandatory override reasons include Warrants (FTA, Arrest, and VOP) and Pre/Post Court EMP failures. These two categories combined account for 79 percent (345/435) of mandatory policy admissions. Based on the 2013 data, the Probation Department recognized that a large number of discretionary overrides into detention were for failure to comply on the Electronic Monitoring and Community Release Programs (EMP/CRP). The Probation Department embarked on a concerted effort to redesign EMP/CRP to include more evidence based practices including usage of Brief Intervention Tools (BITS) and the Carey Guides, increased supervision and a combination of appropriate and responsive rewards and sanctions. In July 2014, the EMP/CRP staff was consolidated under the supervision of the Institutions Division to give more consistent training and supervision to the counselors working in the program. All of these changes, as well as the general decline in arrests to detention, led to a 39 percent decrease in override admissions for EMP/CRP failure, compared to 2013. The program changes are ongoing and are being monitored by Probation management and the Juvenile Justice Systems Collaborative RAI Subcommittee.

The most frequent discretionary override reasons include VOP Gangs (105 youth), Victim/Community/Youth safety (68 youth) and Parent related reasons, both parent cannot be located (54 youth) and parent refusing custody (34 youth).

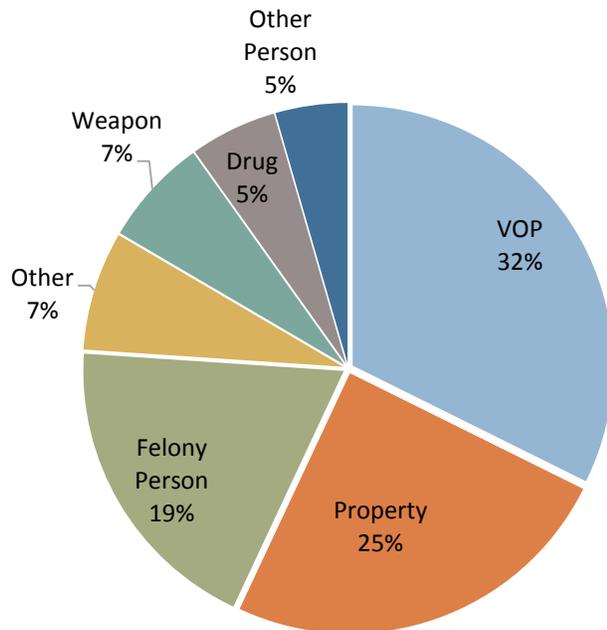
⁵ Prior to 2014, Pacific Islanders (PI) were included in the Other category, in 2014 PI were moved to the API category.

Offenses

Of the total 1,299 youth admitted to detention, 32 percent were admitted for Violations of Probation (VOPs). Another 25 percent of youth were admitted were for Property Crimes (including 1st degree Burglary), 19 percent of admissions were for Felony Crimes Against People, and seven percent for Weapons Crimes.

Admissions for Drug and Alcohol Related Offenses accounted for only five percent of total admissions to Juvenile Hall. Usually youth are only admitted for Drug and Alcohol Related offenses if the youth is arrested for drug sales or is at risk due to being under the influence of drugs or alcohol. Most youth admitted for being under the influence are often released to a parent/guardian before the detention hearing phase.

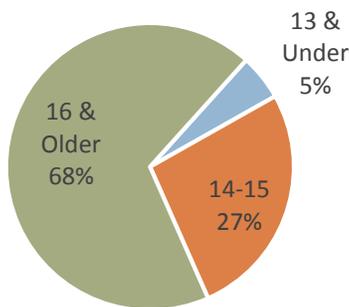
2014 Admissions by Offense Category



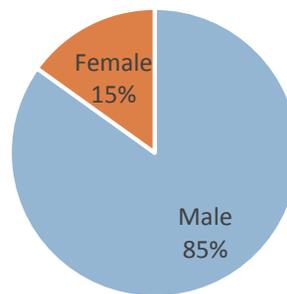
Age & Gender

In 2014, the majority of youth detained in juvenile hall were male (85 percent) and sixteen years or older (68 percent). Female youth detained make up 15 percent of the total juvenile hall population.

Age of Youth Detained in Juvenile Hall in 2014



Gender of Youth Detained in Juvenile Hall in 2014

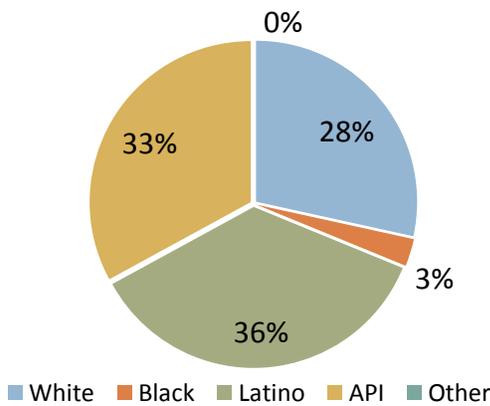


Racial and Ethnic Disparities

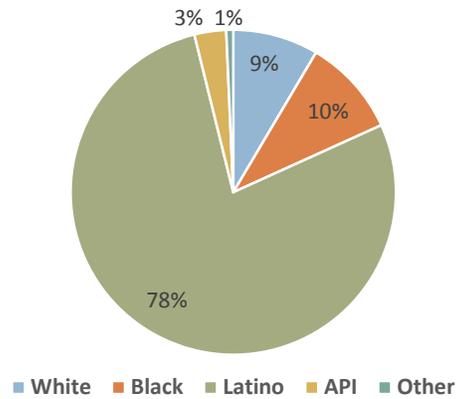
There is an overrepresentation of Black and Latino youth admitted to detention in Santa Clara County compared to their representation in the youth population. While 28 percent of youth in the population are White, only nine percent of total admissions were White youth. Black youth represent three percent of the population but ten percent of admissions. Latino youth represent 36 percent of the population but 78 percent of admissions.

Numbers and Rate of Admission to Population 2014	White	Black	Latino	API	All Other	Total
Youth Population (10-17)	53,173	5,152	67,033	61,617	551	187,526
Admissions to Detention	111	126	1,011	41	10	1,299
Youth Population Percent	28%	3%	36%	33%	0%	100%
Admission to Detention Percent	9%	10%	78%	3%	1%	100%
Rate of Admission (per 1,000 youth)	2.1	24.5	15.1	0.7	1.8	6.9
Disparity Gap: Times More Likely to be Detained		12	7	(0.3)	(0.1)	

Santa Clara County Youth Population (10-17)



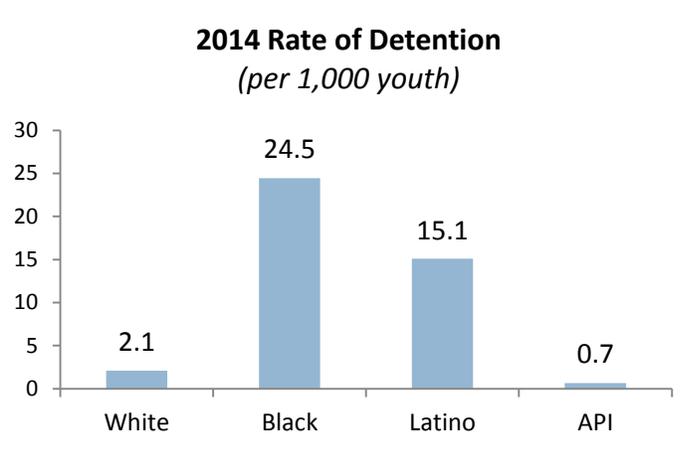
Santa Clara County Admissions (2014)



Through reviewing the proportion of youth of color in the youth population and admissions to detention we can quickly identify whether youth of color are overrepresented in arrests, but this is not as accurate a measure of whether and to what extent racial and ethnic disparities exist as rates. Rates give a more accurate measure by showing *likelihood* of admissions.

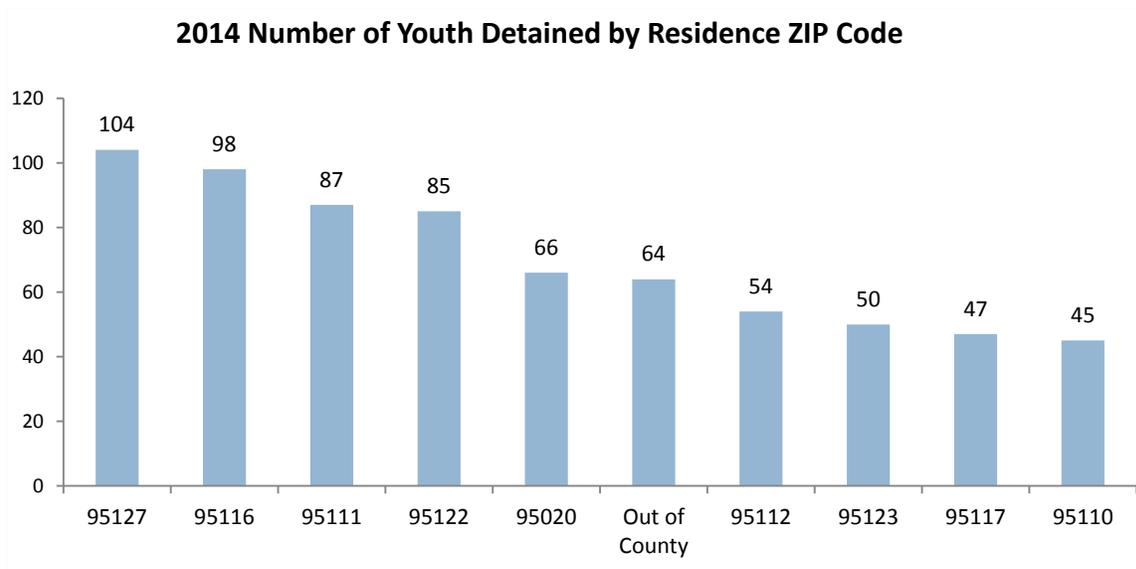
In 2014, White youth had an admission rate of two admissions per 1,000 White youth in the youth population. Black and Latino admission rates were 24.5 and 15.1, respectively. API youth had the lowest rate of 0.7.

A comparison of the rates of detention for White youth reveals great disparity for Black and Latino youth. The likelihood of a Black youth being admitted to detention is 12 times that of White youth (24.5/2.1). Latino youth were admitted at a rate seven times that of White youth (15.1/2.1).



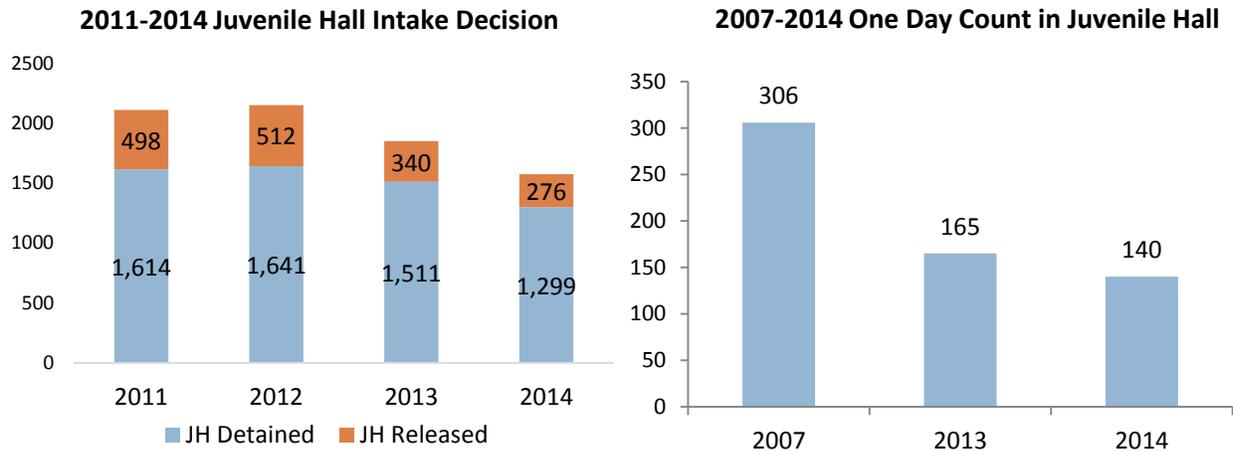
Geography

Nine out of the top ten residence ZIP Codes for youth detained in Juvenile Hall were also top 10 residence ZIP Codes for arrests/citations, all were located within the City of San Jose except for 95020 (Gilroy) and Out of County youth. The additional ZIP Code represented in admissions to detention was 95110 in San Jose.



