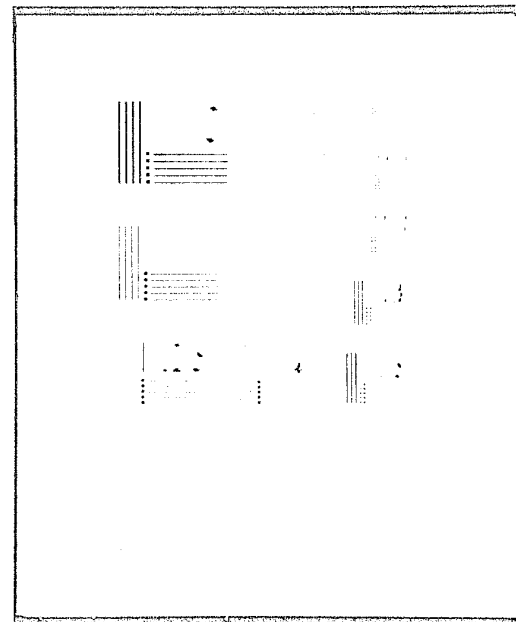


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## THE SAN DIEGO DETENTION CONTROL STUDY August 1974 to July 1975

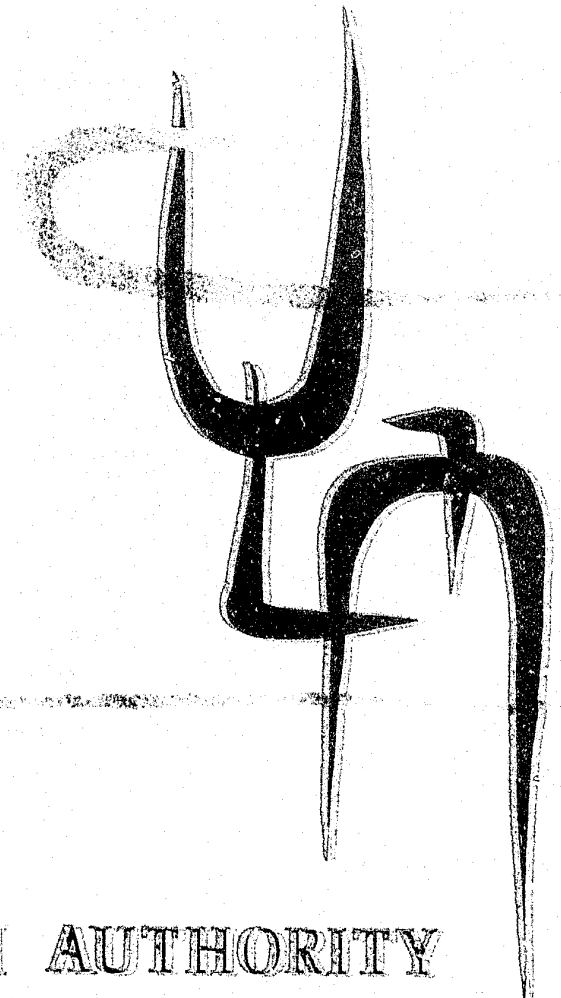
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CALIFORNIA

YOUTH AUTHORITY



State of California

EDMUND G. BROWN, JR.  
GOVERNOR

Health and Welfare

MARCO OBANDO  
SECRETARY



# Department of the Youth Authority

KEITH S. GRIFFITHS  
Chief of Research

ROBERT F. WEDGE  
Associate Social Research Analyst

RA. J. DEERING  
Senior Clerk Typist

KATHY SHERMAN  
Clerk Typist III

over by: Wayne Kubo

ALLEN F. NEED  
DIRECTOR

GEORGE R. ROBERTS  
CHIEF DEPUTY DIRECTOR

C. A. ERIKSON  
DEPUTY DIRECTOR

AROLE AND  
INSTITUTIONS BRANCH

ROBERT L. WILH  
DEPUTY DIRECTOR  
PREVENTION AND COMMUNITY  
CORRECTION BRANCH

ROBERT H. M. BBU T,  
DEPUTY DIRECTOR  
MANAGEMENT SERVICES BRANCH

JAMES C. W. NETT,  
DEPUTY DIRECTOR  
PLANNING, RESEARCH, EVALUATION  
AND DEVELOPMENT BRANCH

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## HIGHLIGHTS

The primary objective of San Diego County's Detention Control Program was to reduce overcrowded conditions in its juvenile hall. To achieve this objective, a policy was instituted on August 1, 1974 to divert 601 status offenders from detention. This paper reports the results of that policy during its first twelve months of operation.

Findings

- Overcrowding in the juvenile hall was eliminated during the first month of the program. Population remained below capacity for the duration of the study period.
- Presumably as a result of the program, police arrests in the 601 category decreased while the number of 602 arrests remained about the same.
- Bookings of 601s into the hall decreased 64.4%, and detention of booked 601s decreased 81.8%. Bookings of 602s decreased 22.2%, but the percentage of booked 602s who were detained increased by 25.7%.
- Average length of stay in the juvenile hall increased 19%, from 8.9 to 10.6 days.
- Probation experienced several benefits from the program, including reduced hall population and caseloads, financial savings, and increased staff morale.
- Law enforcement and community agencies have expressed mixed feelings toward the program. Law enforcement is concerned that probation may be failing to meet its responsibilities in dealing with youths in trouble. Some community agencies have experienced an unwelcome

(and financially unsupported) increase in intake. Others who received few additional cases, are concerned that diverted youths are not receiving help with their problems.

- Of the total cases diverted from the probation system, 31% were re-referred within six months.
- The six-month failure rate was 22.5% for those cases initially detained by DCU, but subsequently released by regular probation intake, and 33.9% for those cases diverted without detention.

#### Recommendations

- Diversion programs should have built-in monitoring and evaluation systems. Such systems would provide accurate data on the efficacy of diversion, the kinds of youths benefitting most from diversion, and those youths who may require detention and regular probation services in order to increase probability of success.
- Some recognition should be made of the problems created by the diversion program for law enforcement and community agencies in San Diego County. Law enforcement has been required to increase its own diversion efforts and would benefit from training and assistance by the county. Community social agencies, most of which operate on inflexible annual budgets, have had to accept additional cases as a result of diversion. Money saved by probation through diversion could be shared with local agencies to help offset this additional burden.

## THE SAN DIEGO DETENTION CONTROL STUDY FINAL REPORT, DECEMBER 1975

In August of 1974, the San Diego County Probation Department implemented a new policy designed to reduce overcrowding in the juvenile hall. A reduction in hall population was to be accomplished through the diversion of less serious status offenders from detention. Status offenders are juveniles charged with offenses contained under Section 601 of the Welfare and Institutions Code, such as truancy, runaway, or being beyond control in the home or school. The Prevention and Community Corrections Branch of the California Youth Authority (CYA), in its legislatively mandated role as monitor of standards in probation systems, assumed the responsibility of evaluating the effectiveness of the new policy. The task of preparing evaluation reports was assigned to the CYA Research Division. To date, three quarterly reports have been compiled. This paper represents the fourth and final report, covering the first twelve months during which the detention control policy was in effect, August 1974 through July 1975.

