Beyond the Bench 2013

“Juvenile Justice Reform- where are we now?”

CALIFORNIA

JUVENILE JUSTICE TRENDS UPDATE

December 2, 2013 - Anaheim, CA
Presented by David Steinhart
✓ Juvenile crime and incarceration trends
  ▪ Arrest and incarceration trends
  ▪ Juveniles tried & sentenced as adults

✓ Division of Juvenile Justice (DJJ) update

✓ Juvenile Justice Realignment—funding, county level issues

✓ The Board of State and Community Corrections
  ▪ The Juvenile Justice Standing Committee

✓ 2012-13 legislative update
California juvenile arrest and incarceration trends, and prosecutions of minors as adults
California Arrests of Juveniles 2012

- Felony violent: 9,437
- Felony other: 26,931
- Status Offenses: 16,392
- Misdemeanor: 67,960

Total Juvenile Arrests: 120,720

(down by 50% from 243,090 in 2002)

Source: California Department of Justice
California Juvenile Felony Arrests and Juvenile Felony Arrest Rate Per 100,000
1995-2012

Source: California Department of Justice (Rates updated 2012 (based on revised DOF at risk population for years beginning 2003).
California Arrests for VI OLENT crimes
Juvenile and Adult Arrest Rate Per 100,000
1995-2012

Source: California Department of Justice
(Rates for 2003-2012 based on revised DOF at risk population data)
California Juvenile Arrests for Misdemeanors and Status Offenses
1995-2012

Source: California Department of Justice
(Rates for 2003-2012 based on revised DOF at risk population data)

Commonweal
California Transfers of Juveniles to Adult Criminal Court 2004 - 2011

Source: California Department of Justice
Adult Court Dispositions of Juveniles - 2011
(N = 548 dispositions)

Convicted
461 (84%)

Dismissed, Acquitted or Rt’d to Juvenile Ct.
87 (16%)

State Prison
291 (63%)

DJJ Commitment
3 (<1%)

Probation
10 (2%)

Probation with Jail
140 (30%)

Jail
8 (2%)

Fine / Other
9 (2%)

Source: California Department of Justice.
California Juvenile Justice Facilities
ADP for juvenile justice (probation) placements
By placement type (4th quarter 2009 and 2012)

Total ADP 2009 = 13,910 : Total ADP 2012 = 10,390
Three year decline of 25%

Sources: CA Corrections Standards Authority, CA Division of Juvenile Justice, CA Department of Social Services (Berkeley Center for Social Services Research), latest available data.
Division of Juvenile Justice (DJJ)

Update and trends
California Division of Juvenile Facilities
Institutional Population
1996 - 2012 (as of December 31 each year)

Source: Ca. Dept. of Corrections & Rehabilitation
Downsizing the CA Div. of Juvenile Justice
Major Milestones 1996 - 2012

- **1996:** Sliding scale fees imposed for level V-VII commitments—CYA population drops swiftly
- **2000:** Proposition 21 opens new doors to adult court
- **2004:** Consent Decree in *Farrell* case vs. CYA—generates program costs that are catalysts for SB 81
- **2007:** SB 81 bans future commitments of non-707 youth
- **2010:** DJJ parole is realigned to county probation
- **2012:** Governor proposes to close DJJ, proposal dies but time adds are banned, age of jurisdiction is lowered
Annual Juvenile Court Commitments to DJJ
All Counties - 2003 through 2012

Juv. Court Commitments to DJJ
DJJ Institutional Population June 1, 2013
by Court and Type of Commitment
N= 762 inmates

- Juvenile Court 1st Commitments (590)
- County contract housing (40)
- Adult Court E & M Cases (129)
- Juv. Court Parole Violators (3) (too few to show on pie chart)

Source: CA Division of Juvenile Facilities, Research Div.
GOVERNOR’S EARLY 2012 PROPOSAL TO CLOSE DJJ COMPLETELY WAS SUCCESSFULLY OPPOSED BY COUNTIES. In lieu of closure, these downsizing controls were legislated:

- Disciplinary time adds to sentence were eliminated completely
- Top DJJ age of jurisdiction dropped from 25 to 23
- The county commitment fee was reinstated at $24,000 per ward per year (replacing a prior year fee of $125,000 that nobody liked)
- State DJJ parole ended January 2013—now conditions violations are processed locally under court and probation supervision
- No significant DJJ legislation compelling further downsizing was adopted in 2013
Juvenile Justice Realignment--

County level issues
Funding the CA Juvenile Justice System—
Annual costs and fund sources (2012)

State Div. of Juvenile Justice (DJJ)
Total budget $180 million

County Probation Juv. Justice facilities
and programs- total $1.7 billion

$180 million
State General Fund

$390 million
CA State Grants and Funds

$1.25 billion est.
County General Funds

$15 million est.
Federal Funds

Sources: CA State Dept. of Finance; CDCR (DJJ and the Corrections Standards Authority);
CA State Juv. Justice Commission (Master Plan, 2009)
State support for local juvenile justice operations under 2011-12 realignment

<table>
<thead>
<tr>
<th>Fund or Program</th>
<th>FY 12/13</th>
<th>FY 13/14</th>
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<tbody>
<tr>
<td>2007 Juv. Justice Realignment (SB 81)</td>
<td>$93 million</td>
<td>$103 million</td>
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<tr>
<td>Juvenile Probation Camp Funds- Camps</td>
<td>$29 million</td>
<td>$29 million</td>
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<tr>
<td>Juvenile Probation Camp Funds- Programs</td>
<td>$152 million</td>
<td>$152 million</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$387 million</strong></td>
<td><strong>$397 million</strong></td>
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Sources: CA Dept of Finance, Ca. State Association of Counties
DJJ Realignment implementation -- County issues and continuing challenges

- **State Auditor’s Report (Sep. 2012)** slams BSCC and Legislature on SB 81 (YOBG) performance measures and reporting

- **How are “realigned” juveniles doing at the county level?**
  - Performance and youth outcome data are generally lacking
  - We see varied county programs and uses of YOBG funds:
    - Special custody programs – e.g. Los Angeles “SB 81” camp
    - Juvenile halls increasingly used for commitments – a growing but poorly documented concern
  - Still unresolved: meeting mental health, other local treatment needs

- **State oversight of juvenile justice realignment**
  - BSCC has only limited oversight functions – in effect local courts and probation departments make their own spending & program decisions
Board of State and Community Corrections
Juvenile Justice Mission & Mandates

- BSCC Juvenile Justice mandates include
  - Grants administration: JJ CPA, YOBG, SB 81 construction, Gang grants, Fed. JJ funds
  - Facility standards and inspection (camps/ ranches, juv. halls, jails)
  - Data and technical assistance mandates
  - Broader leadership mission to promote best- and evidence-based practices
  - Dominant BSCC concern: adult prison realignment

- Juvenile Justice Standing Committee
  - Approved Jan.2013: new group to guide BSCC on JJ mandates and issues
  - Focus on system PERFORMANCE MEASURES and JJ DATA SYSTEMS
  - Coordination with the State Advisory Group on JJDP
Juvenile Justice legislation of interest

- **Sentencing law-**
  - SB 260 (Hancock) - Reviews of prison sentences by the Parole Board for prisoners whose crimes were committed as juveniles (signed into law).

- **Confinement conditions-**
  - SB 61 (Yee) - Solitary confinement, SB 716 (Lara) - PREA compliance (pending)

- **Delinquency counsel training-**
  - SB 166 (Liu) (pending)

- **Data and performance measures-**
  - AB 526 (2012), AB 1050 (Dickinson) - (signed into law)

- **Lifetime juv. sex offender registration-**
  - New proposals on tap for 2014?