B. Trends

The number of youth detained in juvenile hall decreased by 14 percent in 2014 compared to 2013. A one day count from 2007 to 2014 indicates a reduction in detention utilization. In 2007, a one day count⁶ in Juvenile Hall was 306 youth. A one day count in 2014 revealed 140 youth in Juvenile Hall, a 54 percent reduction from 2007.



Racial and Ethnic Disparities

White, API and Other youth saw the greatest reduction of numbers in admission from 2011 to 2014. The number of White youth admitted to detention decreased by 44 percent, while the number of API youth decreased by 34 percent and Other youth⁷ decreased by 73 percent. Black youth admissions decreased by 15 percent between 2011 and 2014. Latino youth admission numbers decreased by 14 percent.

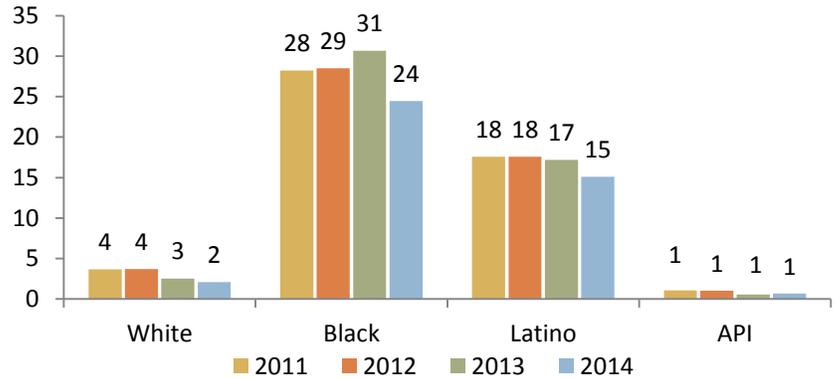
Admission Numbers 2011-2014	White	Black	Latino	API	Other	Total
2011	197	148	1,170	62	37	1,614
2012	197	148	1,170	62	38	1,615
2013	135	158	1,152	34	32	1,511
2014	111	126	1,011	41	10	1,299
Percent Change 2011-2014	-44%	-15%	-14%	-34%	-73%	-19%

⁶ One Day Count was taken on the 14 of March in the years of 2007, 2013 and 2014.

⁷ Prior to 2014, Pacific Islanders (PI) were included in the Other category, in 2014 PI were moved to the API category.

Overall, there was a twenty percent decrease in the rate of admission from 2011 to 2014, from nine to seven per 1,000.⁸ In the same time period, White rates of admission decreased by 43 percent, while API rates decreased by 35 percent and Latino rates decreased by 14 percent. Black youth had a 14 percent decrease in rate of admission, after an increase seen in 2013.

Admission Rates per 1,000 youth pop (2011-2014)



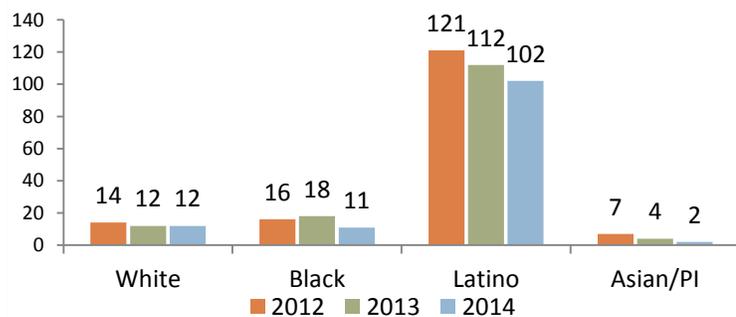
Rates of admission for Black and Latino youth continue to be higher than rates for White and API youth.

Admission Rates 2011-2014	White	Black	Latino	API	Total
2011	4	28	18	1.1	9
2012	4	29	18	1.0	9
2013	3	30	17	0.6	8
2014	2	24	15	0.7	7
Percent Change 2011-2014	-43%	-14%	-14%	-35%	-20%
Percent Change 2013-2014	-18%	-20%	-12%	21%	-14%

Average Daily Population (ADP) in Hall by Race/Ethnicity

Another way to examine the extent of racial and ethnic disparities is to look at the average daily population (ADP) in detention. ADP is a helpful indicator of detention utilization because it provides a breakdown of the detention makeup on “an average day” during the year. On an “average” day in Santa Clara in 2014, there were 12 White youth, 11 Black youth, 102 Latino, two API youth and two Other. Overall ADP was 161 in 2012, which fell by 15 percent to 129 in 2014. From 2012 to 2014, Latino youth had the highest ADP of any group, between six and nine times the next largest group, which was Black youth.

2012-2014 ADP in Juvenile Hall



⁸ As with arrests, we look at the rate of admissions by race and ethnicity, to remove variations in population size between different groups and provide a standardized measure of the likelihood of admission for each group. To calculate the rates, we divide the number of youth admitted by the number of youth in the population and multiply by 1,000 youth.

IV. Petitions

Petitions are brought to a juvenile court judge once a youth has been accused of a status offense or crime. When a law enforcement agency cites a youth, the citation is sent to Juvenile Probation’s record room. The records unit enters the citation into JRS and assigns a Probation Officer. If the youth has an assigned Probation Officer, the citation is assigned to that officer. If the youth does not have an assigned Probation Officer, the case is assigned to the geographical unit within the probation department corresponding to the youth’s ZIP Code. However, those youth who meet the eligibility requirements of the Prevention and Early Intervention (PEI) diversion program are assigned to that unit.

Quick Facts: Petitions (2014)

- **Petition Numbers:** 1,560
- **Trends:** 11% fewer petitions in 2014 than 2013.
- **Most Frequent Reasons:** Residential Burglary (11.2%), Car Theft (8.4%), and Robbery (5.3%).
- **Disparities:** Black and Latino youth were 9 and 5.5 times more likely to be petitioned than White youth.

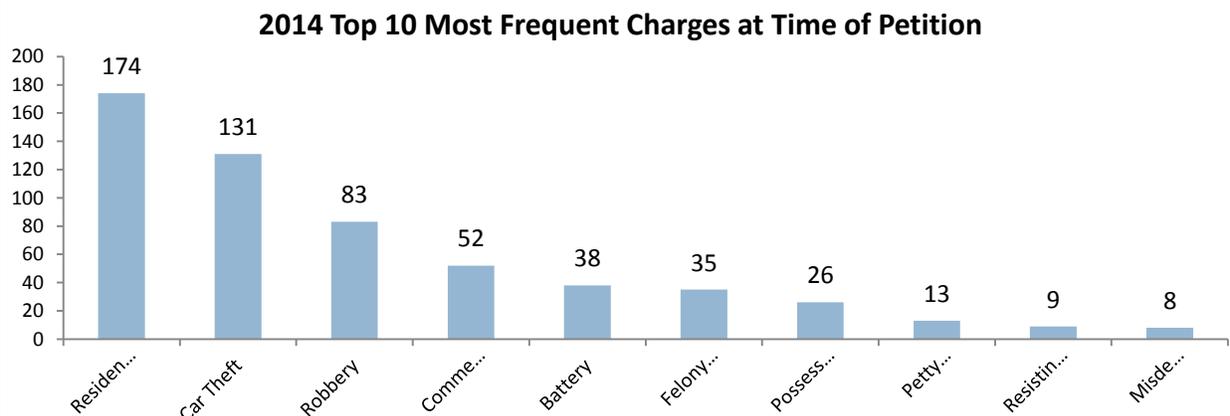
Upon receipt of the citation, the Probation Officer determines whether the citation must be reviewed by the District Attorney’s Office, which is outlined in 653.5 of the Welfare and Institutions Code. If the citation has to be reviewed by the District Attorney, the Probation Officer checks to see whether the referral has been reviewed for PEI, if eligible. If the referral has not been reviewed, the Probation Officer reviews the citation with the District Attorney, usually within 48 hours. The referral is then brought to the District Attorney for filing and issuance to the Court within 21 days of the initial date of review. There are some eligible cases for which the Probation Officer may ask the District Attorney to refer the matter back to probation for informal handling.

A. Highlights

Offenses

Of the 1,560 petitions filed, the most frequent offenses petitioned were Residential Burglary, with 11.2 percent (174), Car Theft, with 8.4 percent (131), and Robbery, with 5.3 percent (83).

Each petition is counted once, regardless of the number of charges associated with that petition.

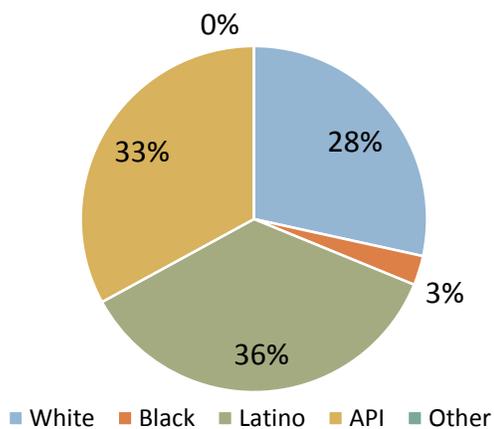


Top 10 Charges for Petitions 2014	White	Black	Latino	API	Native American	Other	Total	Percent of Total
All Other Petitions	108	72	666	41	0	104	991	63.5%
PC 459-460(a) Res. Burglary	9	28	116	7	0	14	174	11.2%
VC 10851 Car Theft	12	6	101	6	0	6	131	8.4%
PC 211-212.5(c) – Robbery	6	11	58	2	0	6	83	5.3%
PC 459-460(b) Commercial Burglary	7	6	36	1	0	2	52	3.3%
PC 242-243(a) – Battery	2	6	24	1	0	5	38	2.4%
PC 594(a)/(b)(1) – Felony Vandalism	7	0	23	2	0	3	35	2.2%
PC 496D Possession of a Stolen Vehicle	1	1	21	1	0	2	26	1.7%
PC 484-488 – Petty Theft	1	5	6	1	0	0	13	0.8%
PC 148 Resisting Arrest	0	2	7	0	0	0	9	0.6%
PC 594(a)/(b)(2)(A)-Misd. Vandalism	1	1	5	0	0	1	8	0.5%
TOTAL	154	138	1,063	62	0	143	1,560	100.0%
Percent of Total	10%	9%	68%	4%	0%	9%	100%	

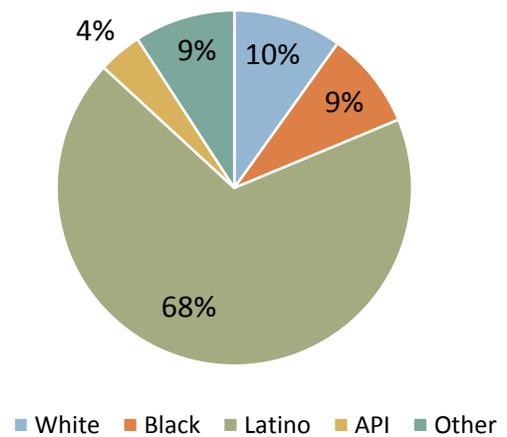
Racial and Ethnic Disparities

There is an overrepresentation of Latino, Black and Other youth petitioned in Santa Clara County compared to their representation in the youth population. White youth account for 28 percent of the population, but ten percent of petitions. Similarly, API youth account for 33 percent of the population and four percent of petitions. Black youth represent only 3 percent of the population but 9 percent of youth petitioned. Latino youth represent 36 percent of the youth population but 68 percent of youth petitioned.

