

2013

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

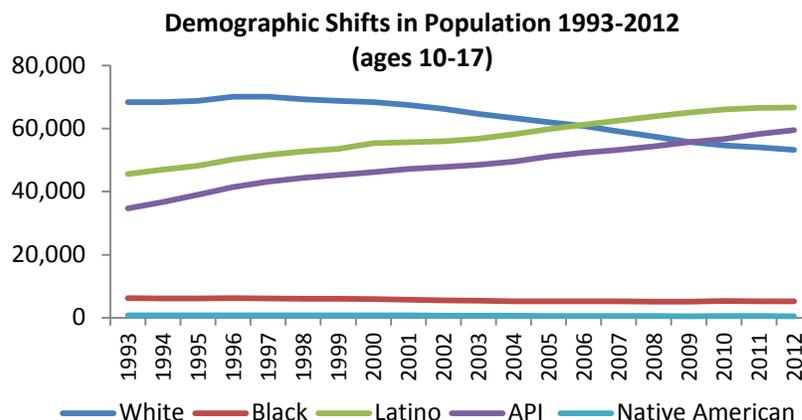
Purpose of Santa Clara County Juvenile Justice System Annual Report

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

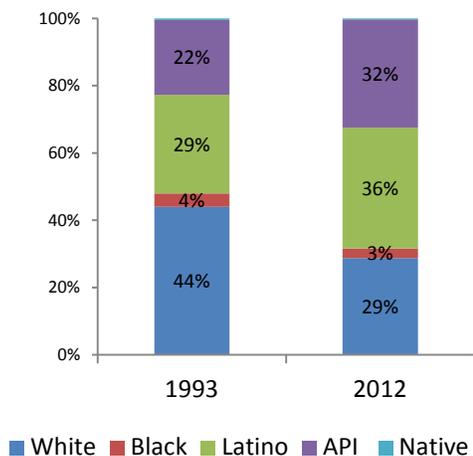
Over the last two decades, Santa Clara has had significant demographic shifts in its youth population (ages 10-17). Overall the population has increased by 19 percent, but the shift between racial and ethnic groups has been even more dramatic. The youth of Santa Clara are increasingly youth of color.



The White youth population has decreased by 22 percent since 1993, and is no longer a majority. The Latino youth population has increased by 46 percent to become the largest racial/ethnic population. During the same time, Asian/Pacific Islander youth numbers increased by 72 percent. The percentage of Black youth has decreased by 17 percent, while the Native American youth population has had the greatest decrease of 29 percent.

Following this trend, the most recent data (2012) shows the population to be 36 percent Latino and 32 percent Asian/Pacific Islander. 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 29 percent of the population, Black youth make up three percent, and Native youth make up less than one percent of the population.

Population Change 1993-2012

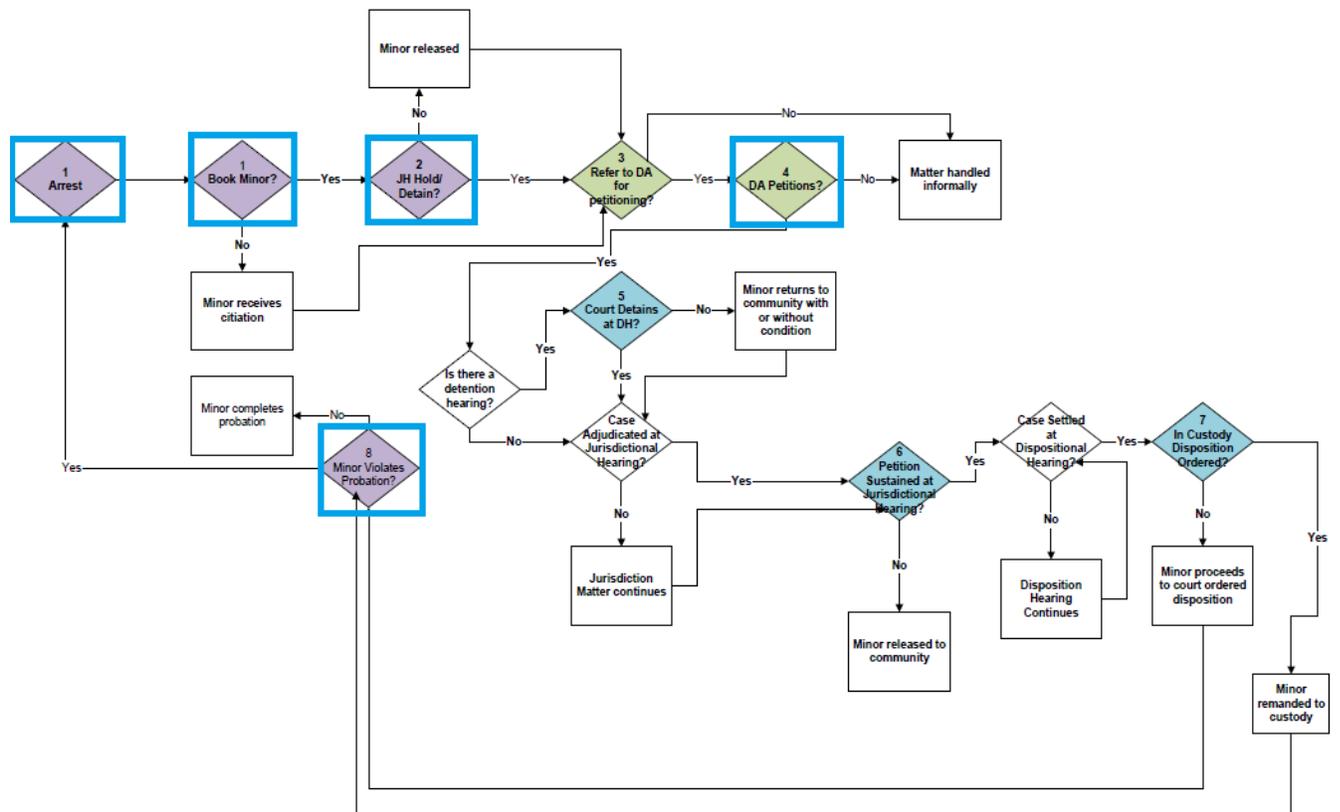


Population Change 1993-2012	White	Black	Latino	API	Native	Total
1993	68,387	6,243	45,567	34,649	753	155,599
2012	53,219	5,191	66,612	59,481	538	185,041
% Change 1993-2012	-22%	-17%	46%	72%	-29%	19%

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.

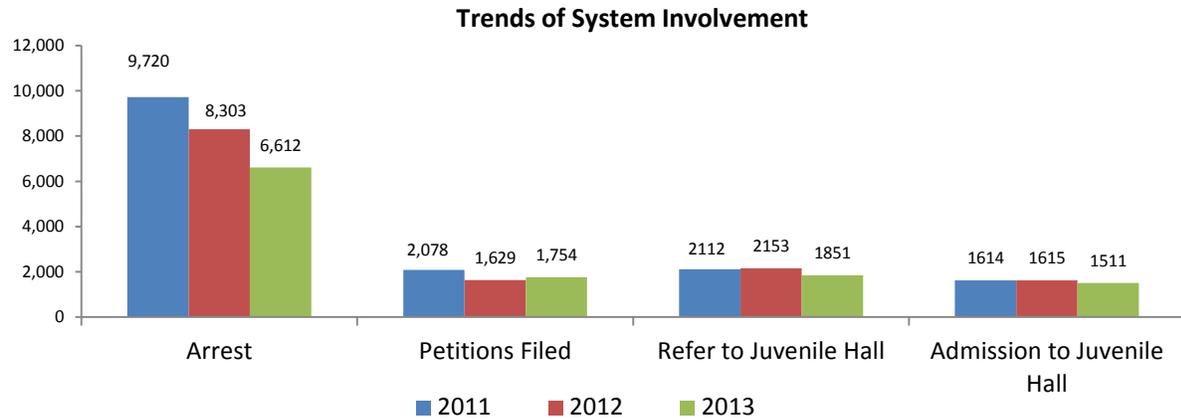
Juvenile Justice Flow

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 2013, there has been a decrease in youth participation across the system. The largest decrease in numbers and percentage decrease has been at the front of the system; the number of arrests decreased by 32 percent between 2011 and 2013. Petitions saw a decrease of 16 percent over the same period of time, while referrals to juvenile hall decreased by 12 percent and admissions to juvenile hall saw the smallest decrease of six percent.



Trends of System Involvement 2011-2013	Arrests	Petitions Filed	Referral to Juvenile Hall	Admission to Juvenile Hall
2011	9,720	2,078	2,112	1,614
2012	8,303	1,629	2,153	1,615
2013	6,612	1,754	1,851	1,511
Percent Change (2012-2013)	-20%	7%	-14%	-6%
Percent Change (2011-2013)	-32%	-16%	-12%	-6%

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 cited/arrested, 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 Juvenile Department of Probation, law enforcement agencies and community based organizations, the DRP aims to improve and build upon youth's relationships and coping skills. Youth are referred to DRP through assigned Probation Officers and according to designated zip codes. The program began in Fiscal Year (FY) 2012, but has not been operational countywide. The Probation Department and community based organizations are working to expand the program in FY14-15 and allow law enforcement to directly refer youth.

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 2013 there were 6,612 arrests, of those, 3,051 cases (46%) were handled by the PEI Unit, and additionally 198 cases were diverted to the Direct Referral Program (DRP).

Offenses

Not including those referred to DRP, Nonviolent crimes made up the majority of arrests made in 2013. Property crimes and Drug and alcohol related offenses alone made up over half of the total 6,612 arrests. Property Crimes¹ accounted for 32 percent of total arrests in 2013.

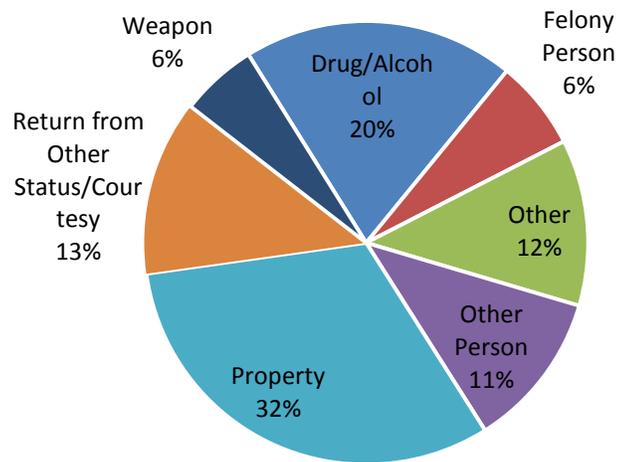
Quick Facts: Arrest (2013)

- **Numbers:** 6612 arrests
- **Trends:** There were 20% fewer arrests in 2013 than in 2012
- **Most Frequent Reasons:** Property Crimes (32%); Drug/Alcohol (20%)
- **Disparities:** Black and Latino youth were 6.7 and 3.7 times more likely than White youth to be arrested
- **Geography:** 56% of arrests were youth from the East and Central San Jose

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.

Arrests for Drug Related Offenses decreased by 13% in 2013, and accounted for 20 percent of all arrests. Arrests for Return from Other Status/Courtesy Hold/Other Admits decreased by 12% in 2013 and accounted for 13 percent of all arrests, these include returns from dispositional placement as well as courtesy holds for other agencies.