#### BACKGROUND

In the course of the 1974 annual inspection of juvenile halls, CYA Prevention and Community Corrections consultants determined that overcrowding had become a serious and chronic condition in the San Diego County Juvenile Hall. As a result, the CYA Director notified San Diego's Chief Probation Officer that the county's juvenile hall was to be disapproved for the detention of minors due to failure to comply with maximum population standards set by the Youth Authority. To alleviate overcrowding, a detention control policy was placed in effect regulating the detention of juveniles. To implement the new policy, the Detention Control Unit was created and put into operation in the Juvenile Hall.

According to Robert L. Smith, Chief of the CYA's Prevention and Community Corrections Branch, "San Diego initiated one of the more significant uncontrolled experiments in the history of juvenile detention in California."<sup>1</sup> Smith went on to state that the new policy "addresses the issue of what we should do with 601s; i.e., take them out of the criminal justice system or keep them in and provide alternative services."

The new policy was designed and implemented as a result of the state's pressure to comply with juvenile hall population standards. However, the concept of keeping 601 cases out of detention facilities was not new to the San Diego Probation Department administrators. For some time, the Chief Probation Officer had been trying to establish just such a policy but had met continual opposition from those who felt that it was probation's role to treat these offenders. As a result, the pressure exerted by the state was an impetus for establishing a diversion program for 601 offenders.

The 601 W&I Code offender category has long been viewed negatively by members of probation. The "601 - beyond control" category has been considered to be a catch-all; e.g., when unable to substantiate a 602 charge against a troublesome youth, there was a tendency to charge him with 601 - beyond control, often on the testimony of the parents alone. Many probation and police officers dislike handling these cases, which often require several hours of counseling and mediation with families.

Diversion of status offenders has been implemented in other probation departments such as those in Sacramento and Santa Clara Counties. The trend

<sup>1</sup>The program was indeed an "uncontrolled experiment." The program was designed to fulfill a specific need on an immediate basis; that is, the reduction of juvenile hall population. The program did not include controlled methods lending themselves to rigorous analysis. This shortcoming has limited the kind of evaluation that could be made of the program.

toward diversion is rapidly developing throughout California as a result of Congress' Juvenile Justice and Delinquency Prevention Act of 1974. This act is designed to provide grant money<sup>2</sup> to state and local government agencies to assist in the development of programs for the separation of status offenders from delinquent offenders or for the deinstitutionalization of status offenders (OCJP, 1975). In order to be eligible for grant money, in the words of the act, California must "provide within two years after submission of the Plan [by July 1, 1977] that juveniles who are charged with or have committed offenses that would not be criminal if committed by an adult, shall not be placed in juvenile detention or correction facilities, but must be placed in shelter facilities." Shelter facilities are temporary care facilities in a physically non-restrictive environment, to be used for periods of up to 30 days while longer-range plans are arranged. The California Council on Criminal Justice has recommended the undertaking of a major study to determine the problems and effects of removing status offenders from secure facilities.

This report on San Diego County's Detention Control Program provides preliminary information regarding the effect and impact of diversion that may serve as a guideline for evaluation of diversion programs as they develop in other California county probation systems.

#### THE DETENTION CONTROL PROGRAM

Detention control went into effect in the San Diego County Juvenile Hall on August 1, 1974. The basis of the program was to refrain from detaining minor offenders coming under the 601 section of the W&I Code, which would have the immediate effect of reducing the juvenile hall population. The written guidelines prepared for the Detention Control Unit (DCU) state that "the spirit of detention

<sup>2</sup>As of November 17, 1975, \$680,000 in grant money was available.



should comply with Section 626 of the W&I Code, which reflects 'in determining which disposition of the minor he will make, the officer shall prefer the alternative which least restricts the minor's freedom of movement, provided such alternative is compatible with the best interest of the minor and the community'."

The DCU's screening procedures have been designed so that youths who are currently wards of the court (i.e., already on probation) will not be detained in the juvenile hall unless they have been charged with a provable felony. Status offenders brought to the hall by law enforcement are accepted, but are generally held only until diversion or transportation home can be accomplished. Booking into the hall is approved only for certain status offenders: those with significant runaway histories and who are considered likely to flee, those where a CYA hold is in effect, and transient cases.

In order to better comprehend the role played by the DCU, it may be helpful to describe the probation process as generally followed in San Diego County. Following is a listing of the options available at various points in the system.<sup>3</sup>

Most referrals to probation come from law enforcement agencies. The police have the following options in handling a case:

1. Handle informally; counsel and release to parents.
2. Handle informally; refer youth to a community agency.
3. Refer to probation; release the youth on a promise to appear (PTA) at the probation department; if a ward of the court, his case would go before his regular probation officer; if not a ward, his case would go to regular intake.

4. Refer to probation; place youth in custody and transport to the juvenile hall for booking; whether ward or non-ward his case is screened by the DCU.

The DCU has several options at its disposal. It is at this point that the detention control policy takes effect. The DCU may:

1. Counsel and release the youth to parents.
2. Refer the youth to a community agency.
3. Release non-wards (those not currently on probation) with a promise to appear before regular intake; release wards with their case to be handled by their probation officer.
4. Book the youth into the juvenile hall; if booked, a petition must be filed within 48 hours or the youth must be released; if detained, the youth must have a detention hearing within 72 hours; DCU can only detain youths on its own authority for 72 hours.

Referrals not brought to the hall for booking but ordered to appear before regular intake or their own probation officers may also be released with no further action. Options available at this point are:

1. Counsel and release.
2. Place the youth under informal supervision for six months.
3. Release the youth on PTA and file a petition.
4. Place youth in custody, file a petition, and send youth to a detention hearing to determine the need for continued detention.

Whether the youth appears before intake or DCU, a decision must be made to release the youth or file a petition. Once a petition has been filed, it must be decided whether to release on a promise to appear, or to detain until the court hearing (which by law must occur within 15 days). If the court makes a

<sup>3</sup>Thanks go to Lon Swank, Supervisor of the DCU, for suggesting this method of describing the probation process.

true finding on a petition, it may release the youth on probation or order detention in the hall or some other facility.