Santa Clara County Youth Population (10-17)



Santa Clara County Petitions(2013)



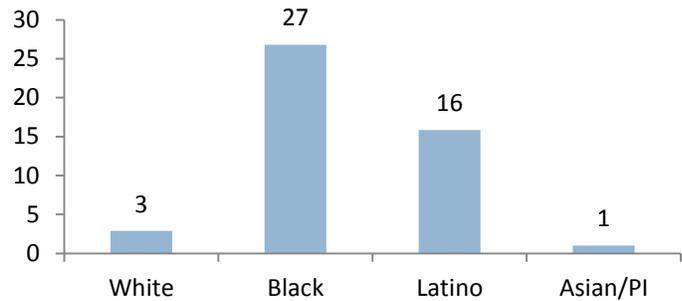
While reviewing the proportion of youth of color in the youth population and petitions is a quick and simplistic way to quickly identify whether youth of color are overrepresented in petitions, it is not as accurate a measure

of whether and to what extent racial and ethnic disparities exist, which can be found through determining the likelihood or rate of petition.

In 2014, for every 1,000 White youth in the population, three were petitioned. For every 1,000 Black and Latino youth, 27 and 16 were petitioned, respectively. API youth had one per 1,000.

Black and Latino youth were more likely than White youth to be petitioned. Black youth were nine times more likely than White youth to be petitioned, and Latino youth were 5.5 times more likely than White youth.

2014 Rate of Petition
(per 1,000 youth in population)



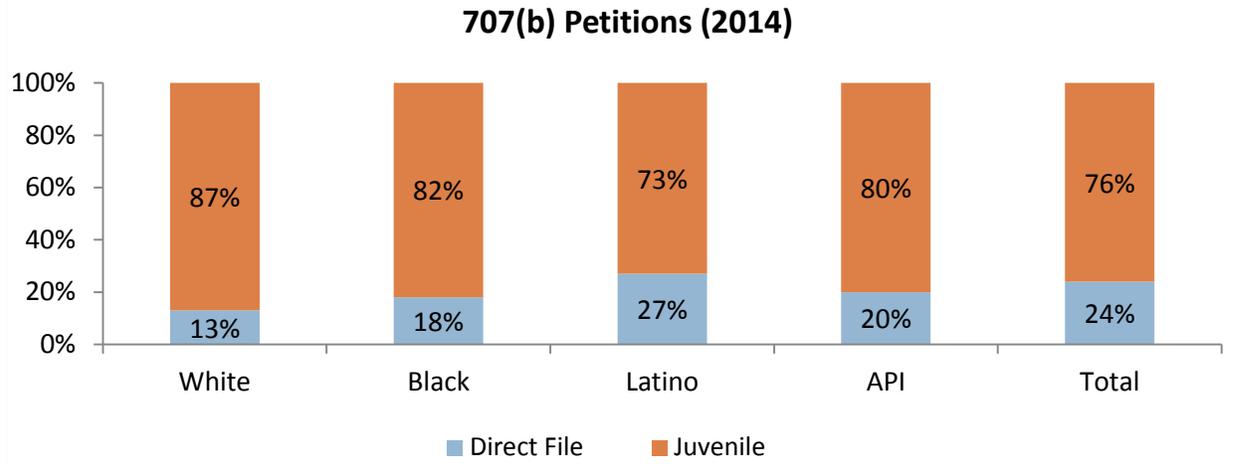
Numbers and Rate of Petitions 2014	White	Black	Latino	API	All Other	Total
Youth Population (10-17)	53,173	5,152	67,033	61,617	551	187,526
Petitions	154	138	1,063	62	143	1,560
Youth Population Percent	29%	3%	36%	32%	0%	100%
Petition Percent	10%	9%	68%	4%	9%	100%
Rate of Petition (per 1,000 youth)	3	27	16	1	0	8
Petition Disparity Gap		9	5.5	(0.3)	-	

Direct File

Youth who commit an offense indicated in Section 707(b) of the Welfare and Institutions Code and are 14 years old or older are eligible to be directly filed in adult court at the discretion of the District Attorney.

Rate of Direct File (per eligible youth)

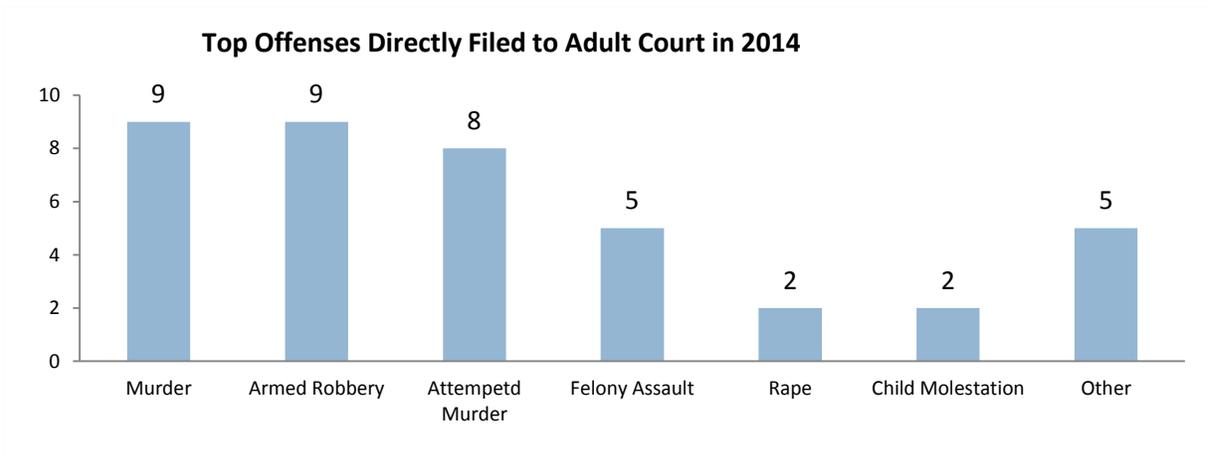
In 2014, of the 167 youth eligible, 24 percent were directly filed. Latino youth had the highest number of youth directly filed (33 youth, or 27 percent, of all eligible Latino youth). Black youth had the second highest number of youth directly filed (4 youth, or 18 percent, of eligible Black youth). White youth had two youth directly filed (13 percent of eligible White youth).



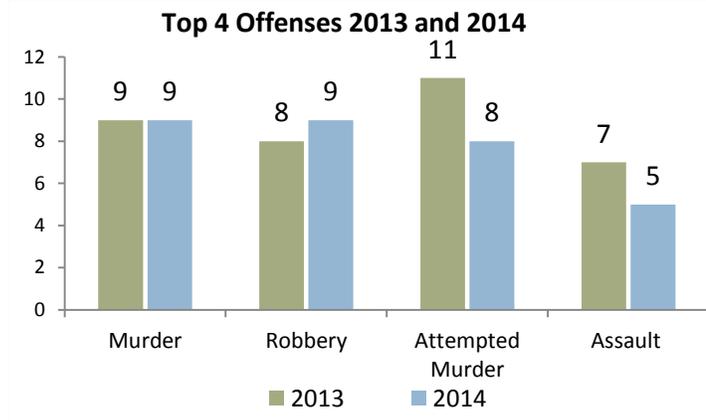
2014 Direct Files	White	Black	Latino	API	Native/Other	Total
Youth Eligible for Direct File but Remain in Juvenile Court	14	18	90	4	1	127
Directly Filed	2	4	33	1	0	40
Total youth Eligible for Direct File	16	22	123	5	1	167
Percent of Eligible Youth who are Directly Filed	13%	18%	27%	20%	0%	24%

Most Serious Offenses for which Youth were Directly Filed in Adult Court

Six offense categories account for the majority of the most serious offenses directly filed. Murder and Armed Robbery were the two most common offenses Directly Filed, with 18 instances (9 each). The third most common offense was Attempted Murder, with 8 counts. There were five Felony Assault, two Child Molestation, two Rape, and five "Other" charges filed.

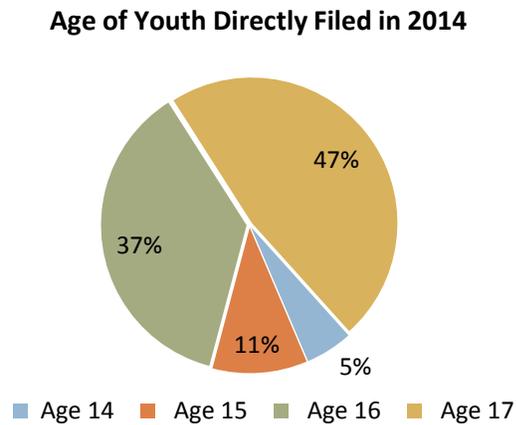


The top four offenses of 2014 were unchanged from 2013, with a slightly lower number of youth directly filed in adult court for Attempted Murder and Assault in 2014 than in 2013.



Age and Gender

In 2014, two 14-year-old youths were directly filed on Murder and Attempted Murder with Gang Enhancements charges. Nearly half (47 percent) of youth directly filed were 17, and 37 percent were 16. Only two of the forty direct file cases youth were girls.



Direct File Subcommittee Work

The Direct File Subcommittee of the Case System's and Processing (CSP) Work Group was formed in 2013. The subcommittee is made up of a diverse stakeholder group including Probation, Burns Institute, the Public Defender, and youth advocacy representation, among others.

The subcommittee was charged with analyzing racial and ethnic disparities in direct file decision making with a goal of reducing the number of youth of color directly filed.

The subcommittee has worked hard in evaluating and reviewing all Direct File cases in order to ensure consistency, but also to look at ways to re-evaluate directly filed youth from adult court, if appropriate.

The subcommittee began work this year with its court partners, on a plan to consider reviewing cases where youth could be returned to the juvenile court for services. The subcommittee conducted a case file review of every youth directly filed in adult court. The goal of the review was to identify cases that the district attorney would consider maintaining under juvenile jurisdiction if appropriate dispositional options were available. The district attorney identified 16 cases (approximately one-third of cases directly filed). As a result of this analysis, in 2015, the subcommittee is working to develop a policy to return youth directly filed in adult court back to juvenile court.

Additionally, to ensure objectivity in direct file decision making, the subcommittee developed a protocol to formalize the district attorney's office process for determining whether a youth would be directly filed in adult court. In 2014, the protocol was finalized, and the district attorney agreed to fill out the protocol form for every case directly filed.

Santa Clara Direct File Protocol	
Youth Name: _____	Date of Incident: _____
PFN Number: _____	Arresting Officer: _____
Date of Birth: _____	Police Report Number: _____
Race/Ethnicity: _____	Offense(s) Alleged by LEA: _____
Gender: _____	Gang Allegations: Y / N
Direct File Decision: <input type="checkbox"/> Mandatory <input type="checkbox"/> Discretionary	
Reason for Direct File: (provide facts and/or rationale to support decision)	
Review Five Fitness Factors:	
(1) Criminal Sophistication: <input type="checkbox"/> Yes <input type="checkbox"/> No <i>The degree of criminal sophistication supports a decision to directly file youth in adult court.</i>	
(2) Youth Rehabilitation: <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Evidence suggests that youth cannot be rehabilitated prior to expiration of juvenile jurisdiction.</i>	
(3) Delinquency History: <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Youth's delinquency history support a decision to directly file youth in adult court.</i>	
(4) Previous Attempts by Court to Rehabilitate: <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Previous attempts by court to rehabilitate support a decision to directly file youth in adult court.</i>	
(5) Circumstances and gravity of offense: <input type="checkbox"/> Yes <input type="checkbox"/> No <i>The circumstances and gravity of the offense support a decision to directly file youth in adult court.</i>	
Consultation with Probation:	
<input type="checkbox"/> Probation Officer Consulted: _____	
<input type="checkbox"/> Comments: _____	
Agreement on Direct File from Four District Attorneys:	
<input type="checkbox"/> Juvenile Supervising Deputy District Attorney Badge Number: _____	
<input type="checkbox"/> Adult Supervising Deputy District Attorney Badge Number: _____	
<input type="checkbox"/> Juvenile Assistant District Attorney Badge Number: _____	
<input type="checkbox"/> Adult Assistant District Attorney Badge Number: _____	
Direct File Decision:	
<input type="checkbox"/> Remain in Juvenile	
<input type="checkbox"/> Direct File	
<input type="checkbox"/> Fitness Hearing	

Fitness Orders

The other way in which a youth can have their case adjudicated in adult court is through a fitness hearing, as described in Section 707(a) of the Welfare and Institutions Code. When a youth above the age of 16 is petitioned for a serious offense outlined in Section 707(b) of the Welfare and Institutions Code, the District Attorney can ask for a fitness hearing before the Jurisdiction Hearing to decide if the youth should be “fit” for rehabilitative services in Juvenile Justice Court or “unfit,” meaning the case is transferred to adult criminal court.

