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Report Update

AN UPDATE

Closing California's Division of Juvenile Facilities:

An Analysis of County Institutional Capacity

by

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I. Introduction

The Center on Juvenile and Criminal Justice (CJCJ) released *Closing California's Division of Juvenile Facilities: An Analysis of County Institutional Capacity* in May 2009 supporting the closure of the state's youth correctional system. This policy recommendation followed two recent reports by the Little Hoover Commission and the Legislative Analyst's Office that propose closure of the state youth correctional facilities and transferring responsibility of all remaining youth to the counties. CJCJ's report was in response to California's current fiscal crisis and sought to recommend a more modernized, coordinated, and effective juvenile justice system. CJCJ's analysis determined California counties have sufficient institutional capacity to absorb the existing population of youth in the state's youth correctional system, the Division of Juvenile Facilities (DJF).

The Department of Corrections and Rehabilitation's Division of Juvenile Facilities, the former California Youth Authority, is currently under a consent decree due to abusive conditions, systemic mismanagement, and ineffectual services (*Farrell v. Cate*, filed 2004). At the time of the report, DJF had made minimal progress in its reform efforts and advocates were urging the Court to place the system under a receivership. The closure of the state juvenile corrections system would eliminate the state's obligation under the Farrell litigation, resulting in a potential five million dollar budget reallocation to assist counties with the realignment and reducing the state's current deficit.

CJCJ's report found that county probation departments have expanded their institutional capacity over the past decade resulting in more modern high security facilities. Further, these facilities have sufficient bed space to absorb the current population at DJF, which has been in decline since 1996. CJCJ's analysis found significant county-by-county disparities in youth commitments to the DJF.

This update will further explore the possibility of realigning the responsibility of all youth to the county level in light of more recent data and highlight a California county that serves this high-need population within their existing facilities.

To read the *Closing California's Division of Juvenile Facilities: An Analysis of County Institutional Capacity* please visit:

http://www.cjcj.org/files/closing_californias_DJF.pdf.

II. Analysis

As of June 30, 2010, DJF houses 1,399 wards (Division of Juvenile Justice [DJJ], 2010b) in five institutions and one camp. The current annual per capita cost is approximately \$228,715 per ward (Department of Finance, 2009). An average length of stay for first commitments is 36.5 months, resulting in a total cost of nearly \$700,000 per youth, not including parole supervision costs (DJJ, 2009). Despite these unprecedented expenses, the DJF continues to make slow progress in implementing the major reform efforts required under the Farrell consent decree.

Along with their limited public safety value, four of the five state-run institutions are more than

40 years old and in a state of near collapse. State officials and independent experts estimate that California will need to spend nearly \$265 million in capital improvements and necessary repairs to these decrepit facilities. The state has allocated only \$15 million for these purposes, and that figure does not include the building of any new facilities. Since the state has agreed that replacing the facilities is necessary to comply with the current lawsuit, Californians will have to invest a further \$1 billion or more for new construction (Krisberg, 2009).

The demonstrated inability of DJF to institute mandated reforms despite unprecedented expenditures calls into question the wisdom of continuing the current course. Recent reports by California's nonpartisan Little Hoover Commission (LHC) and Legislative Analyst's Office (LAO) have called for the closing of the remaining DJF institutions and transferring full responsibility for the delivery of juvenile justice services to county probation departments.¹ Presently, county probation departments provide services to all but 1% of the youth that come into contact with the juvenile justice system in California. For most counties the population of youth currently within the DJF is well under one-hundred youth (See Table 1). CJCJ, as well as the LHC and LAO, advocate for returning responsibility for the remaining DJF wards to counties with a supplemental funding stream to subsidize the added responsibilities. The implementation for the realignment is already occurring on a smaller scale with the California legislator presently focusing on removing parole responsibility from DJF and providing counties \$15,000 per year per youth for this additional responsibility (Commonweal, 2010).

CJCJ's original report found that in 1996, statewide county juvenile institutional populations averaged 20,122 (CJCJ, 2009). By 2008, the average number of youths in county custody facilities declined to 13,955 (Corrections Standards Authority [CSA], 2008; CSA, 1999). Despite this decline, counties have added over 2,500 new institutional beds (CJCJ, 2009). Thus, many California counties now have modern, state-of-the-art facilities offering maximum, medium, and minimum-security settings. These county facilities have been developed based on a more recent understanding of therapeutic environments and best practices for rehabilitation, compared to the archaic and prison-like design of the DJF facilities.