#### OBJECTIVES OF THE STUDY

One of the major intents of this report is to evaluate how effectively San Diego County has achieved its objective of eliminating overcrowded conditions in its juvenile hall. In the process, a number of interesting questions arise regarding the impact of a detention control policy on a county juvenile justice system. This report, then, will also attempt to answer the following related questions:

1. What effect has the detention control policy had on the detention of 601 cases?
  - a. How many 601s were diverted from detention?
  - b. For what kinds of offenses were 601s detained?
2. As a result of the policy to release 601s, has the number of 602 detentions increased?
3. What alternatives to detention are being used for 601s?
4. What percentage of 601 diversions are being subsequently referred to probation as 602s?
5. What has been the impact of the policy on law enforcement and community agencies?

#### RESEARCH PROCEDURES

When the DCU began operation, CYA Research staff had not had the opportunity to assist in the design of an evaluation component for the program. San Diego County instituted its own data collection and reporting system and made its data available to CYA staff.

These data included: (a) monthly reports enumerating juvenile hall bookings and dispositions; (b) monthly reports on number of referrals to probation; (c) a deck of computer cards containing process data from the Detention Control Statistical Report; and, (d) a computer tape containing information on all non-ward referrals to the probation department. These reports were collected dating back to 1972 in order to obtain baseline data on the number of subjects referred to probation and kinds of decisions made prior to the implementation of the new policy. Other data pertaining to law enforcement arrests and resulting dispositions were obtained from the files of the state's Bureau of Criminal Statistics.

The evaluation design used in this report compares conditions prevailing during the DCU's operation with those previously existing; e.g., statistics for the twelve months of DCU operation under study, August 1974 through July 1975 are compared with the twelve-month period immediately preceding, August 1973 through July 1974. For ease in presentation, the data have been grouped in three-month periods. This format smoothed out sporadic fluctuations in numbers without obscuring any trends in the data. Statistics for the years 1972 and 1973 were quite similar to those for the twelve-month pre-DCU period and, therefore, were excluded from the tables for clarity and simplicity.

To obtain information regarding the perceived impact of the program on the community, interviews were held with key members in the probation department: the director of juvenile services, the juvenile hall superintendent, the DCU supervisor, and the departmental research analyst. To obtain a sample viewpoint from law enforcement, interviews were held with members of the juvenile division of the San Diego City Police Department. Information was additionally obtained from representatives of a number of randomly selected community agencies.

# FINDINGS AND IMPACT OF DETENTION CONTROL

## Juvenile Hall Overcrowding

According to data provided by San Diego Probation, the average daily attendance (ADA) in the juvenile hall exceeded the rated capacity during every month from September 1972 through July 1974. These data leave one wondering what living conditions in the hall must have been like, for instance, in March 1974, when the ADA was 329, or 124 over the maximum capacity of 205.

Table 1 shows the ADA for the twelve months preceding the initiation of the detention control policy (the pre-DCU period) and the first twelve months of detention control operation (the DCU period).

Table 1

Juvenile Hall Average Daily Attendance  
Before and During DCU Operation

Period	Hall Capacity	ADA	Number Over/Under	% Over/Under
PRE DCU PERIOD				
Aug. '73-Oct. '73	205	252	+47	+22.9
Nov. '73-Jan. '74	205	278	+73	+35.6
Feb. '74-Apr. '74	205	318	+113	+55.1
May '74-Jul. '74	205	298	+93	+45.4
DCU PERIOD				
Aug. '74-Oct. '74	197	170	-27	-13.7
Nov. '74-Jan. '75	201	173	-28	-13.9
Feb. '75-Apr. '75	204	187	-17	-8.3
May '75-Jul. '75	204	192	-12	-5.9

Note. The hall capacity decreased during DCU due to transferring the use of some sleeping facilities to interview rooms. An increase occurred when a room used for sewing by inmates was converted to sleeping facilities.

In August 1974, the first month of DCU operation, the juvenile hall ADA dropped below capacity for the first time in two years. The ADA remained below capacity during the entire DCU period. The ADA appears to have progressively increased in each of the four DCU periods, but the hall was still under capacity during the final reported period. Data collected for another study showed the ADA for August 1975 to have been 183, suggesting that the upward curve in population seems to have stabilized for the time being.

One effect accompanying reduction in hall population has been a slight increase in the average length of stay. During the pre-DCU period, juveniles spent an average of 8.9 days in confinement; during the DCU period the average stay was 10.6 days, a 19% increase. This can most likely be accounted for by the fact that during the DCU period the hall population was comprised of fewer numbers of less serious offenders and increased numbers of 602 offenders, who often require more lengthy confinement. For example, during May to July 1975, the ratio of 602s to 601s among new detentions was 13 to 1, whereas it had been 4 to 1 in July 1974.

The primary objective of the detention control policy to reduce overcrowding in the juvenile hall was satisfactorily achieved. The next question to be looked at is "How was the reduction in juvenile hall population accomplished?"

## Arrests and Referrals to Probation

Referrals to probation originate primarily with law enforcement agencies.<sup>4</sup> Number of referrals should be directly related to number of juvenile arrests. Table 2 shows the number of arrests occurring before and during DCU operation. Also shown is the number of arrestees who were referred to probation in each period.

<sup>4</sup> During the first six months of detention control, 91.1% of the referrals came from law enforcement. Parents accounted for 1.3% of the referrals. No referrals were listed as coming from schools. It is probable that when schools had a problem youngster, they first contacted law enforcement, who, in turn, made the referral to probation.



Table 2

Juvenile Arrests and Referrals to Probation By San Diego  
Law Enforcement Prior to and During DCU Operation

	One Year Period Prior to DCU		One Year Period During DCU		% Change
	<u>n</u>	Mo. Ave.	<u>n</u>	Mo. Ave.	
Total Juvenile Arrests	30,984	2,852	30,069	2,506	-2.9
Total Referrals to Probation	15,250	1,271	14,846	1,237	-2.7
% Arrestees Referred	49.2		49.4		
Total 601 Arrests	8,264	689	6,809	567	-17.7
No. 601 Cases Referred to Probation	3,979	332	3,079	257	-22.6
% 601s Referred	47.8		45.2		
Total 602 Arrests	22,720	1,893	23,260	1,938	+2.4
No. 602 Cases Referred to Probation	11,271	939	11,767	981	+4.5
%602s Referred	49.6		50.6		

The actual number of juvenile arrests occurring within the two periods changed very little, decreasing only 2.9%. This decrease occurred in spite of an increase in the juvenile population in San Diego County. The number of juveniles aged 10 to 17 increased from 1974 to 1975 by 1.3%. The number of youths arrested for 601 offenses decreased 17.7%, from an average of 689 to 567 per month. As a result of fewer 601 arrests, the absolute number of 601 referrals to probation also decreased during the DCU period. However, the proportion of 601 arrestees who were referred only decreased from 47.8 to 45.2%. The data indicate a change in police policy in that markedly fewer formal 601 arrests were being made during the DCU period, but also mean that when police did arrest and charge a youth with a 601 offense, it remained just as likely that they would refer the youth to probation.