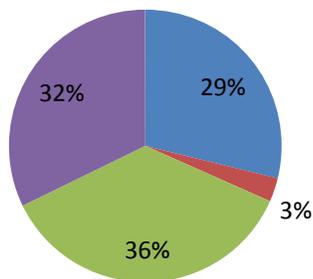
**2013 Arrests by Offense Category
(not including DRP)**



Racial and Ethnic Disparities

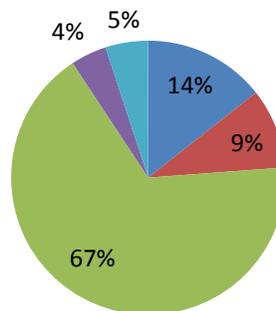
A review of the youth population and arrests clearly indicate overrepresentation for Latino and Black youth. While Latino youth represent 36 percent of the overall youth population, they represent 67 percent of youth arrested. Black youth represent three percent of the overall youth population, but nine percent of arrested youth.

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



■ White ■ Black ■ Latino ■ Asian/PI

Santa Clara County Arrests (2013)



■ White ■ Black ■ Latino ■ Asian/PI ■ Other

Number and Rate of Arrests to 2013 Youth Population	White	Black	Latino	Asian/PI ²	All Other	Total
Youth Population (10-17)	53,219	5,191	66,612	59,481	538	185,041
Arrests	950	624	4,424	280	334	6612
Youth Population Percent	29%	3%	36%	32%	0%	100%
Arrest Percent	14%	9%	67%	4%	5%	100%
Rate of Arrest (per 1,000 youth)	18	120	66	5	**	36
Disparity Gap: Times More Likely to be Arrested		6.7	3.7	(.3)		

There is an inverse relationship for White and Asian/PI youth. White youth account for 29 percent of the population, but 14 percent of arrests. Similarly, Asian/PI youth account for 32 percent of the population and four percent of arrests.

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

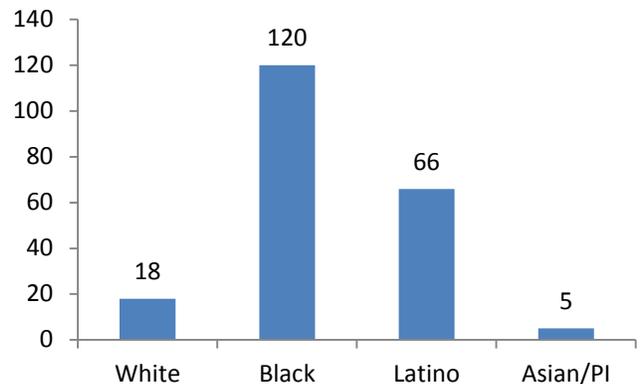
In simply reviewing proportions, jurisdictions may miss disparate rates of system involvement experienced by some populations. A more accurate measure is the rate or *likelihood* of arrests. For example, Black youth represent three percent of the population and nine percent of youth arrested, but by measuring rates, we see that for every 1,000 Black youth, 120 were arrested. Compared to the rate of 18 for White youth, Black youth were seven times more likely than White youth to be arrested.

Reviewing arrest rates clearly illustrates that youth of color are significantly more likely to be arrested than White youth.

For every 1,000 White youth in Santa Clara County, 18 were arrested. Latino and Black youth had a rate of 66 and 120, respectively. Asian/PI youth had the lowest rate of five.

The likelihood of a Latino youth being arrested was 3.7 times that of White youth (66/18), and the likelihood of a Black youth being arrested was 6.7 times that of White youth (120/18).

2013 Rate of Arrest (per 1,000 youth)

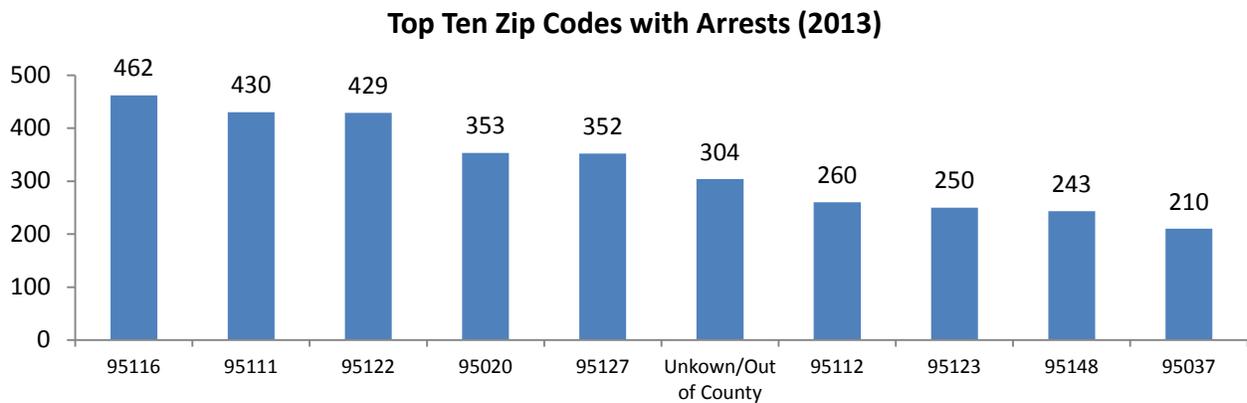


² For all Probation data, Pacific Islanders are represented in the “Other” category.

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 and account for 56 percent of total arrests. Arrested youth also reside in Gilroy (95020) and Morgan Hill (95037).

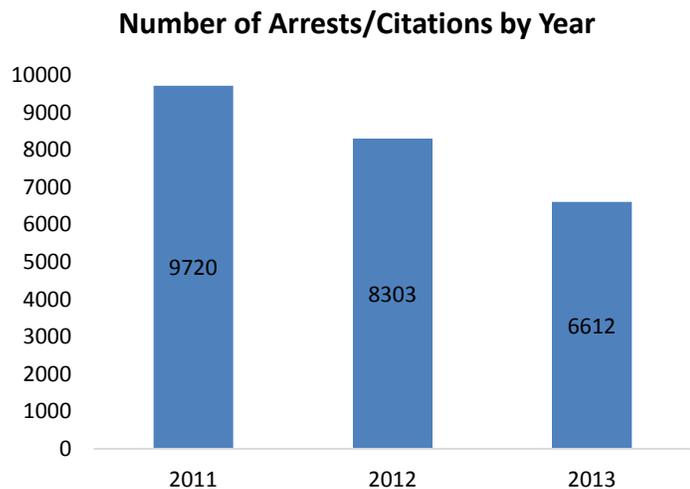


B. Arrest Trends

Overall Trends

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

In 2013, there was a 20 percent decrease in arrests for all youth compared to 2012, with almost 1700 fewer arrests in 2013. Since 2011, there has been 32 percent decrease in the number of arrests. Several factors could account for the decrease in arrests including a general uptick in the local economy and fewer police officers on duty.



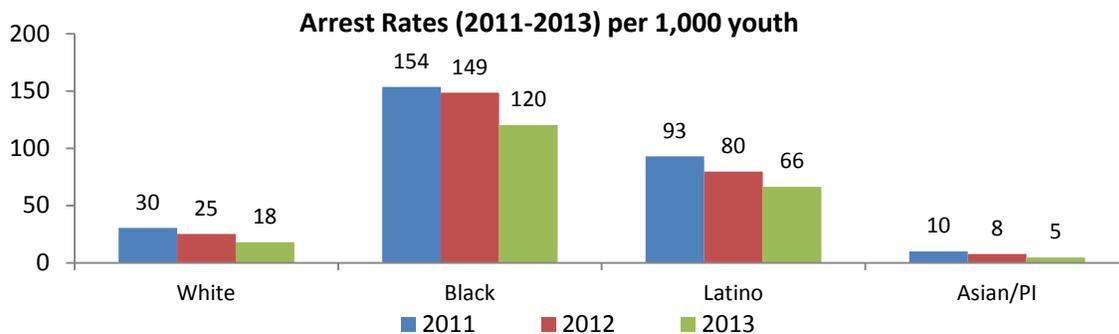
Racial and Ethnic Disparities

There was a decrease in arrests for all youth between 2012 and 2013 and between 2011 and 2013. Asian/PI youth experienced the greatest decrease in arrests, both from 2012 to 2013 and from 2011 to 2013. The number of Asian/PI youth arrested fell by 39 percent from 2012-2013 and by 52 percent between 2011 and 2013.

Arrest Numbers	White	Black	Latino	Asian/PI	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
Percent Change 2012-2013	-29%	-19%	-17%	-39%	-23%	-20%
Percent Change 2011-2013	-42%	-22%	-29%	-52%	-32%	-32%

A decrease in the number of youth arrested 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 rates.³

In reviewing arrest rates, we can note that there has been a reduction in arrest rates, and that rates of arrest were higher for youth of color than for White youth.



Between 2011 and 2013, arrest rates declined by 32 percent. The rate at which White youth were arrested decreased by almost half: in 2011 the arrest rate for White youth was 30. This dropped to 18 in 2013. The arrest rate for Black youth dropped from 154 in 2011 to 120 by 2013, a 22 percent decline. During this same time, the arrest rate for Latino youth dropped from 93 to 66. Asian/PI youth dropped from a rate of 10 to five.

³ 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 Rates 2011-2013 (per 1000 youth)	White	Black	Latino	Asian/PI	Total
2011	30	154	93	10	53
2012	25	149	80	8	45
2013	18	120	66	5	36
Percent Change 2012-2013	-28%	-19%	-18%	-38%	-20%
Percent Change 2011-2013	-41%	-22%	-29%	-53%	-32%

As above, despite the decline in arrest rates, youth of color continue to be arrested at a significantly higher rate as White youth.

Trends in Geography

The 95122 zip code experienced a 31 percent decrease in arrests compared to 2012, the largest decrease of the top 10 zip codes. 95128, which encompasses the Burbank and Fruitdale neighborhoods experienced a 28 percent decrease in arrests. Gilroy (95020), experienced a 25 percent decrease in arrests compared to 2012. The remaining zip codes experienced decreases in arrests in proportion to, or lower than, the overall average of 20 percent.

<i>Arrests:</i> <i>Top 10 Residence Zip Codes</i>	2011	2012	2013	% Change 2012-2013
95116	580	562	462	-18%
95111	702	492	430	-13%
95122	622	622	429	-31%
(Gilroy) 95020	536	470	353	-25%
95127	534	421	352	-16%
Unknown/Out of County	399	350	304	-13%
95112	433	322	260	-19%
95123	383	349	250	-28%
95148	306	266	243	-9%
(Morgan Hill) 95037	270	211	210	-0%
All Other Zip Codes with Arrests	4955	4238	3319	-28%
Total Arrests	9720	8303	6612	-20%

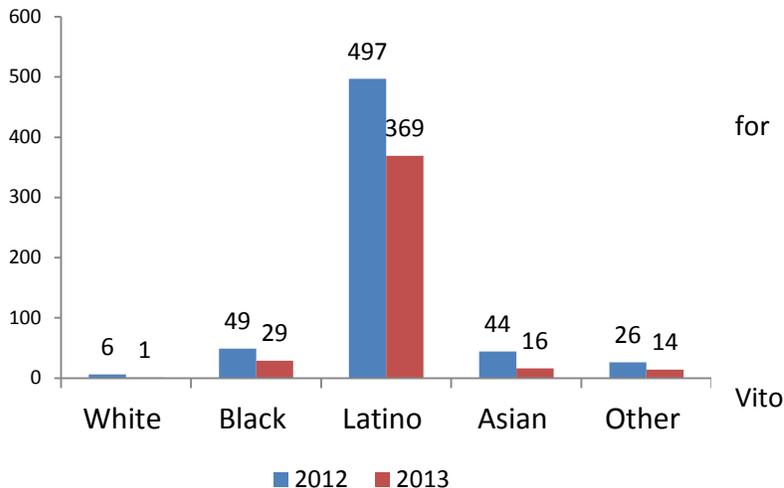
C. Focus on Arrests: 95122 Work

Since 2012, the number of arrests in the 95122 zip code decreased from 622 to 429. This 31 percent decrease was the largest decrease of the top 10 zip codes and is greater than the county average of 20 percent. The Juvenile Justice System Collaborative, Case Systems and Processing Group convened a special work group in the 95122 zip code of San Jose. This area was chosen after careful analysis showed that 95122 had the highest arrests of any zip code in 2012 and highest disproportionality in arrests for Black youth.