For the Fitness Hearing, the probation officer investigates and gives the Court a report regarding the five criteria listed below. At the hearing, the judge looks at the probation report and any other evidence or information from the District Attorney and the youth’s attorney. Then the Court makes a decision. If the judge decides that the youth should remain or is “fit” for rehabilitative services in Juvenile Court, the case will proceed with the juvenile justice process. If the judge decides that the youth should not remain in Juvenile Court, or is “unfit,” the Court dismisses the petition and sends the youth to adult criminal court.⁹

The five fitness criteria include:

1. The degree of sophistication of the crime;
2. If the youth can be rehabilitated in the juvenile justice system;
3. The youth’s previous criminal history;
4. What happened on prior attempts to rehabilitate the youth; and
5. The circumstances and gravity of the current offense.

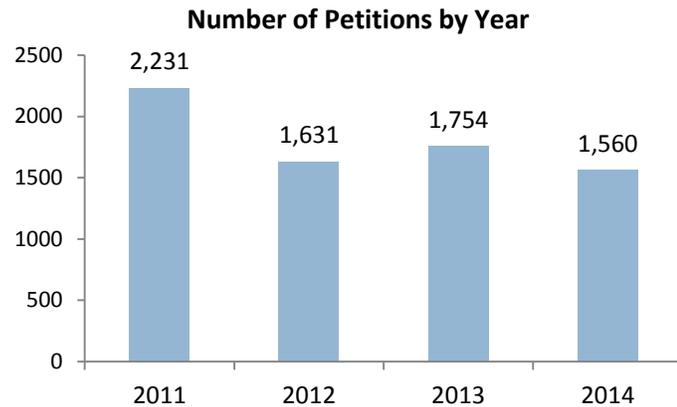
In 2014 there were a total 17 youth who went through the fitness process, 71 percent (12) were Latino, 18 percent (3) were Black, there was one White youth and one “Other” youth. Fifty-three percent (9) of youth were found Unfit and were transferred to adult court, the other 8 youth remained under the jurisdiction of the Juvenile Court, and one is still pending. The proportion of Latino youth who were found unfit was the highest among any group, 66 percent of Latino youth were found unfit.

	White	Black	Latino	API	Native/ Other	Total
Youth with Fitness Hearing	1	3	12	0	1	17
Youth Found Unfit	0	1	8	0	0	9
Percent of Youth Found Unfit	0%	33%	66%	0%	0%	53%

⁹ Superior Court of California, County of Santa Clara www.sccourt.org/self_help/juvenile/jjustice/process.shtml

B. Trends

The number of petitions per year has fluctuated since 2011. From 2012 to 2013, there was an increase of 123 petitions, an eight percent increase. From 2013 to 2014, there was a decrease of 194 petitions, an eleven percent decrease. Compared to 2011, the total 1,560 petitions for 2014, was 30 percent less than the 2,231 petitions in 2011.

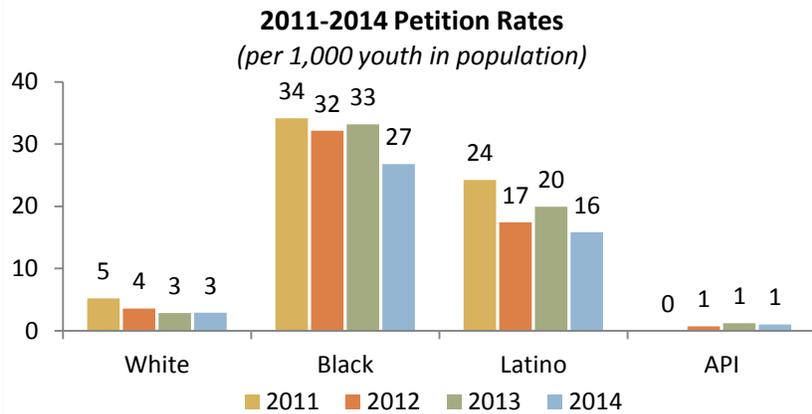


Racial and Ethnic Disparities

All race and ethnic groups saw a decrease in the number of petitions between 2011 and 2014. Between 2011 and 2014, White and API youth had the greatest decrease in petition numbers (45 and 50 percent, respectively). The number of Black youth petitioned decreased by 23 percent from 2011 to 2014, and the number of Latino youth petitioned declined by 34 percent. In reviewing the decreases, it should be noted that the number of “Other” youth petitioned increased significantly. If their race/ethnicity were identified, these youth would increase the number of youth petitioned for each demographic. Black and Latino youth continue to be more likely to have a petition filed than White youth.

Petition Numbers 2011-2014	White	Black	Latino	API	Other	Total
2011	282	179	1,616	124	30	2,231
2012	190	167	1,160	45	69	1,631
2013	153	171	1,337	76	17	1,754
2014	154	138	1,063	62	143	1,560
Percent Change 2013-2014	1%	-19%	-20%	-18%	794%	-11%
Percent Change 2011-2014	-45%	-23%	-34%	-50%	393%	-30%

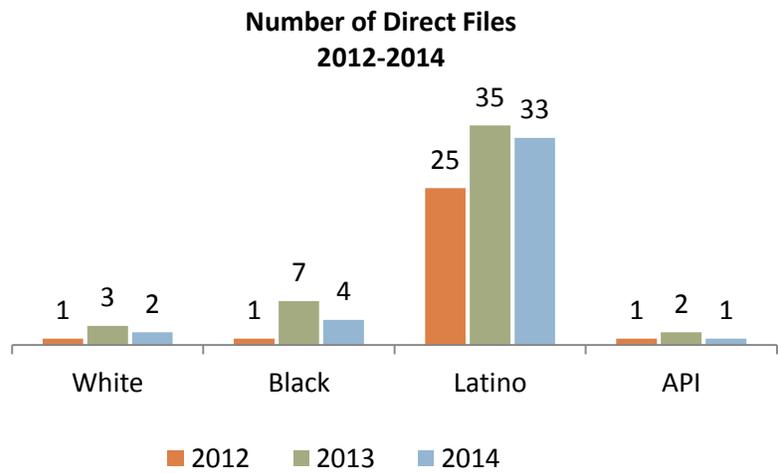
The rates of petitions per 1,000 youth in the population have decreased for White, Black and Latino youth since 2011. The rates decreased for Black youth by 22 percent, while the rates decreased for White and Latino youth by 45 and 34 percent, respectively. However, the overall rate of petition for both Black and Latino youth has remained consistently much greater than White youth. In 2014, out of 1,000 White youth, three were petitioned, while for every 1,000 Black youth, 27 were petitioned. That number is slightly lower for Latino youth; 16 out of 1,000 Latino youth were petitioned. API youth have the lowest rates of petition, one out of every 1,000. However, this is higher than the rate for API youth in 2011.



Petition Rates per 1,000 youth	White	Black	Latino	API
2011	5	34	24	0
2012	4	32	17	1
2013	3	33	20	1
2014	3	27	16	1
Percent Change 2012-2014	-19%	-17%	-8%	44%
Percent Change 2011-2014	-45%	-22%	-34%	-

Direct Files Trend: 2012-2014

The number of direct files for all youth increased between 2012 and 2013, and then decreased slightly between 2013 and 2014. The number of direct files in 2014 is notably higher in 2014 than it was in 2012, particularly for Black and Latino youth. The Direct File Subcommittee is currently investigating why the number of direct files have increased.



V. Defender and Alternate Defender

Once the case has been petitioned, all youth are eligible for defense counsel services. The Law Office of the Public Defender is the first level of defense in Juvenile Justice Court. All cases petitioned in Juvenile Justice Court are referred to the Public Defender Office (PDO). If the Public Defender discovers that there is a conflict of interest in the representation of a youth, the youth is referred to the Alternate Defender Office (ADO) and/or the Independent Defense Counsel Office (IDO). If the ADO discovers that there is a conflict of interest in the representation of a youth, the youth is referred to the IDO for representation. The IDO assigns juvenile justice cases to private attorneys based on a contracted amount.

The Juvenile Unit of the PDO, the ADO and the IDO are responsible for the representation of a youth in the Juvenile Justice Court from the beginning of the case to disposition, and in some cases, in post-dispositional hearings.

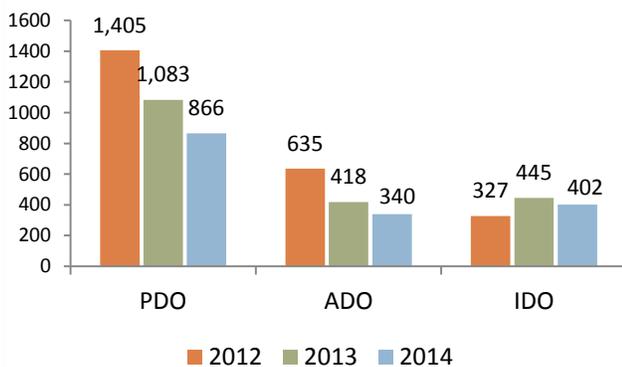
A. Highlights

The PDO and ADO represented youth in over 1,200 cases in 2014 (866 with the PDO and 340 with the ADO), with the IDO representing 402 youth during that time.

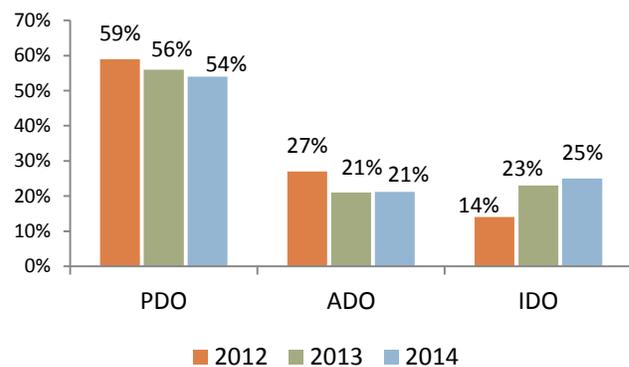
B. Trends

From 2012 to 2013, the total number of referrals to Defense Counsel decreased by 18 percent, from 2,367 to 1,946 cases. From 2013 to 2014, the total number of referrals to Defense Counsel decreased by 17 percent, from 1,946 to 1,608 cases.

2012-2014 Number of Cases Defended by PDO, ADO & IDO



2012-2014 Percent of Cases Represented by PDO, ADO, & IDO



From 2013 to 2014, the number of cases referred to the three Defense Counsel Agencies decreased. Of the cases referred in 2013, PDO represented youth in 1,083 cases (56 percent), the ADO represented youth in 418 cases (21 percent), and the IDO in 445 cases (23 percent). In 2014, there was a further decrease in the total number of referrals. The PDO represented youth in 866 of the 1,608 cases (54 percent), the ADO in 340 cases (21 percent), and the IDO in 402 cases (25 percent). There was a small

decrease in the percentage of cases handled by the PDO, a slight increase in the percentage of cases handled by the IDO, and the percentage of cases handled by the ADO remained the same.

VI. Deferred Entry of Judgment

Youth charged with a non-707(b) felony who are 14 years of age or older may be eligible for Deferred Entry of Judgment (DEJ). If they finish the program successfully, which is fulfilling the terms of a contract with the Court, the judge will dismiss the case and the Court records will be sealed. The youth's case will be deemed never to have occurred, and in most cases the youth can present himself or herself as never having been involved with Juvenile Justice Court.

The District Attorney is required to review the charges in light of statutory eligibility criteria and notice the Court as to whether the youth is or is not eligible for DEJ. To be eligible the youth must (1) not have been a ward of the Court for a felony, (2) not have committed any of the felonies listed in Section 707(b) of the Welfare and Institutions Code, (3) not have been committed to the Division of Juvenile Justice, (4) not have failed probation in the past, (5) never had probation revoked without completing probation, and (6) be at least 14 years of age.

The Probation officer will prepare a report, evaluating statutory criteria, and make a recommendation to the Court concerning suitability for DEJ. All parties can provide information and argument on the issue, and the Court determines whether the youth should be granted DEJ. Although the youth admits to the charges and signs a contract with the Court, the Court does not take full jurisdiction over the youth.