After the detention policy was initiated, it became known among law enforcement agencies that the juvenile hall would make every effort to release 601 cases, unless detention was necessary for the safety of the youth or the community. A concern was expressed among probation staff that law enforcement might tend to escalate some 601 offenses to 602 charges to ensure detention in the juvenile hall.

The total number of youths arrested for 602 offenses increased slightly by 2.4%. However, this is in line with the general increase in the juvenile population. The proportion of 602 arrestees who were referred to probation increased one percentage point, from 49.6 to 50.6%. Another way of looking at arrest figures is to consider the rate of arrests within the population. The monthly arrest rate during the pre-DCU period was 12.0 per 1,000 youth population. During DCU, the monthly rate decreased to 11.4 per 1,000. The 601 arrest rate decreased from 3.2 to 2.6 per 1,000. The 602 arrest rate was 8.8 in both periods. The data do not indicate a trend towards increased 602 charges by law enforcement.

#### Bookings Into The Juvenile Hall

This section discusses the number of youths booked into the juvenile hall; that is, those brought to the receiving unit and whose names were entered in the official records. Not all referrals to probation are actually brought to the juvenile hall; some are called "paper referrals." These are youth who, having come into contact with law enforcement or other agencies, agree to appear before the intake unit on a specified date when it is determined if they should be placed on probation. The remainder are brought to the hall by referring agencies for the purposes of detention. These youths are booked and their

cases screened by the DCU to determine whether diversion or detention is more appropriate.<sup>5</sup>

Table 3 shows the number of youths booked into the hall before and during DCU operation and the percentage of those subsequently ordered detained. The total number of youths booked into the hall was 10,237 during the pre-DCU period and 6,266 during DCU, a decrease of 38.8%. In light of the fact that the number of police referrals to probation was essentially unchanged during the two periods (see Table 2), this decrease in bookings provides added evidence to the fact that the detention control policy was successful in diverting youth from confinement. The 64.4% decrease among 601 bookings was especially dramatic. Bookings of 602 cases decreased 22.2%.

Table 3

Number of Youths Booked Into Juvenile Hall and Ordered  
Detained Before and During DCU Operation

	Total Bookings			601 Bookings			602 Bookings		
	Before DCU	During DCU	% Change	Before DCU	During DCU	% Change	Before DCU	During DCU	% Change
No. of Bookings	10,237	6,266	-38.8	4,030	1,436	-64.4	6,207	4,830	-22.2
No. Detained	2,688	2,420	-10.0	892	162	-81.8	1,796	2,258	+25.7
% of Bookings Detained <sup>a</sup>	26.2	38.6		22.1	11.3		28.9	46.7	

Note. Total bookings in Table 3 are less than total referrals to probation in Table 2 since not all referrals are booked into the juvenile hall.

<sup>a</sup>Change in percentage detained between periods statistically significant:  
Total Bookings - Chi-square = 278.52, df=1, p<.001  
601 Bookings - Chi-square = 80.24, df=1, p<.001  
602 Bookings - Chi-square = 371.09, df=1, p<.001

<sup>5</sup>In some cases youths received at the hall are not booked. If diversion is considered appropriate and can be accomplished immediately, the youth is placed in a holding room without booking until he or she is picked up by a responsible person. In the case of transients or when parents cannot be contacted, the youth must be booked if he is to remain at the hall for more than three hours.

The decrease in bookings led to an overall 10.0% decrease in the absolute number of cases detained in the juvenile hall. However, the decrease in detentions occurred only for 601 cases, of whom 81.8% fewer cases were detained during the DCU period. Detentions for 602s increased in the same period by 25.7%. The diversion program seemed to have the effect of increased likelihood of detention for 602 referrals booked into the hall. In addition, youths who were booked were likely to spend more time in detention (average stay increased during the DCU period from 8.9 to 10.6 days).

#### Detention Control Dispositions

Whether or not a referral is to be detained in the juvenile hall is a decision made by the Detention Control Unit. If the referral is a ward of the court, the DCU must decide whether to book and detain the ward or release him on his promise to appear. If the referral is a non-ward, DCU determines whether to book and detain, release on a promise to appear, or divert from probation through referral to another agency or outright release.

Table 4 shows the various dispositions made on 601 and 602 referrals to the DCU during its first twelve months of operation. Dispositions include detained, promise to appear (PTA), closed (counselled and released, arranged transportation home), and other. The "other" category includes those cases that were referred to DCU, but where a disposition was not formally made by the unit. The youths were not detained and their cases may have been handled informally both within and outside the probation system.

The data show a great variation in the percentages of 601 and 602 cases receiving each kind of disposition. The DCU ordered detention and PTA less often for 601 than for 602 cases. The 601 youths were more often counselled and released or handled in some other informal manner without the necessity of detention.

Table 4

Disposition of 601 and 602 Referrals to  
DCU, August 1974 to July 1975

	Total	Disposition							
		Detained		PTA <sup>a</sup>		Closed <sup>b</sup>		Other	
		<u>n</u>	%	<u>n</u>	%	<u>n</u>	%	<u>n</u>	%
Total Referrals	7,150	5,057	70.7	961	13.4	501	7.0	631	8.8
601	1,953	1,112	56.9	109	5.6	369	18.9	363	18.6
602	5,197	3,945	75.9*	852	16.4*	132	2.5*	268	5.2*

Note. Table includes only those cases referred to DCU for purposes of detention.

<sup>a</sup>Includes "paper referral" cases.

<sup>b</sup>Includes counsel and release, refer to community agency, arrange transportation.

\*Difference between 601 and 602 categories significant;  $p < .001$ .

Table 5 outlines the dispositions made by DCU, with referrals grouped by type of offense. These data answer questions about what kinds of offenders were being detained, and what kinds were most often released or diverted. Those most often detained were youth charged with a failure to appear (97.7%). Detention was considered necessary for these youths because they had already proven their unreliability by failing to return to intake or court proceedings after a previous PTA disposition had been made in their cases.

According to the DCU operations manual, the decision to detain a youth is related to the seriousness of the offense or the likelihood that the youth will flee to avoid further contact with the authorities. Among criminal offenders, most often detained were those committing violent crimes (91.1%), miscellaneous felonies (90.1%), sex offenses (90.0%), and property crimes (78.0%). Among 601 offenders, runaways with non-local home addresses were most often detained (74.8%),

primarily because of the difficulty of having them returned to their parents' custody.<sup>6</sup> Local runaways, who could be returned to their homes with less difficulty, were detained less often (39.4%). Those 601 cases detained least often were beyond controls (36.3%) and local runaways (39.4%). Least often detained among 602 offenders were traffic and miscellaneous (40.4%) and drunk or possession of alcohol (41.9%).