The committee began its work in summer of 2013 and developed strong relationships with the Overfelt High School administration. Led by Principal Chiala and Assistant District Attorney Marc Buller, a work group consisting of school administrators, juvenile justice stakeholders, and community based organizations gathered to try to develop programs and services for the youth at the high school. The 95122 work group focused on three main areas: 1) reducing the use of out-of-school suspensions, through the creation of an in-school suspension program that provides enrichment classes from the community based organizations; 2) reducing the use of school based law enforcement citations, through the increased use of coordinated mental health and substance abuse services; and 3) reducing the use of Violations of Probation for youth home on probation within the zip code.

The Black/African American community leaders banded together to provide a venue for black students to voice their opinions about school climate and disciplinary issues on campus and with police. This provided an opportunity for the students to form a community and develop their own solutions to some of the concerns they raised. Fresh Lifelines for Youth also provided a law education class to juvenile justice involved youth on campus. While many of the interventions were only in place for less than half of 2013, their impact can be felt in the significant decrease in arrests in the zip code and the school administration who anecdotally reports having one of the best school years in recent history.

95122 Arrests 2012 & 2013



III. Intake and Admissions

Some arrested youth are booked at Santa Clara Juvenile Hall. In 2013, of the total 6,612 youth arrested in Santa Clara County, 1851 youth (28 percent of all youth arrested) were booked at Juvenile Hall. At Juvenile Hall intake, a detention risk assessment instrument (RAI) is administered by the Probation Screening Officer through 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 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 disproportionate 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

Eighty-two percent of youth brought to Juvenile Hall in 2013 were detained (1511⁴ of 1850 youth). Of 1850 youth referred to Juvenile Hall, 18 percent (342 youth) were released at detention screening. Of the 1511 youth detained at intake between 15-20 percent were released by Probation prior to their detention hearing.

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.

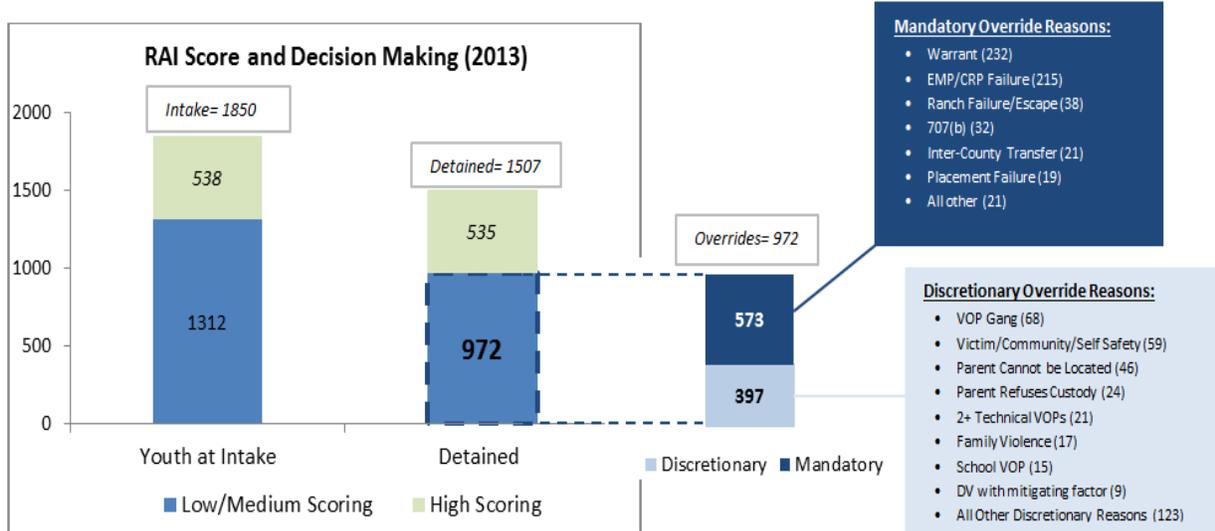
Quick Facts: Admissions (2013)

- **Admission Numbers:** 1,511
- **Trends:** There were 6% fewer admissions in 2013 than in 2012
- **Most Frequent Reasons:** Violations of Probation (33%); Property Crimes (26%).
- **Racial and Ethnic Disparities:** Black and Latino youth were 10 and 6 times more likely than White youth to be detained.
- **Geography:** 95116 and 95111 were the zip codes that had the highest number of youth admitted to secure detention.
- **Age:** 17 and 16 year olds accounted for 63% of all referrals to Juvenile Hall.

⁴ Note: There were 1511 admissions recorded in JRS, but upon further analysis it was determined that 4 youth were released who had been identified as detained. Under some of the RAI related data you will see the number of detained youth represented as 1507, the true number of admissions to Juvenile Hall.

The 2013 detention override rate was 74 percent. In other words, of the total 1312 youth who were eligible for release based on their RAI score, 972 youth (74%) overridden into detention.

Of the 972 youth who were overridden, 59 percent (573 youth) were detained under mandatory detention policies, while the remaining 41 percent (397 youth) were held under discretionary detention policies.



The most frequent mandatory override reasons include Warrants (FTA, Arrest, and VOP) and Pre/Post Court EMP failures. These two categories combined account for 78 percent (447/573) of mandatory policy admissions. In 2014, the Case System’s and Processing (CSP) RAI Sub-Committee is further investigating admissions for warrants and pre/post Court EMP to learn whether policy and practice change can reduce detention utilization.

The most frequent discretionary override reasons include VOP Gangs (68 youth), Victim/Community/Youth safety (59 youth) and Parent related reasons, both parent cannot be located (46 youth) and parent refusing custody (24 youth).

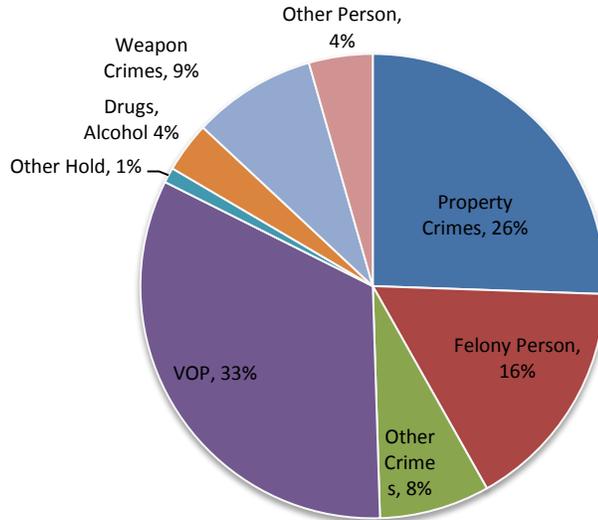
Override Rate for 2013	White	Black	Latino	Asian/PI	Total
Total Eligible for Release (L/M RAI Score)	110	140	1003	32	1312
Eligible for Release (L/M RAI Score) but Detained	84	96	756	21	972
Override Rate	76%	69%	75%	66%	74%

Offenses

Of the total 1511 youth admitted to detention, 33 percent were admitted for Violations of Probation (VOPs). Another 26 percent of youth were admitted were for Property Crimes, 16 percent of admissions were for Felony Crimes Against People, and nine percent for Weapons Crimes.

Admissions for Drug and Alcohol Related Offenses accounted for only three 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. Youth admitted for being under the influence are often released to a parent/guardian before the detention hearing phase.

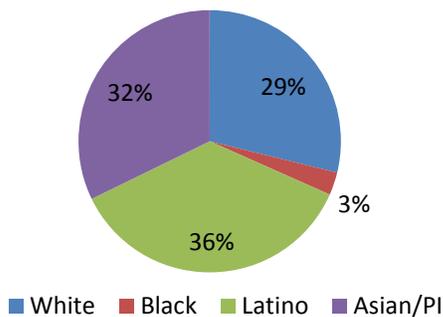
2013 Percent of Admissions by Offense Category



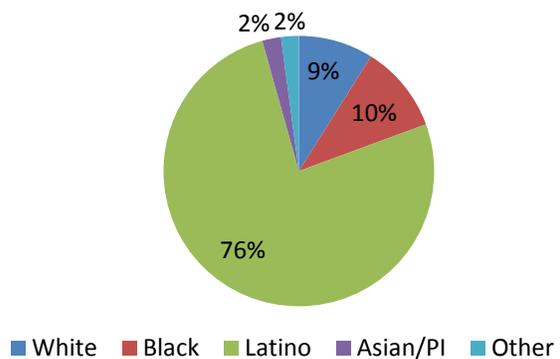
Racial and Ethnic Disparities

In 2013, the total youth population in Santa Clara County ages 10-17 was 185,041. As shown below, 29 percent of youth in the population were White, three percent were Black, 36 percent were Latino, 32 percent were Asian/Pacific Islander, and all other combined were less than a percent. There were 1,511 admissions to detention in 2013. Of those admissions to detention, nine percent were White youth, ten percent were Black youth, 76 percent were Latino youth, two percent were Asian/PI, and all other youth combined were two percent. There is an overrepresentation of Latinos and Blacks admitted to detention in Santa Clara County compared to their representation in the general population.

Santa Clara County Youth Population (10-17)



Santa Clara County Admissions (2013)



Numbers and Rate of Admission to Population 2013	White	Black	Latino	Asian/PI	All Other	Total
Youth Population (10-17)	53,219	5,191	66,612	59,481	538	185,041
Admissions to Detention	135	158	1,152	34	32	1,511
Youth Population Percent	29%	3%	36%	32%	0%	100%
Admission to Detention Percent	9%	10%	76%	2%	2%	100%
Rate of Admission (per 1,000 youth)	3	30	17	1	**	8
Disparity Gap: Times More Likely to be Detained		10	5.6	(.3)		

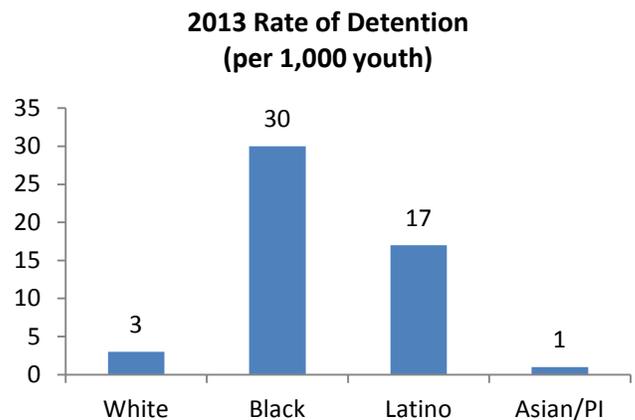
A review of the youth population and detention admissions clearly indicates overrepresentation for Latino and Black youth. While Latino youth represent 36 percent of the overall population, they represent 76 percent of youth admitted to secure detention. Black youth represent three percent of the overall youth population and ten percent of youth admitted to detention.

There is an inverse relationship for White and Asian/PI youth. White youth account for 29 percent of the population, and nine percent of admissions. Similarly, Asian/PI youth account for 32 percent of the population and two percent of admission.

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 2013, White youth had an admission rate of 3 admissions per 1,000 White youth in the youth population. Black and Latino admission rates were 30 and 17, respectively. Asian/PI youth had the lowest rate of one.