A. Highlights

The Deferred Entry of Judgment (DEJ) Subcommittee of the Case System's and Processing (CSP) Work Group was formed in 2013 to investigate whether there was a disparate impact on youth of color in the DEJ process.¹⁰ By policy, each DEJ Suitability Report must include a discussion and recommendation about youth's suitability under five factors. The Committee's analysis reviewed each report to learn: (1) whether youth of color were less likely than White youth to be recommended as suitable under each factor; (2) whether the reports were written consistently; and (3) details regarding what Probation considered in their recommendation of suitability under each factor.

The Committee also reviewed how often Probation's recommendation regarding DEJ suitability was followed by the Court.

While the intention of the analysis was to review the Suitability Reports, additional data regarding youths' success or failure on DEJ were collected and analyzed. In particular, the case review noted if and when youth "failed" DEJ and the reasons associated with the failures. All findings from the analysis were included in a PowerPoint Presentation developed by the subcommittee and BI and made available to CSP Committee.

The findings from the analysis led to some of the recommendations included below. Prompted by the data, the Sub-committee engaged in deep conversation about DEJ that surfaced additional

¹⁰ For a comprehensive report regarding the findings of the CSP DEJ Subcommittee please contact the Juvenile Services Division of the Juvenile Probation Department

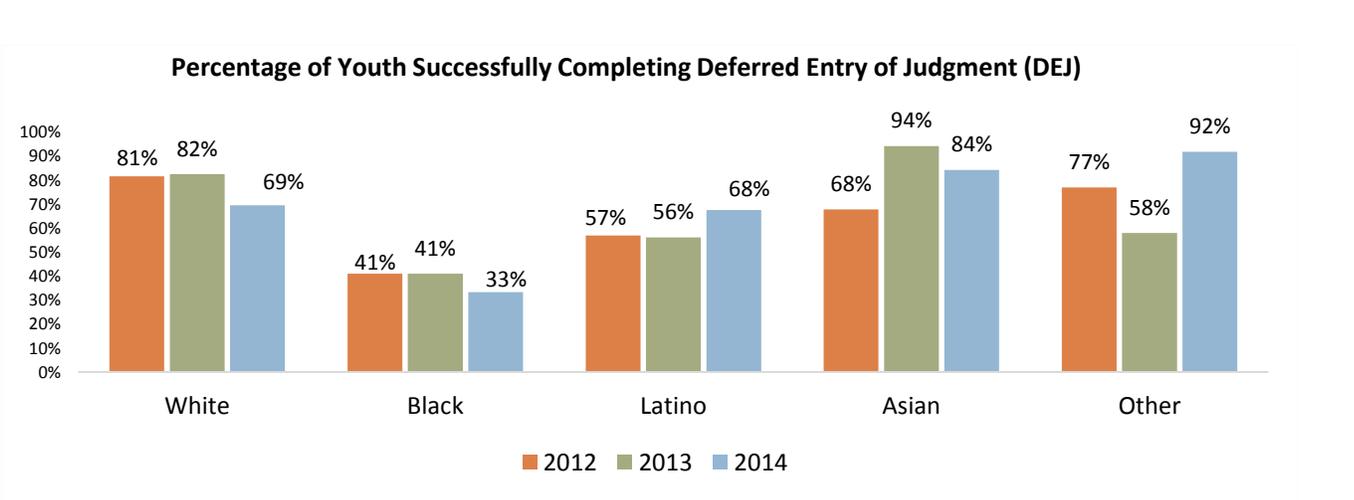
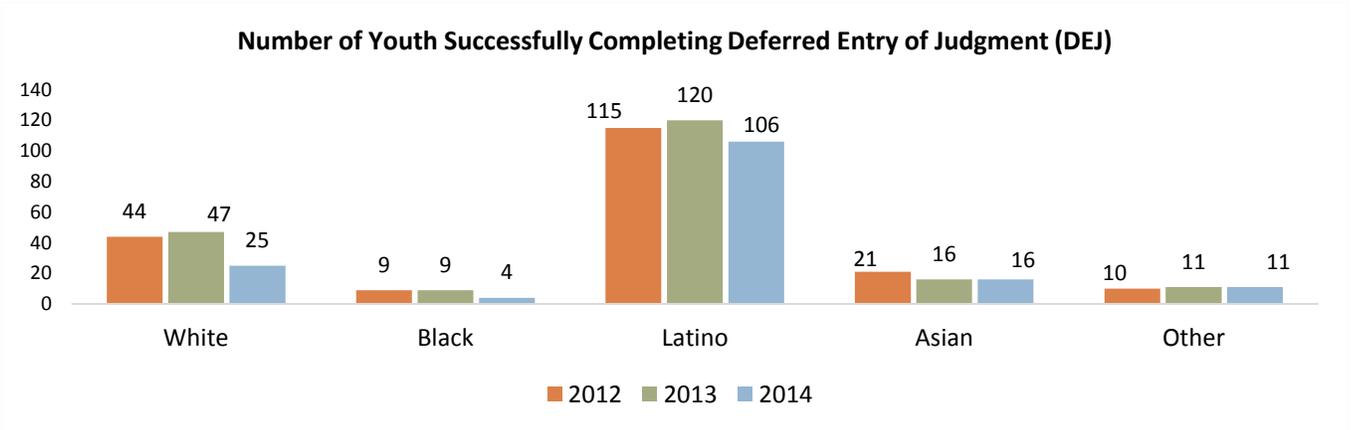
recommendations. The sub-committee learned about some inconsistencies in decision-making by various stakeholder partners responding to youth out of compliance with DEJ conditions. Thus, the recommendations below include both those that come directly from findings in the analysis and from additional issues with DEJ that surfaced in the sub-committee’s deliberations.

Final Recommendations from the DEJ Committee included:

1. Ensure Consistency in Suitability Reports;
2. Increase Understanding and Uniformity of DEJ Terms Among the Bench;
3. Ensure appropriate and comprehensive services to DEJ youth;
4. Address DEJ Failures; and
5. Improve Data Collection and Monitoring.

B. Trends

In 2014, there were 236 youth who participated in DEJ. Of those youth, 162 youth successfully completed DEJ, a success rate of 69 percent. In 2013, there were 329 youth who participated in DEJ. Of those youth, 203 youth successfully completed DEJ, a success rate of 62 percent. In 2012, there was also a 62 percent success rate and only four fewer youth who successfully completed DEJ.



Racial and Ethnic Disparities

Latino youth made up the majority of participants and successful DEJ completions for 2012 through 2014. Youth participating in DEJ decreased slightly from 2013 to 2014.

The overall successful completion rate for DEJ is 69 percent, with API and Other youth successfully completing DEJ at higher rates than Latino, Black, or White youth. Black youth had the lowest proportion of successful completions at 33 percent. A review of cases from 2014 showed that the majority of Black youth were terminated from DEJ for technical violations. The Probation Department plans to implement new interventions for Black youth on DEJ to address the low rate of successful completion.

One significant improvement for 2014 was the consistency of the Suitability Reports. In 2014, all Probation generated reports addressed each of the five criteria. In contrast, the comprehensive file review in 2013 revealed only 26 percent of the reports addressed the five factors. Additionally in 2014, there was training provided to the bench about increasing the flexibility among the bench and making contracts more individualized to meet the needs of the youth. Also in 2014, a quarterly data chart was created to track Suitability recommendations, judicial findings, success rates, and failure rates.

It is unclear at this time how Proposition 47, a measure that reduced penalties for certain offenders convicted of non-serious and nonviolent property and drug crimes, will impact the utilization of DEJ in future years.

VII. Specialty Courts

All of the youth appearing on specialty court calendars are referred to services that are specialized to address their needs, whether it may be substance abuse, mental health, family/domestic violence, or dual status. Within the Santa Clara County Juvenile Justice System there are currently four specialty courts, each focused on addressing potential root causes for offending. The Juvenile Treatment Court (JTC) focuses on youth with substance abuse. The Court for the Individualized Treatment of Adolescents (CITA) primarily focuses on youth with diagnosed mental health issues. The Family/Domestic Violence (FV/DV) court handles cases where the charges or concerns regarding the youth are primarily related to family or intimate partner violence. Lastly, the Dually Involved Youth Court (DIY) focuses on youth who have both child welfare and juvenile justice involvement.

A. Highlights

The specialty court data only reflects new youth enrolled in the specialty courts during 2014, it does not reflect the ongoing caseload within the specialty courts, or those referred to and found unsuitable for the specialty courts. Probation and the Juvenile Justice Court hope to provide more detailed information in future reports.

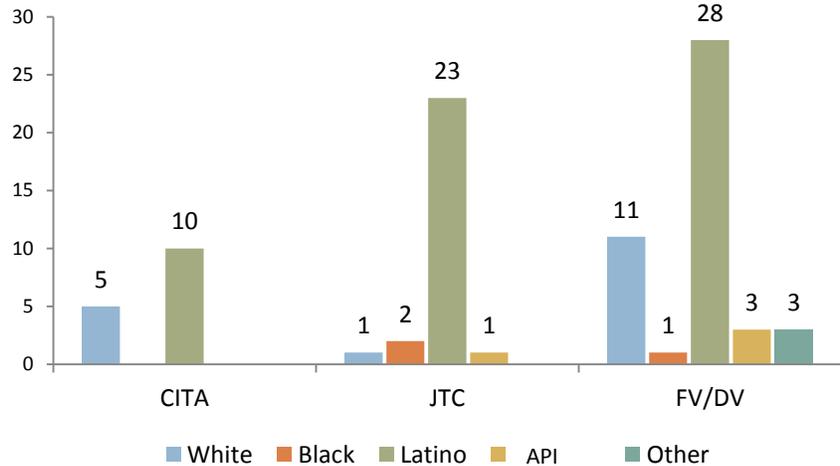
In 2014, 15 new youth were enrolled in Court for the Individualized Treatment of Adolescents (CITA). Latino youth made up the majority of youth in CITA with ten enrolled and five White youth were enrolled. Youth enrolled in CITA must have a diagnosed mental health condition.

There has been an increase in the usage of Juvenile Treatment Court. A total of 27 new youth were enrolled in JTC during 2014. Latino youth made up the majority of youth in JTC, accounting for 85 percent of all youth.

Family/Domestic Violence Court is the only court where youth are referred based on their charges, all youth referred are enrolled. In 2014 there were 46 new youth who

utilized the FV/DV court. Latino youth also made up the largest group of participants in FV/DV (61 percent). White youth, with 11 participants, made up 24 percent of participants. Family/Domestic Violence is an issue that crosses all racial/ethnic and socioeconomic groups and the Probation Department is working with the Public Health Department on a countywide Violence Prevention social marketing

2014 Specialty Court New Enrollment by Race/Ethnicity



campaign that would address all forms of violence, but specifically focus on intimate partner violence and bullying.

Dually Involved Youth Court

The Dually Involved Youth Court (DIY) focuses on youth who have both child welfare and juvenile justice involvement. Youth involved in the DIY court are:

(1) Dependent youth upon whom a juvenile justice petition has been filed.

OR

(2) A youth currently under the jurisdiction of the Juvenile Justice Court or with a pending petition, for whom there is a current dependency or a reason to believe youth is at risk of abuse or neglect.

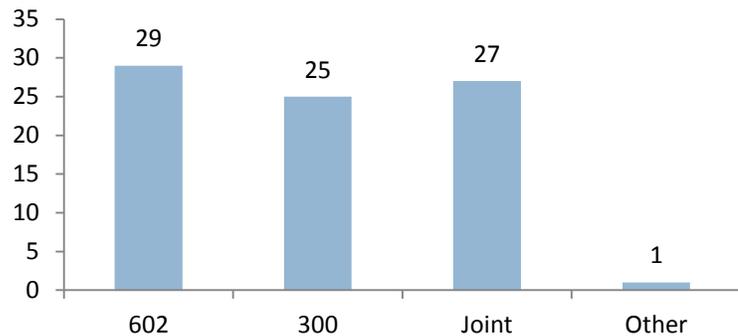
A Welfare and Institutions Code Section 241.1 hearing is held to determine which system (juvenile justice or dependency) or combination of systems would best serve the youth while protecting the community.