Table 5

Dispositions of Cases Referred to the DCU, by Offense  
August 1974 to July 1975

Offense	Total	% Detained	% PTA	% Closed	% Other
TOTAL, ALL REFERRALS	7,150	70.7	13.4	7.0	8.8
TOTAL 602s	5,168	75.8	16.5	2.6	5.2
Violent Crimes	757	91.1	5.8	.8	2.2
Property Crimes	2,002	78.0	15.6	1.6	4.8
Drug Offenses	797	56.3	27.5	5.8	10.4
Drunk/Possession	272	41.9	40.1	7.4	10.7
Sex Offenses	100	90.0	7.0	1.0	2.0
Misc. Felonies	131	90.1	-	3.8	6.1
Traffic & Misc.	327	40.4	47.4	4.6	7.6
Failure to Appear	782	97.7	.6	.8	.9
TOTAL 601s	1,953	56.9	5.6	18.9	18.6
Runaway (local)	563	39.4	5.7	26.1	28.8
Runaway (not local)	959	74.8	.4	15.1	9.7
Beyond Control	212	36.3	9.4	26.9	27.4
Vagrancy	163	43.6	17.2	12.3	27.0
Misc. 601s	56	44.6	44.6	-	10.7
UNKNOWN	29	93.1	-	3.4	3.4

<sup>6</sup>Lon Swank, DCU Supervisor, states that when a transient runaway's parents cannot be located within a reasonable amount of time (especially on a weekend) it is necessary to book the youth, even though efforts continue toward sending the youth home.

## IMPACT ON JUVENILE JUSTICE

How has the detention control policy affected the juvenile justice system in San Diego County? This section considers the impact of the new policy on the probation department, law enforcement, and the community social agencies.

### Probation

Prior to detention control, about 40% of the probation caseload was comprised of 601 cases. Probation officers, already carrying large caseloads, found it necessary to spend considerable time working with the families of 601 youths: runaways, curfew violators, and those who were "beyond control" of their parents.

Mr. Michael Garvey, Director of Juvenile Services in San Diego County, described a number of benefits accruing from the detention control program. Because increased numbers of the less serious 601 cases have been diverted from probation, average caseload size has been reduced. Probation officers are doing less "crisis counseling" with families and find themselves with more time to work with the more serious delinquents. It is now possible to handle family squabbles by providing the parents with a list of community agencies from whom they may seek assistance.

Another positive benefit has to do with obtaining complete data reports from police on 602 referrals. All youths brought to the hall by police are accepted initially, with disposition as to custody status to be determined by the DCU. The receiving unit no longer accepts referrals if the police reports are incomplete. As a result, police officers are making quite sure their reports are complete before bringing a referral to the hall.

Financial benefits were derived through the implementation of the policy. The resulting reduction in caseload size has presented the county with the

option of reducing its complement of probation officers. Decreased population in the juvenile hall has had the expected benefit of reduced costs for bedding, food, clothing, etc. There has, in addition, been a reduction in juvenile hall staff. Mr. Robert Skidmore, Juvenile Hall Superintendent, pointed out several benefits from his point of view, none of which were possible when overcrowding was a chronic condition:

1. More time is available for staff training.
2. All double bunks have been eliminated; each youth is provided with an individual room, thus providing some opportunity for privacy.
3. Problem behaviors resulting from overcrowding have decreased.
4. Staff have been able to design special programs, such as behavior modification.
5. The half-time staff psychiatrist has been able to go beyond prescribing medicine and drugs; he can now become involved in "behavioristic treatment."
6. Dorm assignments can be made according to the needs of the client.

When asked how his staff felt about a hall population comprised mainly of 602 offenders, Mr. Skidmore responded that staff have few, if any, complaints. The 602 clients are less prone to complain about the injustice of their confinement, as was often the case with 601 offenders. The present population, if not more amenable to treatment, is at least considered to be more in need of treatment.

Mr. Garvey believes that to implement a diversion program for 601 offenders, probation administrators "must be able to take the heat." The policy is likely to be viewed, at least initially, somewhat negatively by the police, the courts,

and the schools. There may be concern among some probation staff that the elimination of 601 cases from the system will cause them to "have no caseload left."

Diversion has the immediate effect of reducing the number of clients in the probation system. County administrators may have to consider whether they are willing to cut back on positions. Smaller counties and those who receive a lower number of new referrals may take a negative view of this and, therefore, may want to continue booking 601s to ensure at least minimum caseloads for staff.

Another point that some county administrators may want to consider is the fact that federal grant money under the Juvenile Justice and Delinquency Prevention Act will be available only to those community agencies that are actively working towards the removal of status offenders from juvenile detention facilities.

#### Law Enforcement

Over ninety percent of the referrals to DCU come from law enforcement agencies, with over half of these coming from the San Diego City Police Department. A group interview with three officers of that department's Juvenile Division provided subjective information on law enforcement's view of the detention control policy.

Members of the Juvenile Unit believe that probation expects the police to handle 601 cases themselves. The new probation policy has meant that the police department has had to increase its efforts to divert less serious offenders, including locating community agencies both willing and able to deal with these youths' problems.

Lacking the alternative of referring 601 cases to probation has caused some problems for law enforcement. Simply reducing the number of arrests in the 601

category has been one alternative employed. However, there may be some negative community reaction to such a policy. Parents with troublesome children and schools plagued with disciplinary problems want the police, or someone, to take their problems off their hands. Continued and expanded use of community agencies appears to be the most appropriate solution. Although police are gaining trust in the ability of local agencies to deal with problem youth, there is still some concern over the degree to which these agencies can provide help.

The police face the same problem as the probation department when they make a referral to community agencies. They can only refer individuals or families and hope that they take advantage of the services available. There is little, if any, follow-up to determine if referrals actually show up at these agencies, or how long they continue to receive services. The police have asked the agencies to inform them of how many referrals actually show up, but the agencies often fail to do so.

Members of the Juvenile Division have strong personal opinions regarding the detention control policy and the kind of diversion it produces. They understand that the detention control policy is the only available means of reducing overcrowding in the juvenile hall. However, they lament the lack of available juvenile detention facilities. Especially aggravating to them has been the recent refusal of the county to grant funds for the construction of an additional juvenile detention facility in San Diego. The county administrators stated that the current need was not for more detention beds but for more services.

Police are also in sympathy with the philosophy of early intervention and diversion of youth from the criminal justice system. However, they disagree with the diversion policy as presently practiced. Lt. Kelley of the Juvenile Division made the following points. In his opinion there are two types of 601

offenders: those without criminal tendencies whose family problems or difficulties in adjusting to adolescence result in such minor events as runaways, family squabbles, etc. He believes that for these youths diversion is appropriate, and even more desirable would be a strong intervention/prevention program. A second type consists of the habitual 601 offenders, or those committing more serious offenses. Such youths exhibit a clear pattern of escalating delinquency which ultimately leads to criminal behavior. In cases of the latter type, he feels that diversion from probation is an abrogation of responsibility by the system best equipped to handle delinquents or the delinquent-oriented.<sup>7</sup> However, the San Diego police firmly believe that prevention is a more successful method of reducing the crime rate than our present system of rehabilitation. Lt. Kelley felt the opinions of his staff were similar to those of law enforcement officials throughout the county.