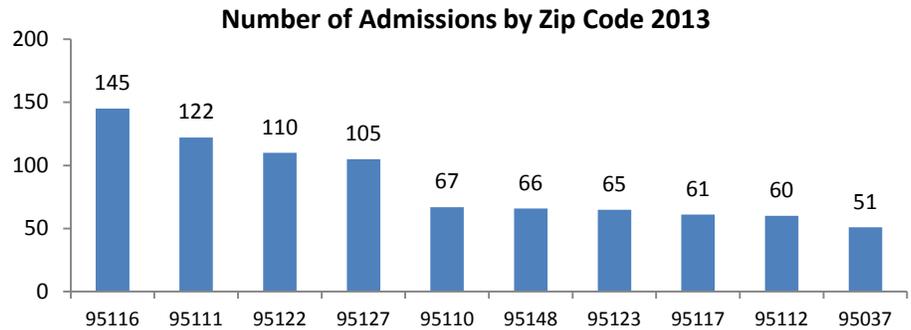
A comparison of the rates of detention for White youth reveals great disparity for Black and Latino youth. The likelihood of a Black youth being admitted to detention is 10 times that of White youth (30/3). Latino youth were admitted at a rate 5.6 times that of White youth (17/3).



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.

Geography

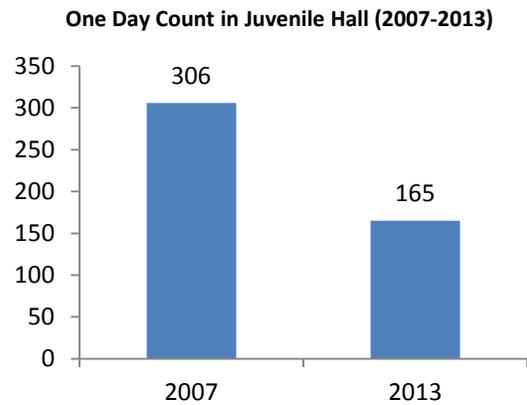
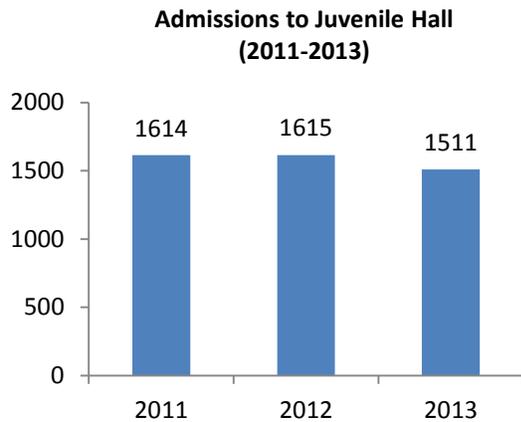
The eight out of the top 10 residence zip codes for youth admitted were also top 10 residence zip codes for arrest, all in San Jose except for 95037 (Morgan Hill). The two additional zip codes represented in admissions to detention were 95110 and 95117, both in San Jose.



B. Trends

While recent trends do not indicate a significant reduction in admissions to juvenile hall, a one day count from 2007 to 2013 clearly indicate a reduction in detention utilization. In 2007, a One Day Count⁵ in Juvenile Hall was 306 youth. A one day count in 2013 revealed 165 youth in Juvenile Hall, a 46 percent reduction.

The number of youth admitted to juvenile hall per year has decreased by six percent since 2011.



⁵ One Day count was taken on the 14 of March in the years of 2007 and 2013.

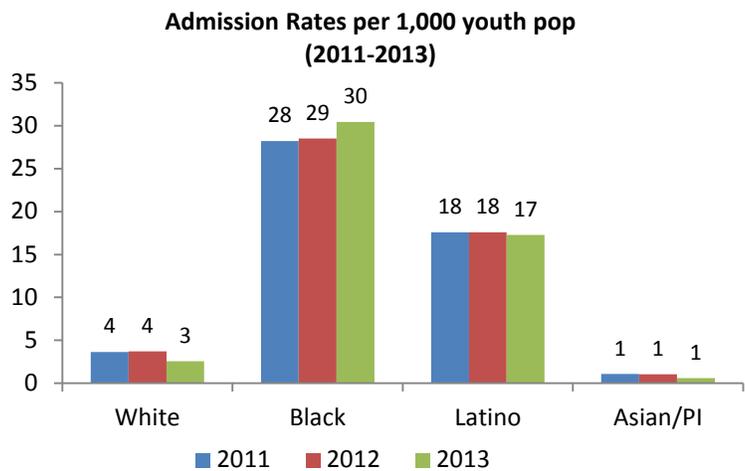
Racial and Ethnic Disparities

White and Asian/PI youth saw the greatest reduction of numbers in admission from 2011 to 2013. The number of White youth admitted to detention decreased by 31 percent, while the number of Asian/PI youth decreased by 45 percent. Black youth

Admission Numbers 2011-2013	White	Black	Latino	Asian/PI	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
Percent Change 2011-2013	-31%	7%	-2%	-45%	-14%	-6%

were the only group to see an increase in admission numbers between 2011 and 2013. The admission numbers increased for Black youth by seven percent. Latino youth admission numbers decreased by seven percent and Other youth decreased by 14 percent.

Overall, there was a seven percent decrease in the rate of admission, from nine to eight.⁶ White rates of admission decreased by 30 percent, while Asian/PI rates decreased by 46 percent and Latino rates decreased by 2 percent. Black youth had an eight percent increase in rate of admission.



As above, rates of admission for Black and Latino youth continue to be higher than rates for White and Asian/PI youth.

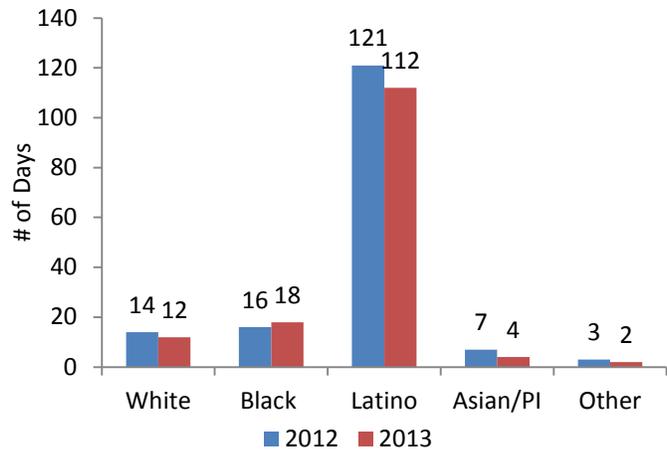
Admission Rates 2011-2013	White	Black	Latino	Asian/PI	Total
2011	4	28	18	1	9
2012	4	29	18	1	9
2013	3	30	17	1	8
Percent Change 2011-2013	-30%	8%	-2%	-46%	-7%

⁶ 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.

Average Daily Population (ADP) in Hall by R/E

Another way to examine the extent of racial and ethnic disparities is to look at the average daily population in detention. Average Daily Population (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 2012, there were 14 White youth, 16 Black youth, 121 Latino, seven Asian/PI youth and three Other. Overall Average daily population was 161 in 2012, which fell by eight percent to 148 in 2013.

ADP in Juvenile Hall (2012 -2013)



In both 2012 and 2013, Latino youth had the highest ADP of any group, over six times the next largest group, which was Black youth.

C. Santa Clara County Work in 2013

The Risk Assessment Instrument (RAI) is a short screening tool made up of static and dynamic factors specific to an individual youth, family or caretaker access, his or her behavior, past history, social factors, etc. The role of the RAI is to objectively determine the likelihood of a youth committing a new offense or failing to appear (FTA) for court should he/she be released from Juvenile Hall. The current RAI has not been updated in several years and in some areas does not take into account new trends in criminal activity among youth.

A committee of juvenile justice stakeholders and community members was convened several years ago as part of larger Juvenile Justice Systems Collaborative, Court Systems and Processing. In October 2013, after several months of development, a modified Risk Assessment Instrument was piloted. The proposed pilot RAI provided increased scrutiny for youth who are suspected of committing residential burglary, felony sex offenses, high speed car chases, and violent misdemeanors; crimes that are more prevalent in our community and occur with greater frequency. It also focused on the prior offense history of the minor as well as services that might currently be in place to provide immediate stabilization services to the minor and their family.

The goal of the RAI pilot was to measure the impact of the new numerical values on which youth are detained and which are released, with a particular focus on whether or not the new instrument would further exacerbate the already significant disproportional admission of Latino and African American youth to secure detention. Youth were detained or released based on their score on the current RAI and the Probation Screening Officer’s expertise. Over the course of three months 300 youth were screened using both tools. With the assistance of the Haywood W. Burns (Burns) Institute, the Probation

Department reviewed the pilot data to determine if it should move forward with the new RAI as a screening tool. After analysis, it was determined that the modified RAI had the potential to increase the admission of African American and Latino youth to secure detention, in small numbers. However, it had very little effect on reducing the use of detention overrides.

While the current RAI is still in place, Juvenile Probation and the committee continue to analyze the RAI data and evaluate other areas where racial and ethnic disparities (RED) can be reduced. Those areas include detentions for bench, VOP and failure to appear (FTA) warrants, detention after failure of electronic monitoring program. Other measures are being discussed to address issues related to locating family and mitigating community/personal safety concerns.

IV. Petitions

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

Quick Facts: Petitions (2013)

- **Petition Numbers:** 1,754
- **Trends:** 21% fewer petitions in 2013 than 2011.
- **Most Frequent Reasons:** Car Theft (12.5%), Residential Burglary (11%), and Resisting Arrest (8%)
- **Disparities:** Black and Latino youth were 11 and 6.7 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 – a determination dictated by Section 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 previously 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 within 21 days of the initial date of review. There are some cases where the Probation Officer may ask the District Attorney to refer the matter back to probation for informal handling.

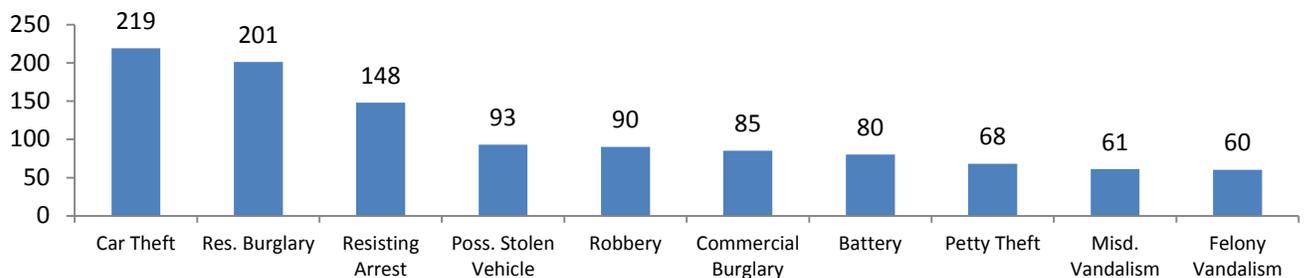
A. Highlights

Offenses

Of the 1754 petitions, the most frequent offenses petitioned were Car Theft, with 12.5 percent (219). Residential Burglary made up 11 percent of offenses petitioned (201 total), and Resisting Arrest comprised eight percent (148).