Section 241.1 of the California Welfare and Institutions Code allows for a jointly developed written protocol to determine which status (dependency or wardship) will serve the best interests of both the youth and public safety. Following several years of development of a dually involved youth process, in 2012, a one year technical assistance grant supported by the MacArthur Foundation/Office of Juvenile Justice and Delinquency Prevention (OJJDP) was awarded to Santa Clara County Juvenile Probation Department (JPD), Department of Family and Children's Services, the Juvenile Justice Court and the Dependency Court. This grant helped facilitate JPD to work with the DFCS, identified community partners and stakeholders, and redefined how the needs of this unique population of dually involved youth are met. Using evidence-based practices and a new practice model of service, needs identification and delivery, we are challenging ourselves to create service programs that will result in better outcomes for these youth, their families, and the community.

Although the grant has ended, the work continues. Several cross systems committees continue to redefine practice and create a sustainable and successful program. Some of our successes to date include the creation of a dually involved youth initiative protocol, and the creation of a dually involved youth unit. The DIY (Dually Involved Youth) unit consists of co-located JPD probation officers and DFCS social workers, overseen by both a JPD and DFCS supervisor and manager. Additionally, cross training of staff, the creation of an in-depth data tracking system to drive evidence-based decision making, and the ongoing refinement of probation and social work practice to meet the needs of the DIY population all stemmed from the changes in how DIY youth are now being served in Santa Clara County.

In 2014, there were 82 241.1 WIC Jurisdictional hearings held. Of this 82 judicial decisions, 29 youth moved into or remained in the Juvenile Justice system (602 WIC status), 25 youth moved into or remained in dependency (300 WIC status), 27 youth received joint services from Probation and DFCS, 1 youth had an “Other” outcome.

241.1 Hearing Outcomes 2014



<i>Dually Involved Youth 2014</i>	White	Black	Latino	API	Native American	Total
602: 300d/JDS, 602 only, DS, JDS, JDS +other	7	2	18	2	0	29
DFCS: 300 ordered, IS, Remain 300, VFM, VFR	4	6	14	1	0	25
Joint: 300o/POIS, CTIS, DEJ, Remain 300/POIS	4	3	18	2	0	27
Other: 241 set aside, no 300/no 602	0	0	1	0	0	1
Total Dually Involved Youth in 2014	15	11	51	5	0	82

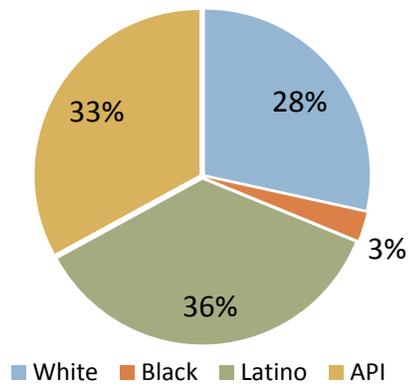
KEY	
602	Wardship/Ward
300	Dependency/Dependent
LADS	Lead Agency Dual Status – dual jurisdiction, open dependency and wardship, with JPD as the lead agency.
DS	Dual Status, 300 suspended with 602 wardship.
JDS	“Judicial Dual Status” - 602 with 300 concerns, issues, or dismissed 300.
DFCS IS	Non court informal supervision with child welfare agency.
VFM	Voluntary family maintenance with county child welfare agency.
VFR	Voluntary family reunification with county child welfare agency.
300o/POIS	300 dependency ordered with JPD informal supervision services.
300o/CTIS	300 dependency ordered with Juvenile Justice Court informal supervision
DEJ	Deferred Entry of Judgement
Remain 300w/POIS	Remain 300 dependent, 602 petition dismissed and JPD informal supervision services
Remain 300w/CTIS	Remain 300 dependent, 602 petition suspended, and JPD informal supervision services.

Racial and Ethnic Disparities

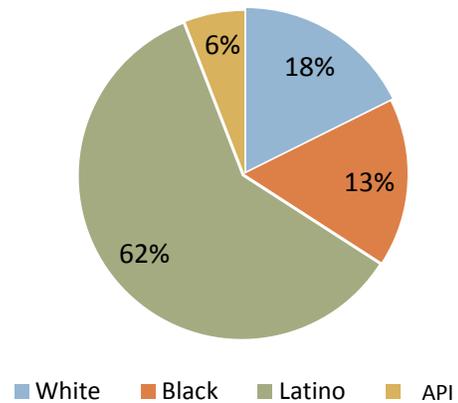
In 2014, Latino youth comprised over half (62 percent) of 241.1 hearings despite only accounting 36 percent of the population. Similarly in 2014, Black youth comprised 13 percent of the youth referred for 241.1 hearings, but Black youth in Santa Clara County only comprise three percent of the youth population.

Latino youth have consistently had the highest numbers of 241.1 hearing referrals. Between 2011 and 2014, the number of Latino youth referrals increased by 38 percent. Between 2011 and 2014, the number of White and Black youth referred did not change, but between 2013 and 2014, youth referrals have decreased for both White (-21 percent) and Black youth (-73 percent).

**Santa Clara County Youth Population
(10-17)**



**2014 Number of Youth referred to a
241.1 Hearing**



241.1 Hearing Referrals by Race and Ethnicity 2011-2014	White	Black	Latino	API	Other	Total
2011	15	11	37	2	0	65
2012	19	10	44	1	1	74
2013	19	19	38	1	1	78
2014	15	11	51	5	0	82
Percent Change 2013-2014	-21%	-73%	34%	400%	-100%	5%
Percent Change 2011-2014	0%	0%	38%	2%	0%	26%

B. Trends

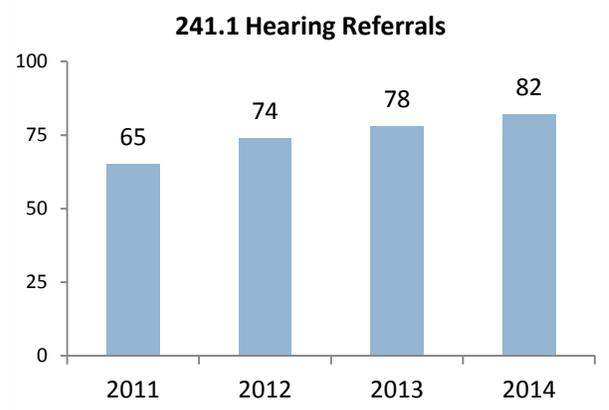
There continues to be an increased usage of CITA, JTC and FV/DV specialty court services, however the number of youth utilizing these services on an annual basis remains small.

The number of youth who have been referred to a 241.1 hearing increased from 74 to 78 between 2012 and 2013, and then increased to 82 in 2014, an overall increase of twenty percent from 2011 to 2014.

A positive trend that has occurred is the increase in joint DFCS and JPD outcomes. As we move forward with new practice models and joint service delivery, the hope is to see a larger number of youth receiving joint rehabilitative and support services which will result in better outcomes for our county's dually

involved youth, their families, and the community and fewer youth escalating in either system.

With the implementation of AB-12 in 2012, we are seeing an increase of 17 year olds with orders for 241.1 hearings. These hearings result in outcomes involving service delivery which will help youth with their transitions into adulthood.



VIII. Commitments, Placements and Placement Alternatives

After the Court has established jurisdiction, a youth has admitted to charges on a petition and is made a ward of the court, a number of dispositional options are available to the youth. This could include home on probation, participation in programs such as wraparound services, Full Service Partnership or Supportive Enhanced Services, placement in foster care residential programs located in and out of the state, commitment to the enhanced ranch program (James Ranch Program) or commitment to the Department of Juvenile Justice (DJJ)¹¹.

The Juvenile Probation department considers and utilizes safe alternatives to removing youth from their homes and communities when appropriate. Alternatives to out of home placement include Probation's EDGE/PEAK program that is an intensive alternative education program that includes mental health, services, drug and alcohol groups, behavior modification and other services provided to youth in an educational setting. Other community release programs are available as post-dispositional services for youth including family-centered, wraparound services.

In addition to serving juvenile court wards as a formal alternative to group home care, the Re-entry Services team also serves juvenile court wards exiting the James Ranch Program who have high criminality and are reentering the community. The Re-entry Services team seeks to prevent escalation into the juvenile justice system, such as further placement in an out-of-state foster care program or DJJ.

Wraparound Services

Over the last several years, the Probation Department has made a concerted effort to serve youth in their homes and reduce the use of residential and foster care group homes, in county, out of county and out of state. This targeted effort has been focused on intensive services for youth and their families utilizing the Wraparound service delivery model. This service utilizes targeted funding (combined with Early Periodic Screening, Diagnosis, and Treatment ((EPSDT) dollars) to create an interagency team of Probation Officers and community based professionals to provide intensive, family centered services aimed at keeping youth at home with their families rather than placed in group homes or possible institutional care. The interagency teams provide intensive case management/treatment within a wraparound philosophy, which includes field-based mental health, substance abuse and probation services through a family-centered approach to achieve improved family and youth outcomes. Efforts to keep youth home from group home placement included:

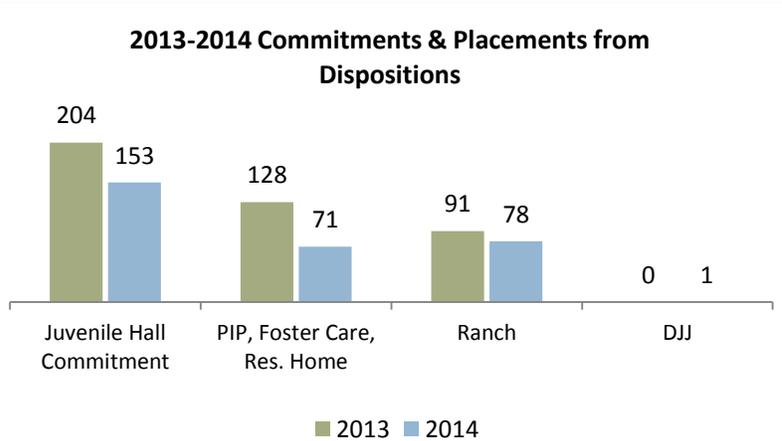
- **Placement alternative:** Youth with court orders for wraparound services while living at home instead of being placed in out-of-home placement or institutional care.
- **Step-down from foster care:** Reunification from out-of-home placement to home with wraparound services.
- **Reentry Services:** Intensive services for youth being released from institutional care with wraparound support while preparing for reentry, then supporting their return home.

¹¹ Formerly the California Youth Authority.

A. Highlights

Commitments & Placements

There were 303 commitments and placements in 2014. Of those 303, 153 commitments were to Juvenile Hall and 78 were to James Ranch. A total of 71 placements combined (23 percent) were to Private Institutional Placements (PIPs), Foster Care (FC) Placement located out of State, In State Foster Care, Residential Placements. This reflects a continued commitment by the Probation Department to keep youth in the local and in the community.



The most common type of commitment continues to be Juvenile Hall, which accounted for 50 percent of all commitment dispositions. These commitments are for relatively short term stays of between 15-60 days in custody. 26 percent of commitments are to the James Ranch. In 2014 one youth was committed to DJJ, which is reflective of the Probation Department & Juvenile Justice Court commitment to keep youth locally in Santa Clara County when possible. This could also reflect the independent decision by the District Attorney's Office to file eligible serious and violent cases directly in Adult Court. Placements in PIP, FC and RH account for 23 percent of the total youth removed from their homes.