One officer offered the following statement: "There is some conflict involving recent efforts towards crime prevention. The 601s must be looked at carefully and classified into two types, (1) those where initial counseling can hopefully avoid recidivism, and (2) those where a referral to probation or another agency should take place as quickly as possible. More qualified intervention would serve as a deterrent towards more serious criminal involvement."

#### The Community Agencies

One method of diversion is to refer a youth to a community agency. If the DCU's assessment of a youth's problem indicates that probation and/or confinement would have no beneficial effects, it may be decided to refer his case to

<sup>7</sup> However, no objective criteria exist for the detection or classification of those 601 offenders who, unless intervention in the form of treatment takes place, will continue their delinquent behavior. At present, decisions regarding those cases requiring intervention and those best handled by diversion are made subjectively on an individual basis. ]

a community agency. Such decisions reduce intake and avoid the presumably deleterious effects on youths of the possible stigma accompanying their placement on probation.

In some instances referrals are made to specific agencies that are equipped to deal with a youth's particular problem (e.g., drugs, alcohol, immediate family crisis, etc.). More often, referral consists of providing the family with a list of agencies in their locality to which they may apply for assistance in solving their problems. Some are private agencies, others are government-operated. Some are free, some require a fee.

Many of the San Diego community agencies were concerned that diversion of 601s from probation would cause an influx of clients and increased demands for their services. The community agencies believed they would be unable to absorb the increase and, therefore, the needs of many troubled youth would not be met.

Probation staff reported that some agencies have said they "have done all they can" and have refused to accept referrals, especially those they have accepted previously. Probation staff are not generally aware of any increase in the number of available community resources during the past year. There has in fact been some increase. The YMCA has recently opened two additional offices as part of Project Oz, a youth residential program. Probation staff are not always aware of the entire range of community agencies available to serve youth. More complete information on available resources is needed, as well as better liaison between probation and the community.

Several agencies were selected at random from the list provided by probation and contacted for information regarding the number of referrals they have received during the period of detention control operation. Most of these agencies maintain written records on referrals as a requirement by their funding sources.

One of the agencies contacted was "The Eye" (located in Escondido), which offers counseling services, especially for clients with drug-related problems.



This agency reported receiving three formal referrals from probation in the past year. The Eye received an average of a dozen additional monthly referrals of youths already on probation. At the inception of the detention control program, staff of The Eye were concerned that they might become swamped with referrals, but this has not occurred, and they wonder where the diverted subjects are going for help.

The seven Youth Service Bureaus in San Diego County received 304 referrals from probation during the 1974-75 fiscal year. This includes applicants who specifically stated they had been referred by probation. The figure 304 represents about 10% of the bureaus' yearly intake and would therefore not seem to represent an onerous increase in workload. The median length of time the probation referrals were in contact with the bureaus was between two and three months. Around 13% were in contact one week or less (usually one visit only); 10% had remained in contact for over six months. The Youth Service Bureaus also expected the county's detention control policy to increase their intake but the number of referrals from probation (as specified by the clients) has instead decreased slightly. Self-referrals and referrals from schools have increased, possibly due to the community's awareness that probation is no longer accepting 601 cases.

Three other agencies among those contacted have not experienced a wave of new clients. Child Protective Services, with several offices around the county, provides group and casework, home-makers service, foster home placement, counseling, and information. This agency received an average of three referrals from probation each month. The Crisis House in El Cajon, dealing mainly in family counseling, stated that they "never have more cases than they can handle." The Farm, a group home for beyond control youth and runaways, reported receiving only one client referral from probation in the last year.

One agency did report that the detention control program resulted in an unwelcome increase in referrals from probation. The Bridge specializes in crisis intervention, family counseling, and temporary housing for runaways or youths expelled from their homes by their parents. During 1973, prior to detention control, the Bridge received 245 referrals from all sources; four came from probation (1.6%). From February to October 1975, a nine-month period, they received a total of 219 referrals, 30 coming from probation (13.7%). They consider this increase to have caused a strain on their resources and have had to institute a waiting list for referrals. Staff at the Bridge also reported an increase in referrals from the police department, who bring youth to them, reporting that the juvenile hall would not accept them. The Bridge was the only one of the several agencies contacted to report that the detention control policy had caused a burdensome increase in referrals. Some of the other agencies expressed a willingness to accept even more cases. During this writer's visit to the San Diego Probation Department, The Bridge was frequently mentioned by staff as a referral agency. It is possible that probation has over-utilized the Bridge and has not made proper use of other agencies.

The exact number of cases diverted from probation to community agencies is difficult to determine. Probation is no longer recording which clients are being referred; these are classified as counseled and released or closed cases. The community agencies have attempted to maintain records on the source of referrals but need to rely on the clients themselves for this information. It is possible that many drop-in clients do not mention that they were referred by probation. Without an adequate monitoring system, it is presently impossible to assess the degree to which referral to community agencies is an effective method of diversion.

Staff of the community agencies maintain mixed feelings toward the detention control policy (they refer to the program as "probation's decision not to accept any 601s"). Those agencies receiving small numbers of referrals from probation do not feel overburdened with more clients than they can handle. They were aware of how many 601s were previously handled by probation, and now that the county is diverting many 601s, their concern is whether these cases are receiving needed attention. The police express similar concerns, evincing the belief that some of these 601 cases, if not attended to on an immediate basis, will continue to encounter problems that will eventually result in a criminal pattern of 602 offenses.

Although not confirmed by this writer, it was reported by a staff member at The Bridge that other agencies have also experienced an increase in referrals from probation. There is some feeling that probation has changed its policy from one of punishment (i.e., confinement) to one of neglect (i.e., diversion with no follow-up). The probation department is considered by some to have failed to meet its responsibilities regarding the treatment of youths having minor difficulties in the community. The other side of the issue is that probation caseloads had grown to the size where effective attention to individual youths' problems had become impossible.

A point made by a staff member of The Bridge requires consideration. The probation department set out to decrease their intake by returning less serious 601 referrals to the community. Intake did go down, but the probation department budget remained about the same.<sup>8</sup> The community agencies had to absorb those cases not accepted by probation, but received no increase in their budgets. The Bridge, for instance, has been told by county administrators that they can exist on revenue sharing, without added financial assistance in the form of a contract

<sup>8</sup> However, probation staff reported that several positions were eliminated due to decreased intake.

for services. The Bridge receives additional money from a federal grant under the Runaway Youth Project and from private donations, but is experiencing a financial squeeze due to the increased intake.