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

Top 10 Most Frequent Charges at Time of Petition (2013)

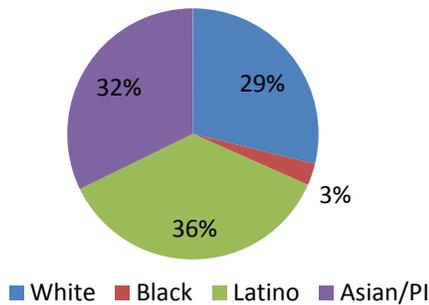


Top 10 Charges for Petitions 2013	White	Black	Latino	Asian/ PI	Native American	Other	Total	Percent of Total
VC 10851 Car Theft	17	17	180 (82%)	0	1	4	219	12.5%
PC 459-460(a) Res. Burglary	8	23	159 (79%)	11	0	0	201	11%
PC 148 Resisting Arrest	9	18	121 (82%)	0	0	0	148	8%
PC 496D Possession of a Stolen Vehicle	7	6	78 (84%)	0	1	1	93	5%
PC 211-212.5© – Robbery	4	15	67 (74%)	4	0	0	90	5%
PC 459-460(b) Commercial Burglary	18	9	53 (62%)	5	0	0	85	5%
PC 242-243(a) – Battery	9	10	49 (61%)	10	0	2	80	5%
PC 484-488 – Petty Theft	6	13	48(71%)	1	0	0	68	4%
PC 594(a)/(b)(2)(A)-Misd. Vandalism	6	10	43(70%)	2	0	0	61	3%
PC 594(a)/(b)(1) – Felony Vandalism	16	3	40 (67%)	1	0	0	60	3%
All Other Petitions	53	47	499 (77%)	42	0	9	646	37%
TOTAL	153	171	1337	76	2	16	1754	100%
Percent of Total	9%	10%	76%	4%	0%	1%	100%	

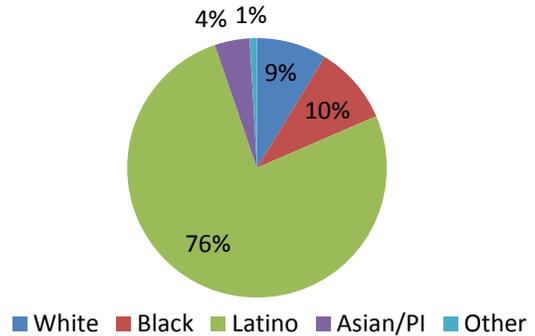
Racial and Ethnic Disparities

In 2013, the total youth population in Santa Clara County ages 10-17 was 185,041 with 29 percent White youth, three percent Black youth, 36 percent Latino youth, 32 percent Asian/Pacific Islander youth, and all other combined were less than a percent. There were 1,754 petitions in 2013. Of those petitions, nine percent were White youth, ten percent were Black youth, 76 percent were Latino youth, four percent were Asian/PI, and all other youth combined were one percent.

Santa Clara County Youth Population (10-17)

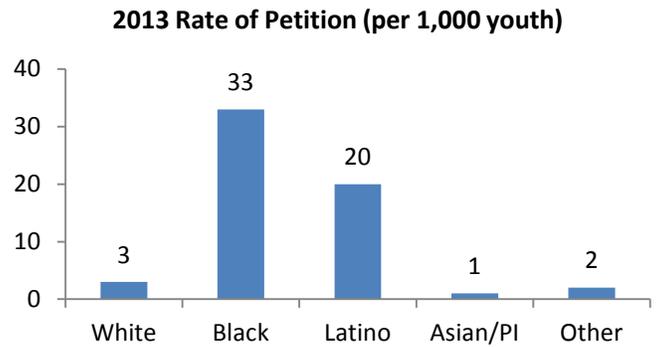


Santa Clara County Petitions (2013)



Numbers and Rate of Petitions to Population 2013	White	Black	Latino	Asian/PI	All Other	Total
Youth Population (10-17)	53,219	5,191	66,612	59,481	538	185,041
Petitions	153	171	1337	76	18	1754
Youth Population Percent	29%	3%	36%	32%	0%	100%
Petition Percent	9%	10%	76%	4%	1%	100%
Rate of Petition (per 1,000 youth)	3	33	20	1	2	9
Petition Disparity Gap		11	6.7	(.3)		

There is an overrepresentation of Latino, Black and Other youth petitioned in Santa Clara County compared to their representation in the general population. There is an inverse relationship for White and Asian/PI youth. White youth account for 29 percent of the population, but nine percent of petitions. Similarly, Asian/PI youth account for 32 percent of the population and four percent of petitions.



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 arrests, 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 2013, White youth had a rate of petition of three. Black and Latino youth had rates of petitions of 33 and 20, respectively. Asian/PI and Other youth had the lowest rates of one and two, respectively.

In comparing rates, Black and Latino youth were much more likely than White youth to be petitioned. Black youth were 11 times more likely than White youth to be petitioned, and Latino youth were 6.7 times more likely than White youth.

Direct File

Youth who commit a 707(b) offense and are 14 years old or older are eligible to be directly filed in adult court.

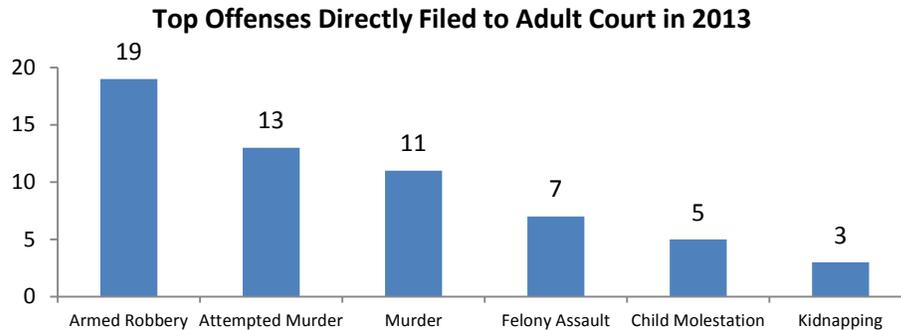
Rate of Direct File per eligible

In 2013, of the 200 youth eligible, 20 percent were Directly Filed. Latino youth had the highest number of youth Directly Filed (40 youth). Black youth had the second highest number (32 youth). White and Asian/Pacific Islander both had two out of 14 eligible youth Directly Filed (13 percent).

	White	Black	Latino	Asian/P I	Native /Other	Total
Youth Eligible for Direct File but Remain in Juvenile Court	14	32	140	14	0	200
Directly Filed	2	6	40	2	0	50
Total youth Eligible for Direct File	16	38	180	16	0	250
Percent of Eligible Youth who are Directly Filed	13%	16%	22%	13%	0	20%

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

Six offense categories account for the most serious offenses directly filed, totaling 58 counts, as more than one of the 40 youth were directly filed for multiple offenses. Armed Robbery was the most common offense Directly Filed, with 19 instances. The second and third most common offenses were Attempted Murder, with 13, and Murder, with 11 counts. There were seven Felony Assault, five Child Molestation, and three kidnapping charges filed.



Fitness Orders

The other way in which a youth can be charged in adult court is through a fitness hearing. When a youth above the age of 14 is petitioned for a serious offense, the District Attorney can ask for a fitness hearing before the Jurisdiction Hearing to decide if the youth should remain in Juvenile Justice Court or filed as an adult.

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 DA and the youth's lawyer. Then the Court makes a decision. If the judge decides that the youth should stay in Juvenile Justice Court, the case will proceed with the juvenile justice process. If the judge decides that the youth should not stay in Juvenile Justice Court, the Court dismisses the petition and sends the youth to adult criminal court.⁷

The five fitness criteria include:

1. How sophisticated the crime was;
2. If the youth can be rehabilitated in the juvenile justice system;
3. The youth's criminal history;
4. What happened before when the youth tried to improve; and
5. What happened this time and the seriousness of the charges.

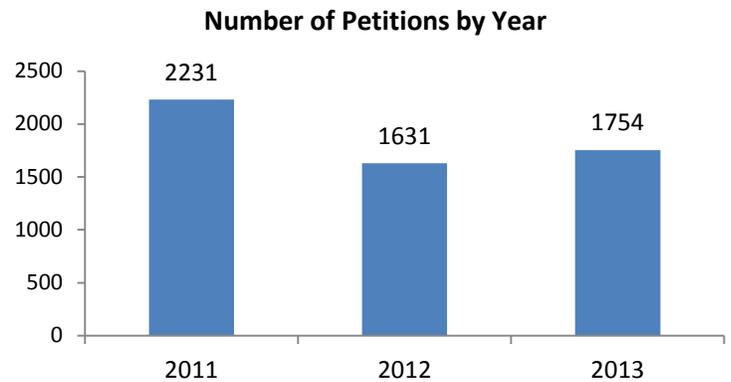
⁷ Superior Court of California, County of Santa Clara www.sccourt.org/self_help/juvenile/jjustice/process.shtml

In 2013 there were a total 16 youth who went through the fitness process, 56 percent (9) were Latino, 25 percent (4) were Black, there were two White youth and one Other youth. 38 percent (6) of youth were found Unfit and were transferred to adult court, the other ten youth remained under the jurisdiction of the Juvenile Justice Court.

	White	Black	Latino	Asian/PI	Native/Other	Total
Youth with Fitness Hearing	2	4	9	0	1	16
Youth Found Unfit	0	1	5	0	0	6
Percent of Youth Found Unfit	0%	25%	56%	0%	0%	38%

A. 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. Compared to 2011, the total 1,754 petitions for 2013, was 21 percent less than the 2,231 petitions in 2011.

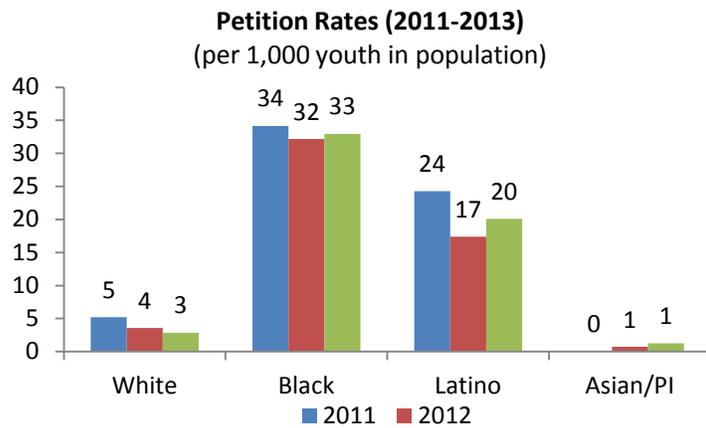


Racial and Ethnic Disparities

All race and ethnic groups saw a decrease in the number of petitions between 2011 and 2013 except Black youth. Between 2011 and 2013, White youth had the greatest decrease in petition numbers (46 percent). The number of Black youth petitioned increased by 4 percent from 2011 to 2013. The number of Asian/PI youth petitioned declined by 39 percent between 2011 and 2013, and a greater decline of 69 percent between 2012 and 2013. While Latino youth have had a 17 percent overall decline in petition numbers, the number of petitions in 2013 was 15 percent higher than the number of petitions Latino youth had in 2012.

Petition Numbers 2011-2013	White	Black	Latino	Asian/PI	Other	Total
2011	282	179	1616	124	30	2231
2012	190	167	1160	45	69	1631
2013	153	171	1337	76	17	1754
Percent Change 2012-2013	-19%	2%	15%	69%	-75%	8%
Percent Change 2011-2013	-46%	4%	-17%	-39%	-43%	-21%

When comparing the number of petitions to the population of each group, we see that Black and Latino youth continue to be more likely to have a petition filed than White youth.



While the rates of petitions per 1,000 youth in the population have decreased for White, Black and Latino youth since 2011, there has been a rate increase for Black and Latino youth since 2012. Not only did the rates increase for Black and Latino youth by two and 15 percent, respectively, but their overall rate of petition has remained consistently much greater than White youth. In 2013, out of 1,000 White youth, three were petitioned, while for every 1,000 Black youth, 33 were petitioned. That number is slightly lower for Latino youth; 20 out of 1,000 Latino youth were petitioned. Asian/PI youth have the lowest rates of petition, one out of every 1,000. However, this is higher than the rate for Asian/PI youth in 2011.

