

A Strategy for Creating a Model Juvenile Justice System for San Francisco

by Dan Macallair and Andrea Shorter

In November 1995, Willie Lewis Brown, the powerful former Speaker of the California State Assembly, was elected mayor of San Francisco in a landslide over incumbent Mayor Frank Jordan. Swept in by the City's overwhelming progressive vote on promises to restructure San Francisco's complex and often unaccountable maze of governmental bureaucracies, Mayor Brown made juvenile justice reform one of his top priorities.

Nowhere is the need for such sweeping change more evident than in the City's antiquated and feeble juvenile justice system. Long considered among the least accountable and most ineffective of City agencies, San Francisco's juvenile justice system has been the subject of citizen critiques, expert reports, and media exposés over the treatment of youths in its care for more than half a century. Although these revelations of abuse and mismanagement provoked initial outrage and denunciation, interest among city officials quickly faded once the stories disappeared from the headlines.

An examination of the various reports and analysis completed over the past three decades reveals startling consistency: San Francisco's juvenile justice system provides little in the way of meaningful services or interventions. Instead the system relies on a revolving door policy in which most youths are simply detained for a short period of time and then cycled back into the community with no follow-up or support.

Historical Overview

This revolving door approach was highlighted in a series of successive reports. In its 1962 review of the City's juvenile justice system, San Francisco's Juvenile Court Committee of the Bar Association concluded, "No program of rehabilitation or organized counseling exists for delinquents or dependents. As a result, children are released without any effective program tending to insure against their return."¹ A subsequent study in 1968 by the Bay Area Social Planning Council concluded "only a thorough reorganization of the entire system of juvenile justice will, in the long run, permit raising the quality of services for minors in this city to a totally acceptable level."²

The system's structural failings were reaffirmed in the heralded 1987 Jefferson Report, when consultants from the United States Justice Department found an almost unwavering emphasis on custodial confinement, even for minor and petty offenders. For example, when researchers evaluated the detention population using a risk-assessment scale developed by the National Advisory Committee for Juvenile Justice and Delinquency Prevention, they discovered that over half of these juveniles were unnecessarily detained, and that the high security detention population could be reduced to less than forty through the introduction of alternatives.³ Rather than reduce delinquent behavior, current policies and practices simply promote system-wide complacency and inertia.

Making the System Work

Making San Francisco's juvenile justice system work requires the adoption of a new organizational structure and direction. Under the new system, secure detention becomes just one element of a full continuum of services capable of providing comprehensive individualized interventions. According to Jefferson and Associates researchers:

A review of the recent policy and practices nationwide supports the much heralded but long delayed movement from institutional care to community-based programs as a principal means for reducing youth crime. Issues presented in the recent literature deal with substandard conditions of confinement and the high cost of secure care... and the need to forge a new partnership between the public and private sectors to build the community resources necessary to reduce youth crime.⁴

Rather than delivering direct services under the proposed new system, the probation department works in collaboration with local communities to "identify, procure, train, develop, monitor, reimburse, and evaluate a variety of direct services." The goal is to redirect resources toward a range of services delivered primarily through community-based programs. Interventions are designed:

- (1) to provide a humane and livable program environment that does not alienate, embitter, or harm youth; (2) to alter in a constructive fashion the

self-image, values, attitudes, skills, knowledge, or habits of youth (rehabilitation); (3) to establish or re-establish positive and supportive relationships between youth and relevant persons in the free community such as parents, teachers, employers, police, and peers (reintegration); (4) to maintain direct control over the behavior of youth during the period they are under agency jurisdiction.⁵

Under the proposed system, the probation department subcontracts with community-based agencies primarily located in the youths' community and neighborhoods. The main function of probation staff is to develop the capacity of community-based agencies to institute and maintain high-quality services and to reduce service fragmentation.

Because the juvenile justice system no longer has primary responsibility for abused and neglected youths or status offenders, resources under the new system should focus on high risk chronic offenders. Programming for serious and high risk offenders involves intensive case management, wraparound services, and flexible funding. Intensive case management is the vital coordinating component to individualized service. In some situations, this includes a full-time case manager and a part-time case monitor to maximize structure, support, and supervision. Intensive case management can involve up to three face-to-face daily visits.

To maximize the individualization of services according to the risk and needs of each youth, the new probation system will include wraparound services. First introduced in the mental health field for the treatment of severely emotionally disturbed youths, wraparound services provide for the purchase of specific services on an ad hoc, case-by-case basis, when the youth's needs cannot be met through existing services. Essential to the implementation of wraparound services are flexible funds. Flexible funding involves the maintenance of a pool of discretionary funding for the purchase of specialized services.

With the introduction of intensive case management, wraparound services, and flexible funding, the new system will offer a level of intensive service not currently available to its highest risk and neediest youths. Ultimately, for San Francisco to become a model system, its detention population must be reduced and a full range of pre and post adjudication residential and nonresidential programs established. Table One lists a continuum of services.

Evaluations of restructured juvenile justice systems show that the new service delivery systems are more effective and are operated at the same or lower costs than the old institutional systems. However, cost savings and program improvement occur only where there are sizable reductions in

institutional populations. Table Two and Three provide an analysis of the cost savings that would result from a smaller juvenile hall, while Table Four shows the potential programs that could be funded if the population in the Youth Guidance Center were reduced to fifty.

Once separated from their direct service responsibilities, public sector staff quickly adapt to their primary role of service-contract oversight. In the new system, roles are clearly separated, and the onus is on the contracted service provider to produce measurable outcomes.