Some community agencies and the police feel a need for more money in order to provide services for those youths being diverted by probation. Perhaps some variation of the subsidy program would be an answer, where local agencies would receive some support money for handling cases that previously would have been handled by probation. It may be possible that grant money under the Juvenile Delinquency and Prevention Act can be utilized in this manner.

#### DIVERSION OUTCOME EVALUATION

The primary method used to achieve a reduction in juvenile hall population was the diversion of 601 offenders from detention. Many of these youths were diverted entirely from the probation system. The question has been raised "How many 601 diversion cases are being re-referred to probation?"

In order to answer this question, an attempt was made to gather relevant data from the San Diego Probation Department. Due to the lack of an evaluation design being implemented along with the detention control program, it proved difficult to obtain fully adequate outcome data. There is no tracking system for individual cases processed through the DCU. In addition, it was impossible to designate a control or comparison group. Taking the limitations of available data into consideration, the following analysis is provided.

It was decided that transient cases (those with residence outside San Diego County) should not be included since arrest and re-referral information was not available unless the offense occurred within the county. Clients who were wards of the court at time of referral to DCU had to be excluded because the county's follow-up data system did not include information on these wards. This

left three identifiable diversion groups: (a) local 601 cases who were initially detained by DCU, but closed (released) at regular intake; (b) local 601 cases not detained by DCU and either counseled and released, or released on PTA and closed at regular intake; and (c) local 601 cases who were not referred to DCU and had their cases closed at regular intake.

These groups represent three different levels in the diversion decision process. The first group were those whose offense or situation seemed to call for immediate detention in the opinion of DCU staff, but were later diverted by regular intake. A second group were clients with an offense or situation not requiring detention and who were diverted directly by DCU. The third group was comprised of even less serious offenders, since the referring agency (usually law enforcement) did not feel detention was necessary. If perceived need for detention is related to probability of recidivism, then the observed recidivism rates for these groups should differ and fall in order, as follows: highest recidivism in the DCU-detained group; second highest in the DCU-nondetained group; lowest in the group that was released without a referral to DCU for detention. For the purposes of this report, recidivism was considered to have occurred upon re-referral to the probation department.<sup>9</sup>

Table 6 shows the number of re-referred youths in each of the three classifications of diversion. The results are not in accordance with the hypothesis stated above regarding a relationship between perceived need for detention and probability of recidivism. The differences among the re-referral rates for the three groups are not statistically significant, but it is interesting to note

<sup>9</sup>The definition of recidivism among diversion cases varies widely. The point at which a diverted youth "fails" needs to be clarified and standardized. Should recidivism be considered to have occurred upon the arrest of a youth? It is possible for a youth to be arrested and "diverted" several times in succession. Should recidivism be equated with referral to probation? Here, too, referrals may be diverted more than once before further action is taken. Other points at which recidivism could be defined would be upon the filing of a petition, or upon conviction, or a true finding on a petition.

that clients who were initially detained by the DCU, but subsequently released at regular intake did best during the six-month follow-up period: 22.5% were re-referred. Cases immediately diverted from detention by DCU did the worst: 33.9% were re-referred. Those cases not brought before DCU but eventually diverted at intake had a 30.2% failure rate. For the combined sample of diverted youth, 31.0% were re-referred within a six-month follow-up period.

A concern was expressed regarding whether 601 cases diverted from probation would subsequently be re-referred under a 602 charge. Data on our sample show that of the 642 diverted youths, 120 or 18.7% were re-referred within six months as 602s. This figure seems low, but without a base-line figure or comparison group, an evaluative judgment cannot be made.

Data in Table 6 lead to a possible conclusion that brief detention immediately following apprehension may have some deterrent effect. This agrees with the behavior theorem that for punishment (in this case detention) to be effective, it must immediately follow the negative behavior.

Table 6  
Number of Diverted Youths Re-referred to Probation  
Within Six Months as 601 or 602 Offenders

Type of Diversion	Group n	Total No. of Re-referred Cases		601 Re-referrals		602 Re-referrals	
		<u>n</u>	%	<u>n</u>	%	<u>n</u>	%
DCU-Detained/Diverted at Intake	40	9	22.5	3	7.5	6	15.0
DCU-Nondetained/Diverted by DCU	221	75	33.9	41	18.5	34	15.4
Non-DCU Cases/Diverted at Intake	381	115	30.2	35	9.2	80	21.0
Total Diverted Youth	642	199	31.0	79	12.3	120	18.7

Table 7 shows the number of re-referrals made per youth in each diversion category. Of the total number of diverted youths 21.2% received one re-referral

and 9.8% received two or more. Only minor differences exist among the diversion types. The 199 youths who got into some further difficulty after being diverted received a total of 292 re-referrals to probation.

Table 7  
Number of Re-referrals Within Six Months, Per Diverted Youth  
By Type of Diversion

Type of Diversion	n	No. of Youths Re-referred <sup>a</sup>	Total Re-referrals <sup>a</sup>	One Re-referral		Two or More Re-referrals	
				n	%	n	%
DCU-Detained/Diverted at Intake	40	9	11	7	17.5	2	5.0
DCU-Nondetained/Diverted by DCU	221	75	114	47	21.3	28	12.8
Non-DCU Cases/Diverted at Intake	381	115	167	82	21.5	33	11.3
Total Diverted Youth	642	199	292	136	21.2	48	9.8

<sup>a</sup>601 and 602 re-referrals combined.

In Table 8, the cumulative percentage of re-referrals by month is shown for the six-month period for each diversion group. The DCU-detained group, although it had the lowest failure rate, tended to fail the earliest: re-referral occurred an average of 1.22 months following diversion. For the DCU-nondetained group, the mean was 2.03 months, and for the non-DCU group, 2.43 months. The difference among the groups is not statistically significant.

The cases in the DCU-nondetained group fall into three sub-categories, according to their disposition: (a) referred to a community agency, (b) arranged transportation or other alternative, and (c) released on PTA or own recognizance. Data on re-referral rates for cases receiving these dispositions are shown in Table 9. Those whom DCU released on PTA did best, with 22.3% being re-referred (16.7% as 602s). Those who were released upon arrangement of transportation had a 37.1% re-referral rate (15.2% as 602s). Those that DCU referred to community agencies

Table 8  
Cumulative Percentage of Diverted Youths  
Re-Referred Each Month, By Diversion Type

Number of Months Following Diversion	Type of Diversion		
	DCU Detain (n=40)	DCU Non-detain (n=221)	Non-DCU (n=381)
	% <sup>a</sup>	% <sup>a</sup>	% <sup>a</sup>
1 month	15.0	19.9	12.3
2 months	17.5	24.0	18.1
3 months	22.5	28.5	22.6
4 months	22.5	30.3	26.5
5 months	22.5	32.1	28.3
6 months	22.5	33.9	30.2
Mean Months to Re-referral	1.22	2.03	2.43

<sup>a</sup>Percentage is the cumulative percentage of cases who were re-referred from the first through the sixth month of follow-up.