There are several advantages to utilizing county facilities for the rehabilitation of serious juvenile offenders instead of congregate state institutions such as DJF. Treating youths within or close to their communities enables pre-established local support networks such as family, friends, teachers, religious congregations, community outreach groups and others, to continue their relationship with the youth. It also allows for community-based service providers to develop a working relationship with the youth while they are confined, thus increasing the efficiency of the re-entry transition and enabling providers to anticipate and address re-entry challenges before they occur. Keeping high-risk youths at the county level also allows for more flexibility to create a treatment program that could incorporate localized community concerns and individualized case planning. As a youth will most often return to the community in which they were having problems, this aspect of their rehabilitation is crucial and best addressed within those communities.

Another advantage of utilizing county facilities is the ability to offer a graduated release plan. As identified in CJCJ's original report, currently youths released from remotely located DJF high security institutions are simply returned to the community with minimal services and few

¹ As of August 2010, the DJF operates five youth correctional facilities and two youth conservation camps.

options. Instead, newly renovated county facilities offer graduated levels of custody within the local area.

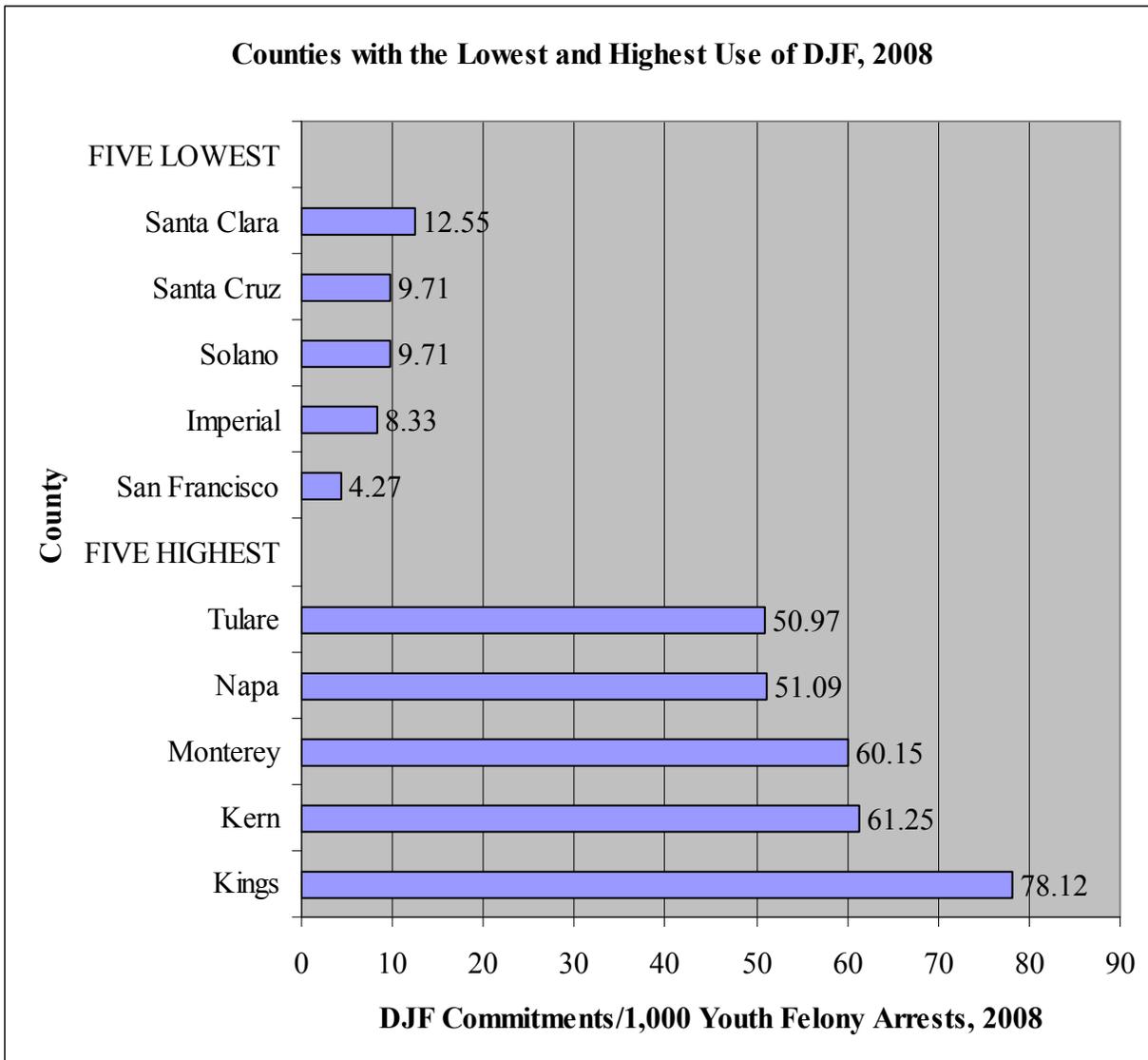
These facilities have sufficient bed space to absorb the current population at DJF. Many of these facilities, including high security facilities, remain below capacity. The most recent Corrections Standards Authority (CSA) statistics indicate in June 2008 there were 2,731 vacant beds within the state's county detention facilities. At that time, the entire DJF population was 1,896 allowing for sufficient county institutional beds to house this population (DJJ, 2008a). Currently, the state's youth correctional facility population has dwindled to an unprecedented low of 1,399 (DJJ, 2010b).