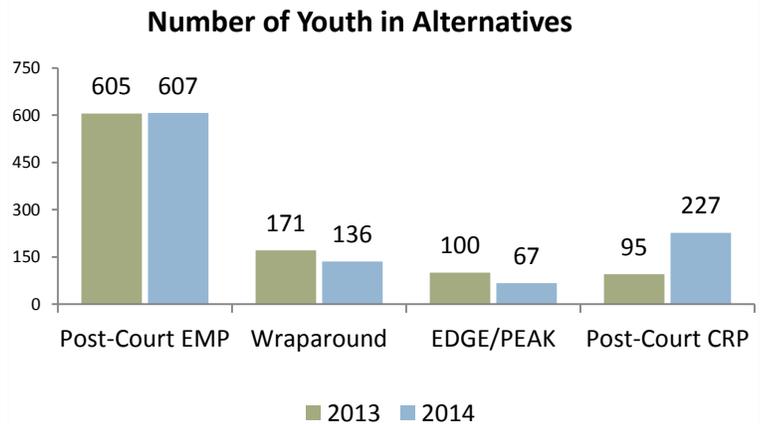
90percent of out-of-home placements are for males while 10 percent are females. 79 percent of the out-of-home placements are Latino youth, nine percent Black, seven percent White, and five percent Asian/Other. Within each commitment type, the highest disproportionality appears to be in commitments to James Ranch, with 90 percent being Latino youth. The largest disproportionality for Black youth is in out-of-home placements where they comprise of 14 percent of the total committed population. The Probation Department continues to be concerned with disproportionality at key decision points throughout the Juvenile Justice System with work impacting the overrepresentation of Latino and Black youth in out-of-home placement.

Alternatives

Use of alternatives to pre and post disposition detention, Electronic Monitoring, and Community Release Programs (EMP/CRP) remained high in 2014. Altogether, 1037 youth were served via these alternatives to detention. Of the youth who participated: 607 youth were provided Post-Disposition EMP, 136 youth

also received Wraparound services, 67 Youth were also enrolled in the EDGE/PEAK programs, and 227 received Post-Disposition CRP.

The most common alternative to detention ordered is the Electronic Monitoring Program (EMP). The population served by EMP is primarily Latino (80 percent). Of youth on EMP, 90 percent were between the ages of 14 and 17, five percent were 13 and under, and six percent were 18 or older when placed on EMP. This reflects a continued commitment by the Probation Department to keep youth safely in the community and in their homes with significant services for youth and families. Of youth on CRP, 81 percent were Latino, eight percent were White, seven percent were Black, four percent were API/Other. 84 percent were male and 16 percent were female. Age demographics were the same for youth on EMP & CRP.



Of youth on EMP, 90 percent were between the ages of 14 and 17, five percent were 13 and under, and six percent were 18 or older when placed on EMP. This reflects a continued commitment by the Probation Department to keep youth safely in the community and in their homes with significant services for youth and families. Of youth on CRP, 81 percent were Latino, eight percent were White, seven percent were Black, four percent were API/Other. 84 percent were male and 16 percent were female. Age demographics were the same for youth on EMP & CRP.

Sixty-seven unique youth participated in the EDGE & PEAK programs, Probation’s alternative school, of those 93 percent were Latino, three percent were Black and three percent were White. 25 percent were 14-15 years old, 72 percent were 16-17 and three percent were 18 or older. 94 percent were male and six percent were female.

<i>Number of Youth in Alternatives 2014</i>	White	Black	Latino	API	Native American	Other	Total
Post-Disposition EMP	50	33	484	21	0	19	607
Post-Disposition CRP	18	15	184	2	0	8	227
EDGE/PEAK	2	2	62	1	0	0	67
Wraparound	9	6	117	2	0	2	136
Total Youth in Alternatives	79	53	847	26	0	29	1037

Wraparound Services

In 2014, 136 unique youth received wraparound services. Of those youth, 86 percent were Latino, seven percent were White, four percent were Black, one percent were API, and one percent were Other. 77 percent were male and 23 percent were female. 15 percent were 13 and under, 36 percent were 14-15 and 49 percent were 16-17 years old. The proportions of females and younger youth are higher in the Wraparound program than in the general juvenile justice population.

During the 2013 year the Probation Department was able to close one of the ranch facilities and the males and females were co-located at the James Ranch. The James Ranch operates three separate programs to reduce mixing of youth by gender or risk level. The James Ranch is operating below its Board rated capacity. These low census trends continued in 2014. As the average daily population at Juvenile Hall

continues to decrease, we see that referrals for wraparound services increase commensurately. This is also reflected in the creation of the Dually Involved Youth Unit, which pairs a Probation Officer and a Social Worker to work cases together for youth who touch both the Juvenile Justice and Dependency systems.

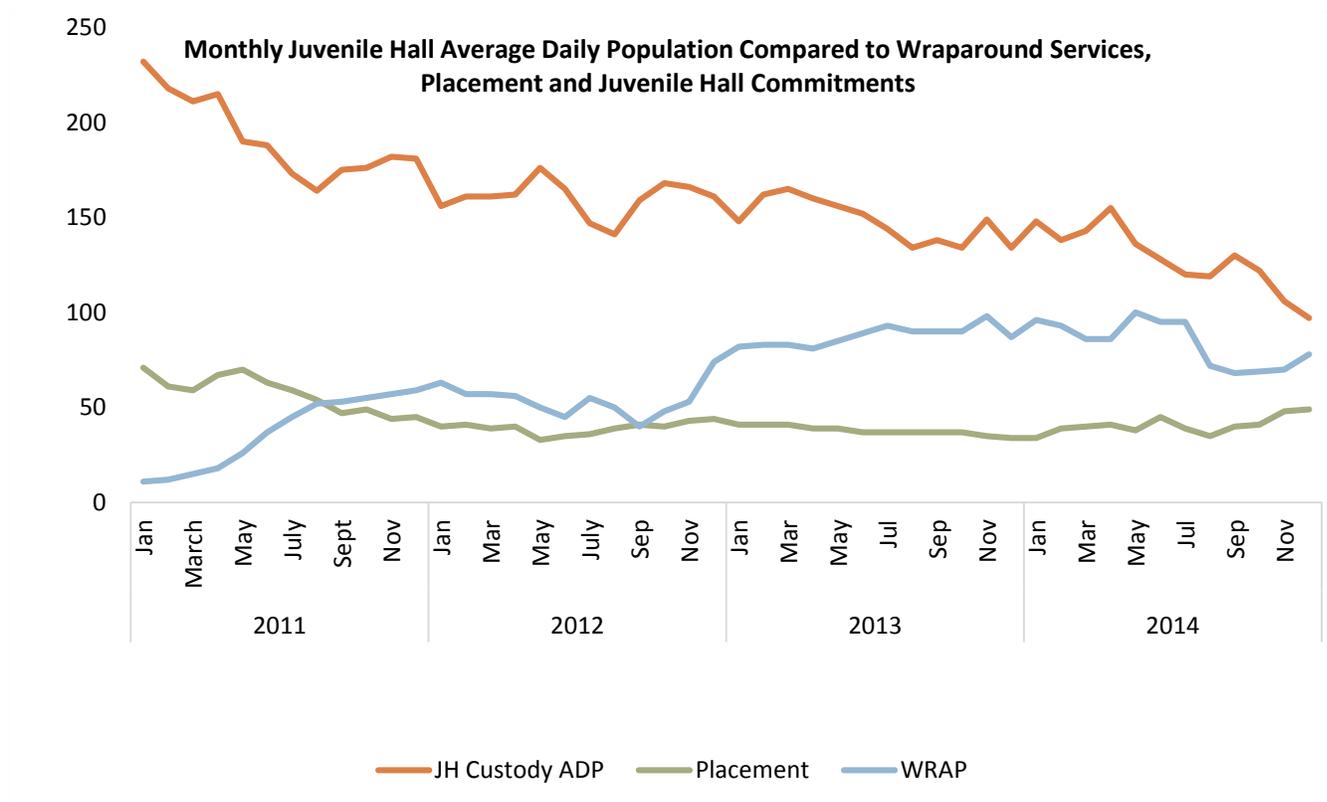
B. Trends

Commitments & Placements

The overall number of institutional commitments and placements have decreased from 423 in 2013 to 303 in 2014. Commitments to Juvenile Hall (153) has decreased by 25 percent and the Ranch (78) decreased by 14 percent. These numbers are commensurate with the decreases throughout the system. All other placements (71) decreased by 45 percent compared to 2013.

Placement vs. Wraparound Services

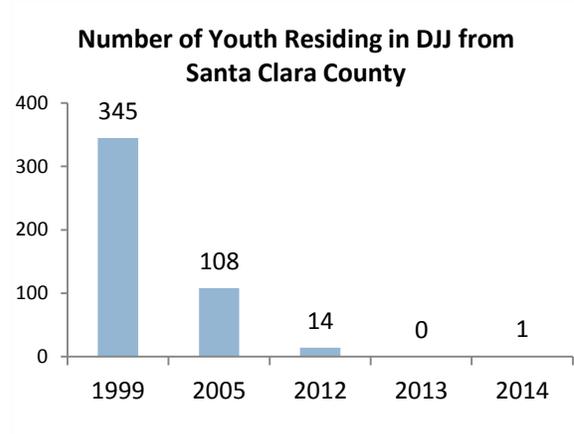
Since the deliberate increase in the use of wraparound services and formation of the family preservation programs for probation youth in 2011, out-of-home foster care placements have been declining or remaining consistent, particularly out-of-county and out-of-state placements. There have been significant reductions in group home placements since prior to 2011. As the Juvenile Hall average daily population continues to decline, the use of wraparound services remains high.



Commitments

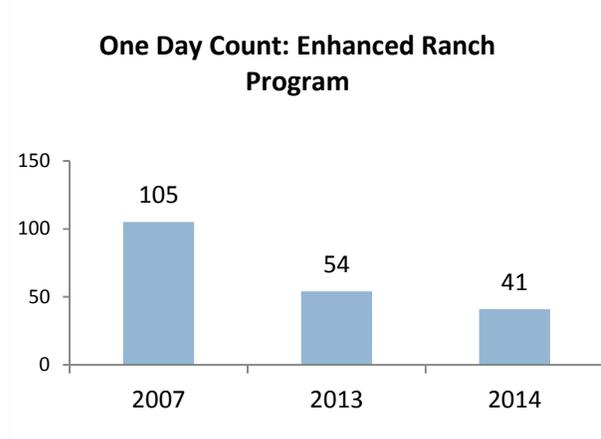
Total commitments to the Juvenile Hall, the James Ranch, and the Division of Juvenile Justice (DJJ), have collectively decreased by 40% in 2014 from 2013.

Over the last several years the Juvenile Justice System partners have worked collaboratively to keep juvenile offenders locally at the James Ranch, rather than committing them to the Department of Juvenile Justice¹². Between 2001 and 2010, an average of 24 youth were committed to DJJ annually, the current trend of fewer than 5 youth per year is a significant decrease. In 2014, there was one youth who was committed to DJJ from Juvenile Justice Court.



One Day Count¹³

Use of secure detention facilities for disposition continues to decline. From 2013 to 2014, there was a 24 percent decrease in usage the Enhanced James Ranch Program. Using a single day count for 14 March 2007, 2013 and 2014, we can see a 60 percent decrease in population from 2007 to 2014.



¹² Formerly the California Youth Authority

¹³ One Day count was taken on the 14 of March in the years of 2007, 2013 and 2014.

IX. Violations of Probation

Violations of Probation (VOP) occur when a youth has violated the terms of his or her probation status, has a technical violation, or has committed a new law violation. Probation terms can include but are not limited to, attending school, refraining from affiliating with gang members, and refraining from using illicit substances.

A. Highlights

In 2014 there were a total of 306 violations of probation (VOP) filed by the Probation Department, 62 percent of the total VOPs considered and logged by the Probation Department. The chart below shows a breakdown of VOPs considered by the Probation Department by reason and Race/Ethnicity. The total number below exceeds the total VOPs filed because not all VOPs result in a petition, Probation Officers may use other interventions and responses for non-compliant behavior. Of 491 VOPs considered by the Probation Department 81 percent (398 youth) were for Latino youth and five percent (27 youth) were for Black youth. In 2014, the Probation Department began requiring Probation Officers to indicate the reason for the violation of probation.¹⁴ 22 percent of VOPs considered were for Electronic Monitoring /Community Release Program failures and 19 percent for absconding from probation supervision. However, it is common practice for Probation Officers to have multiple reasons for filing a violation and probation and this database reflects only one significant violation.