Petition Rates per 1,000 youth	White	Black	Latino	Asian/PI
2011	5	34	24	0
2012	4	32	17	1
2013	3	33	20	1
Percent Change 2012-2013	-19%	2%	15%	77%
Percent Change 2011-2013	-45%	-4%	-17%	-

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 Alternate Defender discovers that there is a conflict of interest in the representation of a youth, the youth is referred to the Independent Defense Counsel Office (IDO) for representation. The Independent Defense Counsel Office (IDO) assigns juvenile justice cases to private attorneys based on a contracted amount.

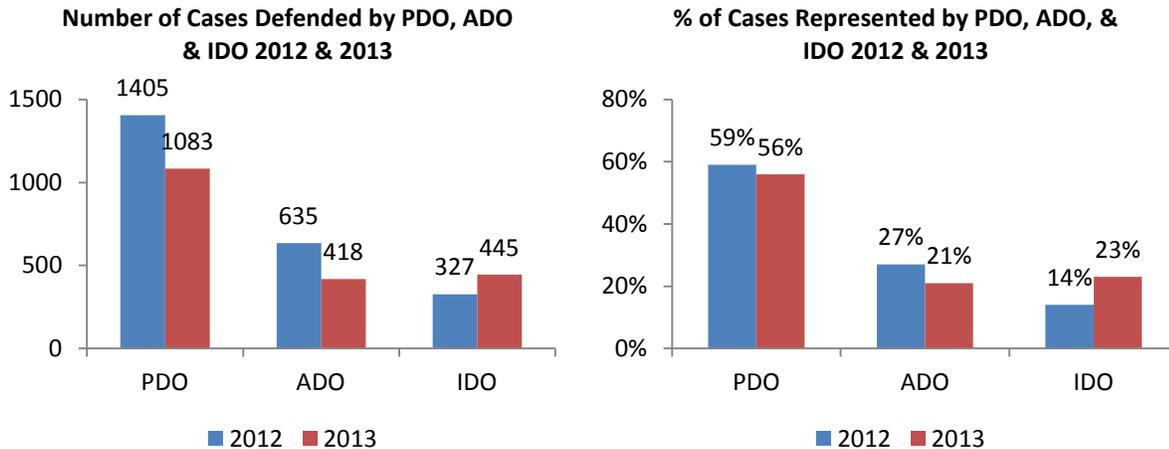
The Juvenile Unit of the PDO, the ADO and the IDO are responsible for the representation of a youth in the Juvenile Justice Court from the beginning of the case to disposition, and in some cases, in post-dispositional hearings.

A. Highlights

The PDO and ADO represented youth in over 1500 cases in 2013 (1,083 with the PDO and 418 with the ADO), with the IDO representing 445 youth during that time.

B. Trends

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



From 2012 to 2013, the amount of cases referred to the PDO and ADO decreased, while referrals to IDO increased. Of the 2,367 cases referred in 2012, PDO represented youth in 1,405 cases (59 percent), the ADO represented youth in 635 cases (27 percent), and the IDO in 327 cases (14 percent). In 2013, PDO represented youth in 1,083 of the 1,946 cases (56 percent), the ADO in 418 cases (21 percent), and the IDO in 445 cases (23 percent).

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 W&I Code Section 707(b), (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 certain 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.⁸ More specifically, the subcommittee worked with Court staff and the W. Haywood Burns Institute to analyze over 300 DEJ cases from 2012 to learn whether eligible White youth and Youth of Color receiving DEJ at similar rates and analyzed how Suitability Reports, written by the Probation Department, influenced the process.

By policy, each DEJ Suitability Report must include a discussion and recommendation

Overarching Questions of DEJ Sub-Committee

- Are eligible White youth and Youth of Color receiving DEJ at similar rates?
- Why might "eligible" youth of color not be receiving DEJ?

Case File Analysis of Reviewed:

Suitability Recommendations by Probation:

- How often are youth recommended as "suitable" under each of the five factors by Probation? (1. Maturity; 2. Education; 3. Family Relationships; 4. Demonstrated Motivation; 5. Treatment History)
- What does Probation consider under each of the factors?
- Are other factors (gang affiliation/association and restitution) discussed in report?
- How does discussion of gang affiliation/association relate to suitability recommendations and findings overall?
- How often are youth recommended "suitable" overall by Probation?

Consistency of Suitability Reports:

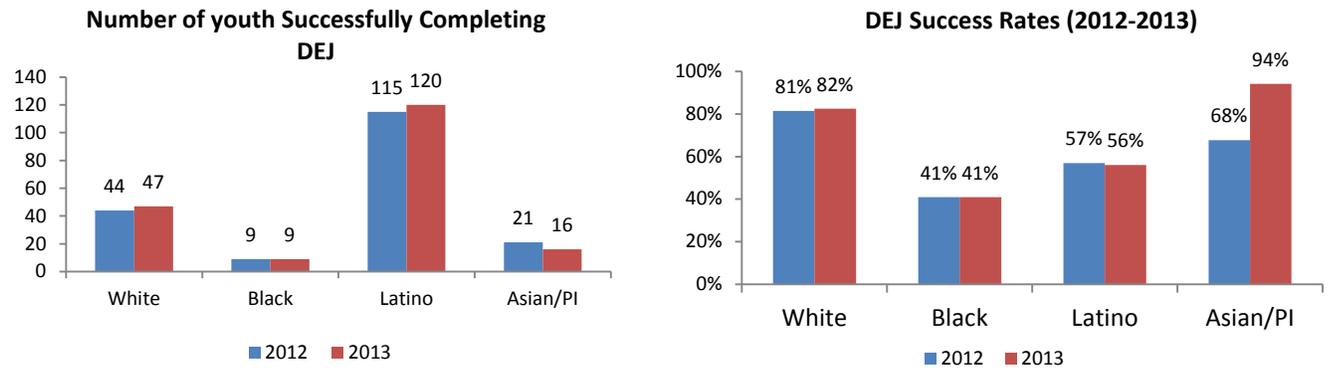
- Are all suitability factors discussed in suitability report?
- What is considered by Probation under each factor of discussed in the report?
- How are these considerations related to Probation recommendations regarding suitability for each factor?

Suitability Findings by Judge:

- How often are youth found "unsuitable" by the judge?

⁸ For a comprehensive report regarding the findings of the CSP DEJ Subcommittee please contact the Juvenile Services Division of the Juvenile Probation Department

about youth’s suitability under five factors. The Committee’s analysis reviewed each report to learn about; (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 lead to some of the recommendations included below. Prompted by the data, the Sub-committee engaged in deep conversation about DEJ that surfaced additional 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 included below include both recommendations 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 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 and 2013. White, Latino, and Other youth had a slight increase in numbers, Black youth maintained the same number of 4 participants and Asian youth had a decrease of 24 percent.

Asian/Pacific Islander youth had the most improved DEJ rate of success (39 percent increase) from 2012 to 2013 and the greatest rate of success (94 percent) for 2013. White youth's success rate increased only by one percent (81 to 82 percent). Black youth continued to hold the lowest success rates at 41 percent, and Latino success rate dropped by a percent, from 57 to 56 percent.

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 or family/domestic violence. Within the Santa Clara County Juvenile Justice System there are four specialty courts, each focused on addressing potential root causes for offending: the Court for the Individualized Treatment of Adolescents (CITA) primarily focuses on youth with diagnosed mental health issues; Juvenile Treatment Court (JTC) focuses on youth with substance 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; and the Dually Involved Youth Court focuses on youth who have both child welfare and juvenile justice involvement.

A. Highlights

The data below only reflects new youth enrolled in the specialty courts during 2013, it does not reflect the ongoing caseload within the specialty courts, or those referred to and found unsuitable for the specialty courts. Probation hopes to provide more detailed information in future reports.

In 2013, 8 new youth were enrolled in Court for the Individualized Treatment of Adolescents (CITA). Latino youth made up the majority of youth in CITA with five enrolled, 2 White youth were enrolled, and 1 Other youth was enrolled. You enrolled in CITA must have a diagnosed mental health condition.

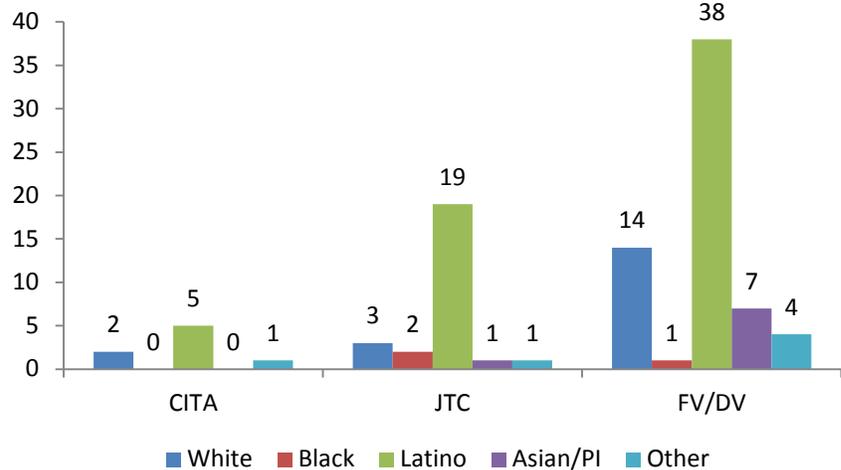
There has been a small increase in the usage of Juvenile Treatment Court. A total of 26 new youth were enrolled in JTC during 2013.

Latino youth made up the majority of youth in JTC, accounting for 73 percent of all youth. In JTC, three youth were originally found not suitable for the court and were later rescreened and accepted due to a change in circumstance.

Family/Domestic Violence Court is the only court where youth are referred based on their charges, all youth referred are enrolled. In 2013 there were 64 new youth who utilized the FV/DV court.

Latino youth also made up the largest group of participants in FV/DV (59 percent of the 64 total youth). White youth, with 14 participants, made up 22 percent of participants. Family/Domestic Violence is an issue that crosses all racial/ethnic and socioeconomic groups and the Probation Department is working

Specialty Court New Enrollment by Race/Ethnicity 2013



with the Public Health Department on a countywide Violence Prevention social marketing campaign that would address all forms of violence, but specifically focus on intimate partner violence and bullying.

Dually Involved Youth Court

The fourth specialty court in the Juvenile Justice Court, dually involved youth 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 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/OOJJDP 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, to redefine 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.

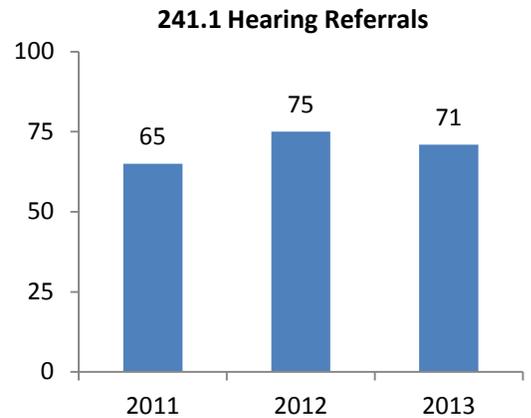
Although the grant has ended, the work continues. Several cross systems committees continue to redefine practice and create a sustainable and successful program. Some of our successes to date include the creation of a dually involved youth initial protocol, and the creation of a dually involved youth 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.

241.1 hearing data is collected by the Dually Involved Youth Liaison whose role includes the function of DFCS court officer to 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 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.