| County | County juvenile detention 2008 | | | DJF population | | County space with DJF wards returned | |
|--------------------------|--------------------------------|----------------------|-----------------|----------------|------------|--------------------------------------|-----------|
| | Rated capacity | Detention population | Space available | Jun. 08 | Jun. 10 | 2008 | 2010 |
| | Los Angeles | 4,144 | 3,210 | 934 | 471 | 424 | 463 |
| Riverside | 604 | 388 | 216 | 108 | 55 | 108 | 161 |
| Tulare | 330 | 187 | 143 | 59 | 0 | 84 | 143 |
| San Francisco | 234 | 137 | 97 | 6 | 6 | 91 | 91 |
| Santa Clara | 550 | 437 | 113 | 56 | 24 | 57 | 89 |
| San Bernardino | 640 | 498 | 142 | 126 | 59 | 16 | 83 |
| San Diego | 1,015 | 850 | 165 | 132 | 85 | 33 | 80 |
| Ventura | 280 | 207 | 73 | 33 | 12 | 40 | 61 |
| Madera | 134 | 73 | 61 | 8 | 6 | 53 | 55 |
| Yuba | 120 | 63 | 57 | 2 | 3 | 55 | 54 |
| Santa Barbara | 252 | 186 | 66 | 18 | 23 | 48 | 43 |
| Imperial | 72 | 35 | 37 | 6 | 1 | 31 | 36 |
| San Mateo | 274 | 218 | 56 | 31 | 24 | 25 | 32 |
| El Dorado | 80 | 51 | 29 | 0 | 2 | 29 | 27 |
| Solano | 148 | 116 | 32 | 12 | 15 | 20 | 17 |
| Shasta | 101 | 78 | 23 | 14 | 6 | 9 | 17 |
| Santa Cruz | 42 | 22 | 20 | 4 | 8 | 16 | 12 |
| Stanislaus | 158 | 134 | 24 | 31 | 12 | -7 | 12 |
| Monterey | 193 | 145 | 48 | 58 | 37 | -10 | 11 |
| San Luis Obispo | 45 | 35 | 10 | 4 | 3 | 6 | 7 |
| Kings | 115 | 91 | 24 | 30 | 18 | -6 | 6 |
| Butte | 60 | 53 | 7 | 10 | 5 | -3 | 2 |
| Yolo | 80 | 73 | 7 | 1 | 7 | 6 | 0 |
| Napa | 40 | 41 | -1 | 6 | 6 | -7 | -7 |
| San Joaquin | 224 | 206 | 18 | 35 | 26 | -17 | -8 |
| Alameda | 440 | 368 | 72 | 95 | 82 | -23 | -10 |
| Contra Costa | 290 | 273 | 17 | 43 | 51 | -26 | -34 |
| Fresno | 590 | 537 | 53 | 114 | 100 | -61 | -47 |
| Orange | 953 | 926 | 27 | 89 | 75 | -62 | -48 |
| Sacramento | 496 | 488 | 8 | 50 | 61 | -42 | -53 |
| Kern | 433 | 463 | -30 | 92 | 112 | -122 | -142 |
| <u>27 other counties</u> | <u>843</u> | <u>650</u> | <u>193</u> | <u>133</u> | <u>126</u> | <u>60</u> | <u>67</u> |
| Total | 13,980 | 11,249 | 2,731 | 1,877 | 1,474 | 854 | 1,257 |

Source: CSA, 2008; DJJ, 2008b, 2010a

CJ CJ’s original analysis found significant county-by-county disparity in youth commitments to the DJF in 2007 (CJ CJ, 2009). Figure 1 shows that the five leading commitment counties in December 2008 send an average of six times more youths per felony arrest to DJF facilities compared to the five least committing counties. It is important to note El Dorado and Yolo counties had zero admissions to DJF despite the felony arrests that occurred within their jurisdiction (DJJ, 2008c). The continued reliance of some counties on placement at DJF creates a geographical disparity in development and utilization of community based resources. As CJ CJ’s original report suggests, returning responsibilities to the counties for all juvenile justice youth will eliminate this geographical disparity and spur innovation among high committing counties (CJ CJ, 2009).