A similar system to the one described is currently being implemented in the District of Columbia. In contrast to current national trends toward more

TABLE 1: COUNTY-BASED PROGRAM CONTINUUM FOR A JUVENILE DETENTION/PROBATION SYSTEM

Preadjudication Detention
Community-based multiservice intake units
Home Supervision
Staff secure shelter care
Post Disposition
Nonresidential
Restitution/community services
Vocational training/employment referral
Intensive tracking and monitoring
Day Treatment
Out-patient drug treatment
Crisis intervention/family counseling
Boys and girls mentoring services
Residential
Specialized foster care
Intensive staff-secure group home
Experiential stress/challenge program
Short and long term residential drug treatment
Secure-treatment program for violent and aggressive offenders
SOURCE: CENTER ON JUVENILE AND CRIMINAL JUSTICE

TABLE 2: COST ANALYSIS OF A 50-BED JUVENILE HALL

Present yearly operating cost of 135-bed	= \$5,864,354
San Francisco juvenile hall estimated yearly operating cost at current rates	= \$2,190,000
Estimated savings on current operating costs	= \$3,674,354
Source: Center on Juvenile and Criminal Justice San Francisco Juvenile Probation Department	

TABLE 3: COST ANALYSIS OF A 75-BED JUVENILE HALL

Present yearly operating costs of 135-bed	= \$5,864,354
San Francisco juvenile hall estimated yearly operating cost at current rates	= \$3,285,000
Estimated savings on current operating costs	= \$2,579,354
Source: Center on Juvenile and Criminal Justice San Francisco Juvenile Probation Department	

⁵ The fifty beds would be reserved for the small number of chronic and violent offenders who must remain in secure confinement. Presently of the approximately 3000 youths detained at the YGC on a yearly basis, only 30 to 35 are committed to secure custody following their disposition. Most are returned to their homes while the remainder are committed to non secure facilities. On a given day the YGC's B-5 unit for chronic or violent offenders holds between 25 and 30 youths.

punitive justice, the District has been quietly restructuring its juvenile justice system by closing its old detention centers and developing a range of nonresidential community-based programs supported by an array of residential options. The result has been a drastic reduction in the number of detained and institutionalized youths in the District and an improvement in the quality of services.

A strategy for implementing an effective juvenile justice system involves:

- Directing the limited resources of the juvenile justice system towards youth who are repeat offenders. Since 70% of youths who are arrested do not get arrested again, efforts directed at this population simply drain resources. Instead the department's limited resources should be directed at the 15% of youth who are arrested five or more times. This 15 % are the youths with the highest risk factors and are most in need of services. For public safety reasons, the system's resources should focus on this population.
- Implementing reforms swiftly and efficiently. Experience has shown that reform efforts are most effective and far reaching when they occur in a short period of time. When reforms are attempted over an extended period of time, resistance builds and the momentum quickly fades.

- Reducing the size of the juvenile hall population at the same time as new programs are put in place. The two must occur simultaneously or the effort will be quickly undermined.
- Waiting until after the changes are in place to develop a broad-based consensus. Because of the trepidation and resistance inherent in major structural changes, consensus occurs after major reforms are in place and various constituencies recognize their value.
- Establishing a leadership team with a vision of reform and extensive experience in the development, implementation, and maintenance of community-based services. No major structural changes have occurred in the juvenile justice field in the absence of a skilled and determined leader with a clear vision of how to constitute a new system.

Major structural changes in San Francisco's juvenile justice system are long overdue. Efforts to preserve the status quo by building a larger detention center or directing the system's limited resources toward low-risk first time offenders should be avoided. Instead the city should quickly move towards implementing a broad continuum of services capable of interrupting the cycle of delinquency and addressing the problems of society's highest risk youths.

- ¹ RALPH E. BOCHES ET AL., REPORT OF THE JUVENILE COURT COMMITTEE OF THE SAN FRANCISCO 54-55 (1962).
- ² BAY AREA SOCIAL PLANNING COUNCIL, SAN FRANCISCO JUVENILE COURT, THREE PHASE REPORT AND RECOMMENDATIONS OF THE STUDY COMMITTEE 5 (1975).
- ³ JEFFERSON AND ASSOC., & COMMUNITY RESEARCH ASSOC., CREATING A NEW AGENDA FOR THE CARE AND TREATMENT OF SAN FRANCISCO'S YOUTHFUL OFFENDERS 81 (1987).
- ⁴ JEFFERSON AND ASSOC., *supra* note 22, at 9.
- ⁵ LLOYD E. OHLIN ET AL., REFORMING JUVENILE CORRECTIONS: THE MASSACHUSETTS EXPERIMENT 23 (1978).

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TABLE 4: POTENTIAL PROGRAMS FUNDED THROUGH SAVINGS FROM 50-BED JUVENILE HALL

	Cost per Slot	Number of Slots	Estimated Number of Youth served Yearly	Average Length of Time in Program	Total Program Cost
Intensive Tracking & Monitoring	\$ 10,000	100	870	6 weeks	\$ 1,000,000
Day Treatment	\$ 15,000	50	100	6 months	\$ 750,000
Experiential Stress/Challenge Program	\$ 12,500	20	180	30 days	\$ 250,000
Specialized Foster Care	\$ 18,000	25	15	1 year+	\$ 450,000
Staff Secure Temporary Shelter Care	\$ 40,000	10	87	6 weeks	\$ 400,000
Total Average Cost Slot	\$ 19,100	205	1,252		\$ 2,850,000
<i>Available for Additional Programming & Services</i>					\$ 824,354
Source: Center on Juvenile and Criminal Justice					