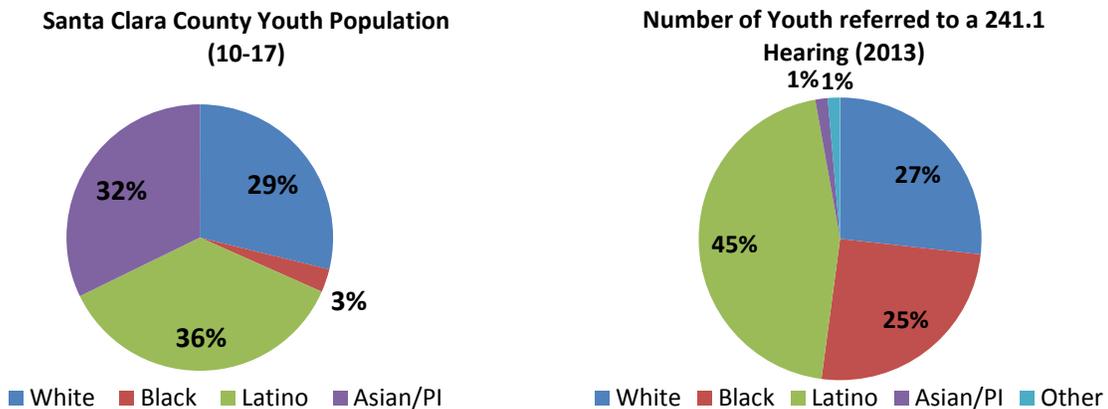
The number of youth who have been referred to a 241.1 hearing has averaged 70 youth since 2011. The number increased from 65 to 75 between 2011 and 2012, and then decreased slightly to 71 in 2013, an overall increase of 9.2 percent.

Latino youth have consistently had the highest numbers of 241.1 hearing referrals. Those numbers decreased by 13.5 percent from 37 to 32 between 2011 and 2013. Numbers for White and Black youth have increased since 2011. White youth have increased by 26.7 percent, from 15 to 19 youth, while Black youth have increased by 63.6 percent, from 11 to 18 youth.



241.1 Hearing Referrals by Race and Ethnicity 2013	White	Black	Latino	Asian/PI	Other	Total
2011	15	11	37	2	0	65
2012	19	10	44	1	0	75
2013	19	18	32	1	0	71
% Change 2011-2013	26.7%	63.6%	-13.5%	-50.0%	0%	9.2%

Racial and Ethnic Disparities



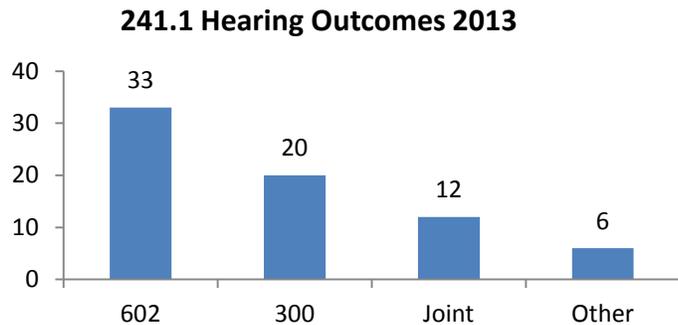
Youth of color were overrepresented in the number of youth with a 241.1 hearing. Latino youth comprised 45 percent of dually involved youth in 2013, compared to 36 percent of the population. Black youth were 25 percent of the dually involved youth since 2011, but the Black community in Santa Clara County only comprises three percent of the population.

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.

Dually Involved Youth Court

In 2013, there were 71 241.1 hearing outcomes. Of this 71 judicial decisions, 33 youth moved into or remained in the Juvenile Justice system (602 status), 20 youth moved into or remained in dependency (300 status), 12 youth received joint services from Probation and DFCS, 6 youth had other unique outcomes.



<i>Dually Involved Youth 2013</i>	White	Black	Latino	Asian/PI	Native American	Total
602: 300d/JDS, 602 only, DS, JDS, JDS +other	11	8	13	0	1	33
DFCS: 300 ordered, IS, Remain 300, VFM, VFR	2	4	13	1	0	20
Joint: 300o/POIS, CTIS, DEJ, Remain 300/POIS	4	4	4	0	0	12
Other: 241 set aside, no 300/no 602	2	2	2 (33%)	0	0	6
Total Dually Involved Youth in 2013	19	18	32 (45%)	1	1	71

Key:

- 602 Wardship/Ward
- 300 Dependency/Dependent
- DS Dual Status, 300 suspended with wardship.
- JDS " Judicial Dual Status" - 602 with 300 concerns, issues, or dismissed 300.
- 300d/JDS 300 dismissed with wardship.
- 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.
- 300/CTIS 300 dependency ordered with Juvenile Justice court informal supervision
- DEJ Deferred entry of judgment.
- Remain
- 300 w/POIS Remain 300 dependent, 602 petition dismissed and JPD informal supervision services.

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

A positive trend that is being seen 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.

VIII. Commitments, Placements and Placement Alternatives

After a youth has had their petition heard and is made a ward of the court, a number of dispositional options are available to the youth including: home on probation, in residential/group home facilities, in an alternative programs, wraparound services, foster care placement, the enhanced ranch program and ultimately the Department of Juvenile Justice (DJJ)⁹.

The Juvenile Probation department focuses on diverting youth from out of home placement as much as possible and when appropriate. Alternatives to out of home placement include Probation's EDGE/PEAK program which is an intensive alternative education program that includes mental health, drug and alcohol, behavior modification and other programs in a school setting; electronic monitoring and community release programs for post-dispositional youth; and wraparound services.

In addition to serving court wards as a formal alternative to group home care, the Reentry Services team also serves court wards with high criminality reentering the community to prevent escalation deeper into the juvenile justice system, such as out-state placement and 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 group homes, in county, out of county and out of state. Wraparound services utilize a targeted portion of local foster care funds (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 services (1:12-15 probation officer/client) to keep 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 wrap-around philosophy, which include field based mental health, substance abuse and probation services in a "whatever it takes" effort to achieve family and youth outcomes. Efforts to keep youth home from group home placement included:

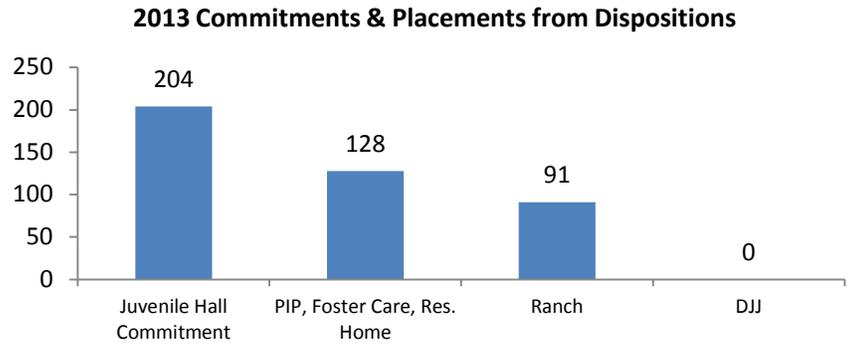
- **Placement Diversion:** Youth with court orders for wraparound services while living at home instead of being placed in out-of home placement or institutional care.
- **Step-down from foster care:** Release from necessary out-of-home placement, with return home with wraparound services subsequent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

⁹ Formerly the California Youth Authority

A. Highlights

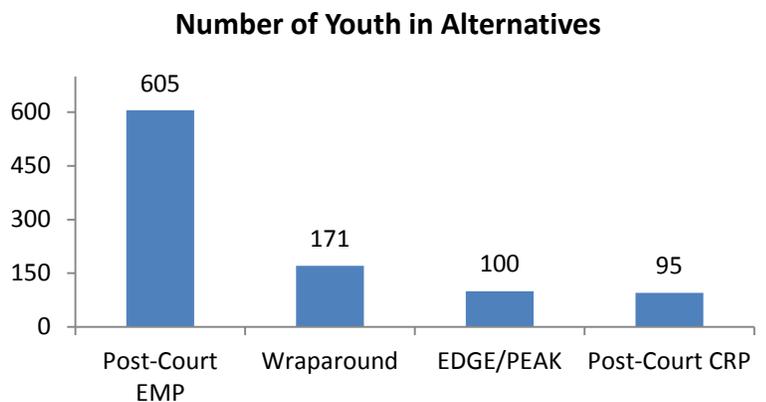
Commitments & Placements

The 423 out-of-home dispositions in 2013 included: 204 youth committed to Juvenile Hall, 91 to the Enhanced Ranch Program, and 128 youth committed to Foster Care and Residential Home placements.



Alternatives

Usage of alternatives to out of home placement such as Post-Court Electronic Monitoring and Community Release Programs remained high in 2013. Altogether, 800 youth were served via these alternatives to out of home placement. Of the youth sent to alternatives: 605 youth were provided Post-Court EMP, 171 received Wraparound, 100 Youth were enrolled in the EDGE/PEAK programs, and 95 received Post-Court CRP.



The most common alternative to out of home placement ordered is the Electronic Monitoring Program. The population served by this program is primarily Latino (80 percent).

<i>Number of Youth in Alternatives 2013</i>	White	Black	Latino	Asian /PI	Native American	Other	Total
Post-Court EMP	42	44	486 (80%)	14	0	19	605
Post-Court CRP	8	5	78 (82%)	1	0	3	95
EDGE/PEAK	2	10	84 (84%)	1	0	3	100
Wraparound	15	20	129 (75%)	4	0	3	171
Total Youth in Alternatives	67	79	777 (80%)	20	0	28	971

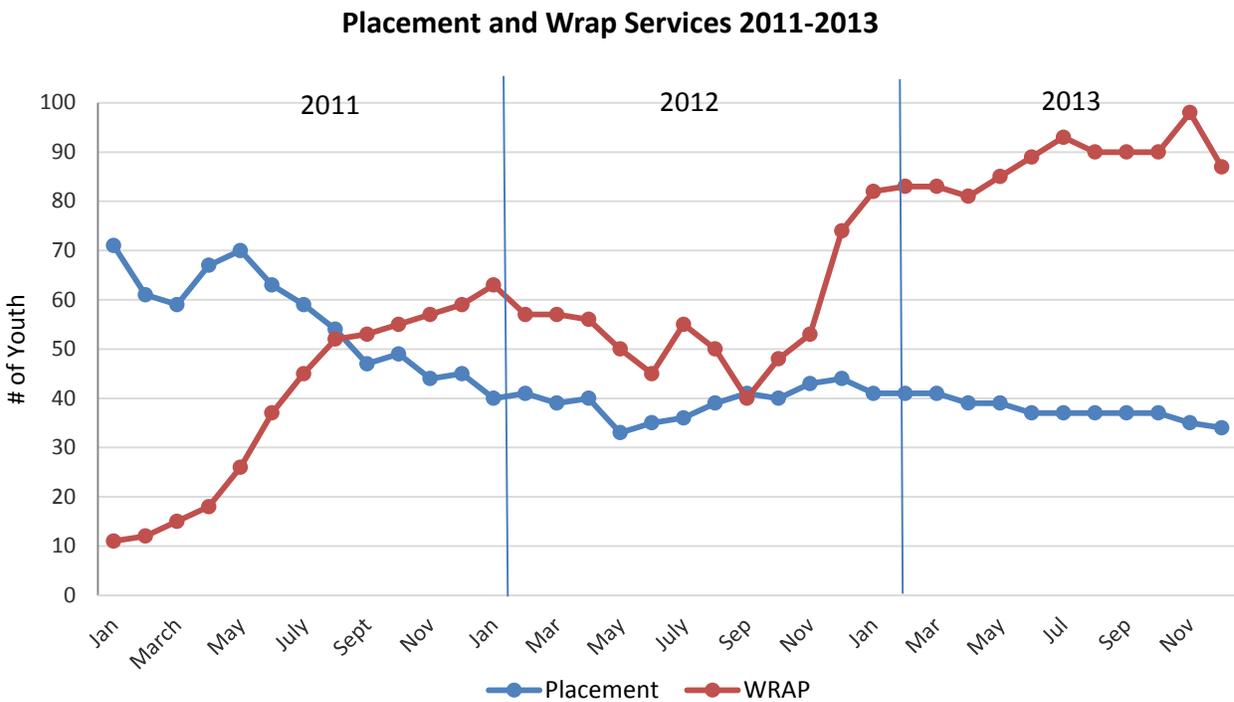
Wraparound Services

In 2013, there were 171 youth referred to Wraparound Services, 75 percent of whom were Latino youth. During the 2013 year the 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.