Figure 1



(Source: DJJ, 2008c; CJSC, 2010)

Transferring responsibility to the counties for the remaining DJF population will require county collaborations since jurisdictions differ in their institutional capacity and reliance on institutional facilities. For the small number of violent wards now confined in state correctional facilities, it

may be necessary for counties with limited institutional space to contract with neighboring counties with surplus institutional space. The surplus detention capacity of several urban counties, including Los Angeles, suggests high-security detention space and flexible capacity to hold peak-population fluctuations is achievable on a regional basis (see Table 1). Part of the savings to the State resulting from closing DJF can be re-appropriated to counties to upgrade local facilities, staff, and services where needed.

III. Model County Example

Santa Clara County’s Enhanced Ranch Program demonstrates a probation department’s ability to serve the highest-risk youth within their existing county-based detention facilities. In 2006, Santa Clara County Probation Department initiated the implementation of cognitive-behavioral treatment at the William F. James Boys Ranch and the Muriel Wright Center. This redesign was due to a “40% failure rate among wards in the ranches, a high number of incidents that occurred at the ranches, the feeling the old Ranch didn’t promote the growth of detained youth, and a high recidivism rate upon return to their homes” (National Council on Crime and Delinquency [NCCD], 2009, p.1). The targeted population served at these two facilities is high-risk, high-need youth with gang affiliations, substance abuse issues, and significant criminal histories (NCCD, 2009). Through redesigning the program at the existing county detention facilities and maximizing community-based services, Santa Clara County has remained amongst one of the five counties with the lowest rate of DJF commitments.

The enhanced ranch program now employed at the Muriel Wright Center emphasizes:

- ~Critical Thinking
- ~Reasoning Skills
- ~Independent Living Skills
- ~Anger Management Skills
- ~Conflict Resolution Skills
- ~Vocational Skills
- ~Enhanced Educational Services
- ~Family Reunification Skills
- ~Substance Abuse Counseling

(Santa Clara County Probation Department, 2009)

To provide these services, the Muriel Wright Center collaborates closely with several different agencies, including local community based organizations. Since the implementation of the enhanced ranch program in August 2006, the National Council on Crime and Delinquency issued a report finding:

Outcome measure[s] show that while at the Ranch, the previous ranch participants had a higher percentage of violations and failures (47%) compared to Enhanced Ranch participants (25%), more probation violations (23% to 8%), and more new arrests (24% compared to 17%). Within 12 months of exiting the ranch previous ranch participants had more violations and failures (42%) compared to Enhanced Ranch youth (37%), more probation violations (11% to 9%), and new arrests (31% compared to 28%). (NCCD, 2009, p.2).

This example demonstrates that counties can successfully implement innovative practices at existing detention facilities to serve the youth that would be generally sent to the DJF. Youth that remain at the local level minimize the multitude of challenges that arise throughout the community reintegration process. Increasing the county’s ability to serve high-risk, high-need

youth at the local level allows pre-release planning, with community-based service provider involvement, to initiate upon confinement. This enhances the treatment plan and success for both the youth and their families.

IV. Conclusion

In conclusion, CJCJ's original report *Closing California's Division of Juvenile Facilities: An Analysis of County Institutional Capacity* released in May 2009 demonstrated the institutional capacity to absorb the existing population confined at DJF. This recommendation addresses the State's current economic crisis, as well as DJF current inability to maintain a rehabilitative system for only 1% of the state's youthful offenders.

Santa Clara County is an excellent example of a juvenile probation department utilizing existing detention space to accommodate high-need high-risk offenders that would otherwise be confined at DJF. The reduction of violence within the facilities is one indication that this new model is successful.

This update indicates that County realignment remains a viable option for the state to consider when analyzing juvenile justice reform options. With the DJF's population dwindling and the potential to remove parole services from their jurisdiction, there is a heightened need to explore the county realignment as a viable option for California to achieve juvenile justice reform.

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