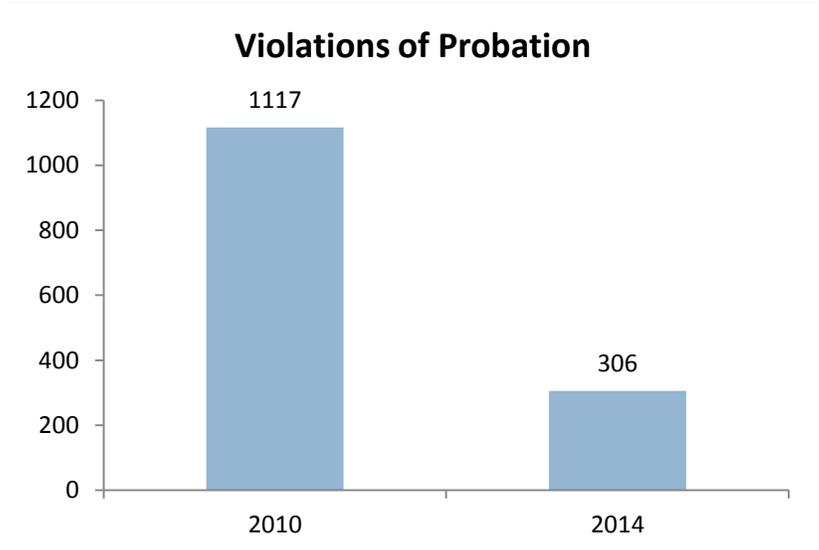
<i>Violations of Probation Considered</i>	White	Black	Latino	API	Other	Total
<i>Absconded from Probation Supervision</i>	6	7	75	4	2	94
<i>EDGE Failure</i>	0	0	11	0	1	12
<i>EMP/CRP Failure</i>	2	5	96	0	4	107
<i>Failure to Participate/Complete Counseling Program</i>	1	0	19	0	4	24
<i>Gang Related</i>	1	0	37	1	1	40
<i>PEAK Failure</i>	0	0	5	0	0	5
<i>Placement Failure</i>	3	2	11	1	0	17
<i>Ranch Failure</i>	3	0	23	0	0	26
<i>School Related</i>	2	2	22	2	0	28
<i>Substance Abuse</i>	10	2	43	3	1	59
<i>Technical - Curfew, Associating, etc.</i>	3	0	19	2	2	26
<i>Weapons</i>	0	0	7	0	0	7
<i>Unknown Reason</i>	6	9	30	1	0	46
<i>Total Violations of Probation Considered</i>	37	27	398	14	15	491

¹⁴ This information is captured in our JASII case management database and will not always match the JRS database, which is the official record. The Probation Department was unable cross reference the filed VOP with the reason in the JASII database and therefore a discrepancy in the number of VOPs exists.

For White youth, the most common reason for Violations of Probation was Substance Abuse. Black youth were more commonly violated for Absconding from Probation Supervision and EMP/CRP Failure. Latino youth had violations in every category, but were most commonly violated for EMP/CRP failure and Absconding from Probation Supervision. API youth were most commonly violated for Absconding from Probation Supervision and Substance Abuse. Youth in the Other category, which includes Pacific Islanders, were most commonly violated for Failure to Participate/Complete Counseling Program.

B. Trends

One promising trends to highlight for probation violations is the reduction in technical violations filed overall, from 1117 in 2010 to 306 in 2014 (a 72% reduction overall). These positive trends can be attributed, in part to the implementation of evidence based practices within the Probation Department and a VOP grid that helps Probation Officers objectively identify sanctions for violations of probation.

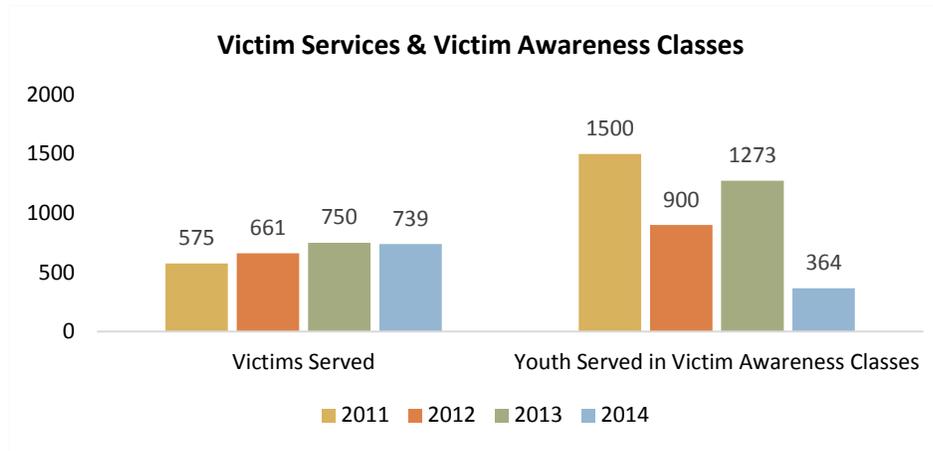


X. Outcomes for Victims

The Victim Services Unit of the Probation Department’s Juvenile Division provides Court advocacy and support services to members of the community who are victims of juvenile crime. These services include assisting with restitution documents and impact statements, attending court with the victim, facilitating communication with Probation services, providing resources and referrals to supportive services, providing a supportive and safe Court waiting area, and making a Victim Offender conferencing available.

There was a slight decrease in the number of victims served in 2014 compared to 2013 from 750 to 739. Data was collected on 641 victims served by the Department; approximately 100 contacts occurred but were not tracked. Of the 641 victim assistance contacts tracked, 61 percent were female, 37 percent were male and two percent were unknown or left blank. Fifty-

one percent of the victims stated they were Latino, 36 percent said they were White, six percent said Black, and four percent said API. The remaining three percent were unknown. Eighty-nine percent of the victims served spoke English and ten percent spoke Spanish.



The unit also organizes, hires, and trains members of the community to provide Victim Awareness classes throughout the County for youth within in the Department. In July 2014, the Victim Services Unit reviewed pre and post test data from Victim Awareness Classes. The unit instituted various improvements to the program including focused training for facilitators, implemented new class activities to build sensitivity to victims’ plight, and reorganized the class structure to be better aligned with the needs of youth. Data gathered from July 2014 to January 2015 suggests such improvements have had a positive outcome on the pre and post test data. In 2014, 364 unduplicated¹⁵ youth were served through the Victim Awareness classes, of these, 78 percent were male, 22 percent were female. Of the participants, 77 percent were Latino, seven percent were Black, six percent were White, six percent were API, and three percent PI/Other. Seven percent were age 13 & under, 30 percent were 14-15 and 63 percent were 16 and Older.

Victim Restitution

¹⁵ This is the first year that the Victim Services unit collected data in this way and we believe that previously they were counting youth each time they attended a class using sign-in sheets, versus unique youth served. This could account for the variance year to year. The Juvenile Probation Department Victim Services Unit manually collects all data related to Victim Services.

Since 2007, with cooperative efforts between the court, the probation department, and the District Attorney's Office, a restitution payment court was established to aid in the collection of victim restitution. In 2014, \$456,000 was collected for Juvenile Victim Restitution.

XI. Competency and Mental Health

Competency to stand trial is a constitutionally based legal right that is designed to protect the autonomy and decision making rights of a person who is charged with an offense. Santa Clara County Competency Development Program began in January 2012 for juvenile offenders to provide competency attainment services to youth who are found unable to stand trial due to developmental immaturity, mental illness and/or intellectual disability. Services are provided by staff from the Santa Clara County Mental Health Department who are specially trained in accordance with the University of Virginia model.

Youth are ordered into the Competency Development Program if there is a finding by the court that the youth lacks substantial capacity to understand the proceedings against him/her or to assist his/her attorney in his/her own defense. Attainment services can be provided up to one year for misdemeanors and up to three years for felonies. However, services are reviewed by the Court every four to six weeks to ensure completion at the earliest possible time.

If a youth is deemed to have attained competency, then juvenile proceedings continue; if a youth is determined not to have attained competency, then the youth may be referred for services and/or have his/her case dismissed.

A. Mental Health

Of the 13 youth referred to Competency Development Program, 11 were Latino, one was API, and one was Black. Two of the Latino youth did not attain competency. Twelve youth attained competency and five were dismissed. Four out of the 19 competency findings were youth who were referred to the Competency Development Program between 2012 and 2013.

	White	Black	Latino	API	Total
Total Youth Referred to Program in 2014	0	1	11	1	13

Competency Findings 2014	White	Black	Latino	API	Other	Total
Competency Attained	1	1	8	1	1	12
Competency Not Attained	0	0	2	0	0	2
Dismissed	0	0	4	1	0	5
Total Cases in Competency Development Program	1	1	14	2	1	19

XII. Data Collection Methods

1) Arrest/Citation

Arrest/citation data is collected from the Probation Department's Juvenile Records System (JRS). This data is manually entered from paper citations/tickets called Juvenile Contact Records (JCR). The citations are delivered by the law enforcement agencies throughout the county on a regular basis. For arrests/citations that result in a booking at Juvenile Hall, the data is entered into the JRS System on the date and time the youth is booked, or soon thereafter.

The parameters for the data presented include: all arrests and citations that occurred in the calendar year 2014. The data provided counts the number of youth arrested (duplicated), the offenses for which youth were arrested, and arrests/citations by race/ethnicity and ZIP code.

2) Intake and Admissions

Intake and admissions data is mainly collected and stored in the Probation Department's Juvenile Record System (JRS), with some data collected and stored in the Juvenile Division's case management system, Juvenile Automation System (JASII). In order to analyze the data on RAIs, a request must be made the Information Technology Division of the Probation Department, who then queries the required data set.

The data parameters queried for this report include: Admission date, time and type, File Number, gender, race/ethnicity, date of birth, age at intake, referral offense, Risk Assessment Instrument score, detain/release decision, release date and time, release type or reason, and detention override reason (if applicable).

Probation's Information Technology Department is developing a dashboard that will allow us to review this data in real-time from our computers.

3) Petitions & Direct File

Data from the District Attorney's Office was compiled, for the most part, using the District Attorney's CIBERLAW database, which stores case information noted by attorneys appearing in court and reflected in the County's CJIC criminal justice database. Individual case files were consulted, as necessary, to get additional information.

4) Specialty Courts

Information about Specialty Courts for the year of 2014 came from the Probation Department JASII. The data includes youth who were referred and enrolled in the program during 2014. This does not include youth that are carrying over from the previous year. The data parameters include: File Number, date of birth, gender, race/ethnicity, referral date, year, program or referral decision, decision date, and reason found unsuitable (if applicable). Probation Officers enter the data into the JASII system when a case has been referred and a decision regarding suitability or amenability to treatment has been determined using

the criteria for each program. The Probation Officers enter the data and the ITD extracts, cleans and analyzes or summarizes the data for usage by Probation Management. For the Dually Involved Youth (DIY) Court, 241.1 WIC hearing data is collected by the Dually Involved Youth Liaison whose role includes the function of DFCS court officer in the specialized 241.1 Juvenile Justice Court. Data produced for this report focuses on Santa Clara County (dependent and community) youth who had a 241.1 WIC hearing ordered as a result of their Juvenile Justice Court involvement. The DIY Liaison processes initial minute orders, and gathers initial data by reviewing the confidential electronic state-wide child welfare data base. Juvenile Justice Court hearings and outcomes are also tracked and entered into a data base maintained by the DIY liaison. Moving forward, an extensive longitudinal data tracking system has been developed for those youth who will be assigned to the new DIY unit. The DIY Liaison will continue to track data and outcomes for all other dually involved youth and youth involved in the 241.1 WIC Court Process.

5) Defender an Alternate Defender

The data on Defender and Alternate Defender cases come from the PDO and ADO internal database: SCALES. Upon receipt of a petition where a youth has been charged with an offense, all relevant information is entered into SCALES (i.e. petition number, charges, witnesses, etc.). The data presented in this report includes cases referred to PDO, ADO, and IDO between 1/1/2014 and 12/31/2014. Using this data, we are able to determine how many felony, misdemeanor, and VOP cases the PDO and ADO opened in 2014, and how many were referred to the IDO.

6) Placement and Placement Alternatives

The data sources for 2014 disposition and placement data include JRS, JASII and manual records maintained by the Placement and Family preservation Units. The following data includes all dispositions that occurred, the number of youth in placement and the number of youth who received wraparound services during 2014. Data parameters for other alternatives include: File Number, hearing date, hearing result, gender and race/ethnicity.