B. Trends

Placement vs. Wraparound Services

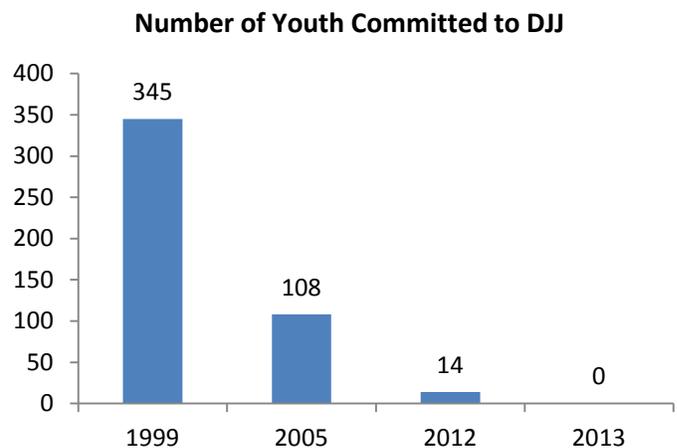
Since the deliberate increase in use of wraparound services and formation of new family preservation programs for probation youth in 2011, out-of-home foster care placement has been kept in check, particularly out-of-county/state placement. There have been significant reductions in group home placement from pre-2011 placement levels.



Commitments

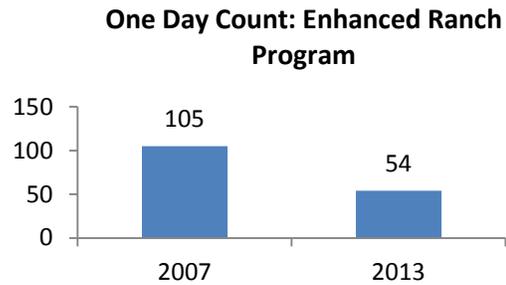
Commitments to Juvenile Hall, the Ranch, and the Division of Juvenile Justice (DJJ), have decreased by 23 percent cumulatively.

Perhaps the most significant decrease has been to DJJ (formerly California Youth Authority, or CYA). In 2013, there were no youth committed to DJJ. This is a significant decrease from the 345 committed youth in 1999 and a change from the 14 committed youth in 2012.



One Day Count¹⁰

Usage of secure detention facilities for disposition continues to decrease. From 2012 to 2013, there was a 23 percent decrease in usage of Juvenile Hall, the Ranch, and the Department of Juvenile Justice. Using a single day count for 14 March 2007, we can see a significant decline in the Juvenile Hall Population and the Secure Care Facilities, Enhanced Ranch Program.



Alternatives

Between 2012 and 2013, there was a 22 percent increase in enrollment in the Probation Department’s Alternative Education programs EDGE and PEAK. During that same time, there was an 18 percent increase in referrals to Wraparound Services for youth.

¹⁰ One Day count was taken on the 14 of March in the years of 2007 and 2013.

IX. Violations of Probation

Violations of Probation (VOP) occur when a youth has violated the terms of their probation status, 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 2013 there were a total of 704 violations of probation filed by the Probation Department. Of those 80 percent (560 youth) were filed on Latino youth and 10 percent (70 youth) were filed on Black youth. **Approximately one-third of violations were filed while the youth was in custody.**

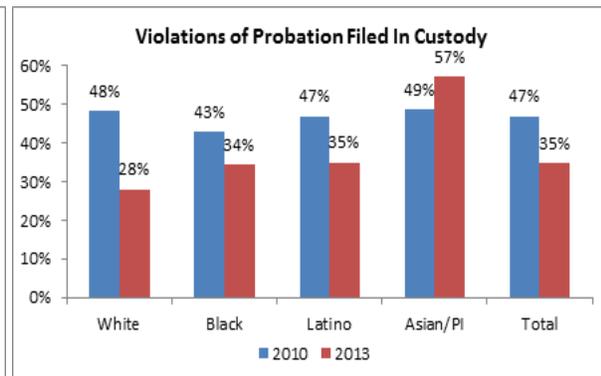
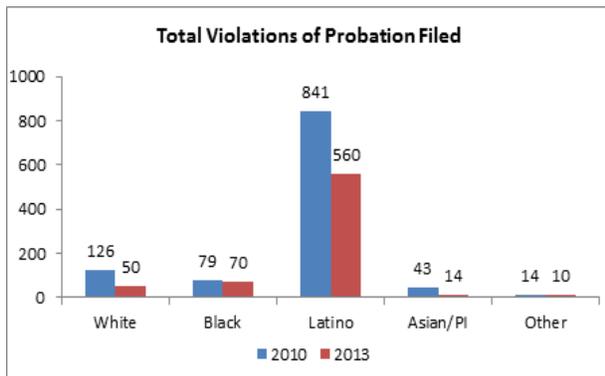
In & Out of Custody Violations	White	Black	Latino	Asian/PI	Native American	Other	Total
<i>In Custody Violations</i>	14	24	196	8		2	244
<i>Out of Custody Violations</i>	36	46	364	6		8	460
<i>Total Violations</i>	50	70	560	14		10	704
<i>Percent of Youth</i>	7%	10%	79.5%	2%		1.4%	100%

B. Trends

There are two promising trends to highlight for probation violations:

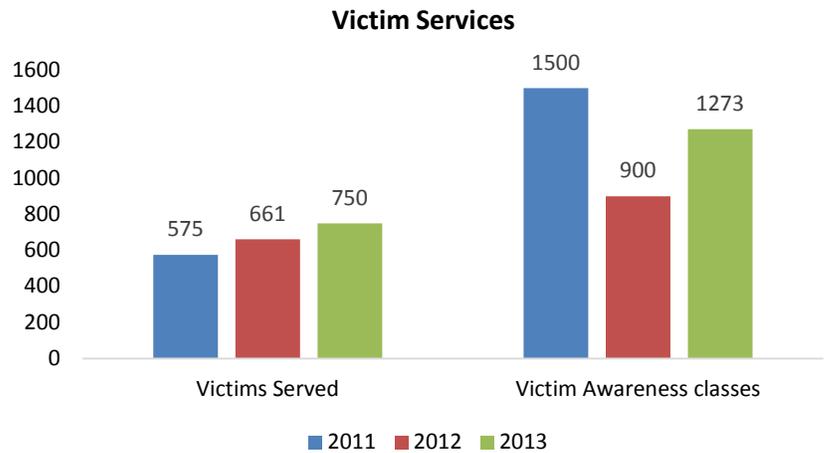
- (1) Reduction in technical violations filed overall, from 1117 in 2010 to 704 in 2013 (a 37% reduction); and
- (2) Reduction in the proportion of violations that are filed in custody (47% filed in custody in 2010 to 35% filed in custody in 2013)

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 Juvenile Probation Department Victim Services Unit manually collects all data related to Victim Services. The data tracks youth receiving victim awareness classes and community (victims) receiving services from the unit. Data for community/victims served was not collected by race/ethnicity, gender or zip code. The department will begin collecting this data in 2014.



The Victim Services Unit served 750

victims for calendar year 2013, either by direct court services or through phone contacts. This is a 13 percent increase from 661 victims served in 2012.

In 2013, 1273 youth attended Victim Awareness classes, approximately 83 percent were male; 74 percent were Latino, 11 percent were Black and eight percent were White. This is a 41 percent increase from 900 youth who completed victim awareness classes in 2012.

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 Restoration is a program begun January 2012 for juvenile offenders designed to provide competency restoration/attainment services to youth who are found incompetent 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.

Juveniles are ordered into the Competency Restoration Program if there is a finding by the court that the juvenile lacks substantial capacity to understand the proceedings against him/her or to assist his/her attorney in his/her own defense. Restoration/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 insure completion at the earliest possible time.

If a minor is deemed "restored", then juvenile proceedings continue; if minors are determined to be "Not Restorable", then the minor may be referred for services and/or have his/her case dismissed.

A. Mental Health

Of the 10 youth referred to Competency Restoration Program (CRP), nine were Latino and one was Asian/Pacific Islander. The Asian/Pacific Islander and two of the Latino youth were deemed "Unrestorable". Four youth were "Restored" and three were dismissed

	White	Black	Latino	Asian/PI	Total
Total Youth Referred to CRP in 2013	0	1	6	0	7

Competency Findings 2013	White	Black	Latino	Asian/PI	Total
Restored	0	0	4	0	4
Unrestorable	0	0	2	1	3
Dismissed	0	0	3	0	3
Total Cases in Competency Restoration Program	0	0	9	1	10

B. Trauma Informed Juvenile Justice System Project

The Santa Clara County Juvenile Justice Court, in collaboration with the Santa Clara County Mental Health Department (MHD), the Department of Alcohol and Drug Services (DADS), the Probation Department, the District Attorney, the Public Defender, and the Alternate Defenders, received a \$250,000 grant from the Bureau of Justice Assistance (BJA) to serve 60 youth with Trauma-focused cognitive behavioral therapy (TF-CBT). The goal of this grant is to promote healthy family functioning, and create a trauma-informed justice system through training of all justice partners.

To identify the severity of trauma and PTSD in the target population, youth on Deferred Entry whose most recent offense is non-violent, the Mental Health Department implemented the UCLA PTSD Reaction Index assessment tool. This model was developed by the SAMHSA-funded National Child Traumatic Stress Network's Sexual Abuse Task Force and has been adapted for use with children who have experienced a wide array of traumatic experiences, including multiple traumas.

The treatment involves 16 weeks of individual counseling sessions with the child and the parent (or caregiver) and joint counseling sessions with the child and parent together. Individual sessions are designed to build the therapeutic relationship while providing education, skills, and a safe environment in which to process traumatic memories. Joint parent-child sessions are designed to help parents and children use the skills they learned while also fostering more effective parent-child communication about the abuse and related issues.

It is expected the treatment team will reach its goal of serving 60 youth by September 30, 2014, the scheduled end date of providing direct services. As of March, 2014, 14 youth have successfully completed the treatment module, 15 youth are currently still in treatment, and 12 left treatments before completion. In addition, supported, in part, by funding from this grant to establish a trauma informed system of care, a cross-agency systems team (CAST) has developed a Trauma-Focused Local Training Plan where justice system and community partners are trained on trauma-informed evidence based practices.

XII. Data Collection Methods

1) Arrest

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

The parameters for the data presented include: all arrests and citations that occurred in calendar year 2013. The data provided counts the number of youth arrested (duplicated), the offenses for which youth were arrested, and arrests 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) in Mainframe, with some data collected and stored the Juvenile Automation System (JASII) in Lotus Notes. 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: Admit 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 2013 came from the Probation Department JASII. The data includes youth who were referred and enrolled in the program during 2013. 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.

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 1/1/2013 and 12/31/2013. Using this data, we are able to determine how many felony, misdemeanor, and VOP cases the PDO and ADO opened in 2013, and how many were referred to the IDO.

6) Placement and Placement Alternatives

The data sources for 2013 disposition and place data include JRS, JAS and manually 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 receiving wraparound services during 2013. Data parameters for other alternatives include: File Number, hearing date, hearing result, gender and race/ethnicity.