Table 9  
Number of Re-Referrals for Youths Diverted From Detention by DCU

Type of Diversion by DCU <sup>a</sup>	n	Percent Re-referred*	Re-referrals			
			As 601s		As 602s	
			n	%	n	%
Referred to Community Agency	16	43.8	4	25.0	3	18.8
Arranged Transportation, Other	151	37.1	33	21.9	23	15.2
PTA, Own Recognizance	54	22.3	3	5.6	9	16.7

<sup>a</sup>Subjects receiving dispositions of referral to community agency, arranged transportation, and other are considered diverted from probation by DCU (a more immediate form of diversion). Those with PTA and own recognizance, were diverted from detention by DCU and, after later appearing at regular intake, were diverted from probation.

\*Significance test on differences among percent re-referred for the three types: Chi-square = 4.67, df=2, p<.10

had the highest re-referral rate, 43.8% (18.8% as 602s). The data do not tell us why referrals to community agencies did so poorly. It is not known whether these clients actually appeared at a community agency, or whether they simply returned home and continued their previous pattern of misbehavior.

The data in Tables 6 through 9 should be considered only as tentative estimates of outcome results for diverted cases. There are several recognized flaws in the data which may distort the actual outcomes. For instance, an appropriate analysis should include only those diversion cases who were first-time referrals to probation. Provisions for obtaining data on the number of previous referrals for subjects could not be made in time to be included in this analysis. It is recommended that if a more precise evaluation of diversion is desired, an appropriate monitoring system be installed within the probation department and a future evaluation be conducted using more reliable data.

#### EFFECTIVENESS OF OTHER DIVERSION PROGRAMS

Limited data are available on diversion efforts being conducted in Sacramento and Santa Clara counties. Following is a brief description of some of the results from the evaluations of these programs.

Sacramento County. The intent of Sacramento County's diversion program was to avoid detaining 601 cases, divert them from the probation system, and to provide immediate counseling services to families. Data from a recent report (Baron & Feeney, 1974) showed that diverted 601 subjects who received short-term crisis counseling did better after release than clients who received regular probation services. During one year of the project, 13.9% of the referrals to the diversion unit were placed in detention, compared to 55.5% of the control group. Recidivism (defined as rebooking for any 601 or 602 offense) occurred within twelve months for 46.3% of the project cases compared to 54.2% of the

controls ( $p < .01$ ). Recidivism in terms of 602 rebookings was 13.1% for project cases and 22.1% for controls.

Santa Clara County. Santa Clara County initiated its diversion program because it was believed impossible to provide services to the large number of youths coming into the system (Berkowitz, 1975). Traditional probation services were not designed to involve the family in its own environment immediately following the crisis. It was also believed that diversion would avoid the negative consequences following the labeling of a youth as a delinquent.

A special aspect of this program was the availability of grant money for use by probation to provide services to the local police departments in program development, training, and technical and budget assistance. It was believed that if a diversion project was to be successful, the police agencies would have to begin handling 601 cases differently than the traditional procedure of referral to probation. A subvention program, providing money to the police for reduced referrals, was originally part of the program. However, technical problems in handling the money caused the termination of this novel incentive.

The methodology included training policemen in diversion tactics at the local level. In the first year of the project, referrals to probation were 78.4% less than expected. The recidivism rate for 601 referrals prior to the project had been 48.5% after one year; recidivism for diverted 601 subjects during the project was 18.5%.

Data from this study reflect on one of the problems mentioned earlier regarding the difficulty of determining how many referrals to community agencies actually follow through and make contact. The evaluators of the project determined that only about 51% of the referrals actually contacted a community agency.

San Diego Law Enforcement Diversion. Note should be taken of the diversion efforts of the law enforcement agencies in San Diego County. During the twelve-month period August 1974 to July 1975, there were 6,809 arrests of juveniles on 601 charges. Of these, 3,079 (45.2%) were referred to probation. The remainder, 3,730 (54.8%), were handled alternatively, such as by counseling with the youth or the youth's family, or referral to another community agency.

The San Diego Police Department has been operating a Youth Services Program for the last two years. The police department's juvenile officers have at their disposal a directory of 39 community agencies to which they may send a youth rather than referring him to probation. These agencies were selected on the basis of their willingness and ability to treat juvenile offenders. Recidivism data was available for 601s who were originally diverted by the police department (Kelly, Apostolos, & Durbin, 1975). During the period July 1973 to June 1975, 22.5% of the diverted status offenders were rearrested. The report from which these data were taken suffers from a lack of clarity in design and presentation. For instance, the evaluators of this project followed a rather unusual procedure in delineating the follow-up period. The diversion sample consisted of all youth diverted during the 24-month period, and recidivism included all diverted youth rearrested during the same period, meaning youths diverted in the first month had a 24-month follow-up period and youth diverted in the last month had less than one month follow-up.

An attempt to compare results from these diversion programs with San Diego's would be perilous due to the many differences, both known and unknown, in the program designs. Each of these programs differ from the San Diego program in that cases selected for diversion received some specified services, whereas in San Diego no systematic follow-up services were provided. The measures of recidivism differed in each project: in Sacramento it was rebooking; in Santa

Clara it was "reinvolvement in the juvenile justice system;" the Youth Services Program used rearrest; the recidivism criterion in the DCU project was re-referral to probation.

The wide variation in the design of these programs points to a need for uniformity in the reporting of results that would enable comparisons to be made among programs. Uniformity in data reporting would allow comparisons of one type of diversion in one program with a different type in another program, with the end result being some determination regarding the most successful forms of diversion for what kinds of clients under what sort of conditions.

A recapitulation of the "recidivism" results for the programs described above is shown in Table 10. Comparison among programs is difficult, but the data can provide a broad indicator of the relative success of the general concept of diversion of 601 cases.

Table 10  
Description of Recidivism Results in a  
Variety of 601 Diversion Programs

Diversion Program	n	Type of Diversion	Follow-up Period	Recidivism Rate	Type of Recidivism Measure
San Diego	642	Post-referral	6 mos.	31.0%	Re-referral
Sacramento	674	Post-referral	12 mos.	46.3%	Rebooking
Santa Clara	2,069	Police contact	12 mos.	18.5%	"Reinvolvement in the juvenile justice system"
Youth Services Program	1,756	Police contact	From 1 to 24 mos.	22.5%	Rearrest

The Sacramento program is most similar to San Diego's since diversion occurred following referral, and the recidivism measures used are nearly comparable. Unfortunately, it cannot be determined yet if the failure rate in San Diego would approach or exceed the rate in Sacramento at the end of a twelve-month follow-up.



Although it can in no way be considered a comparison group, it is interesting to note that the recidivism rate for CYA wards on parole in the 1972-73 release cohort was 17.7% at six months and 30.3% at twelve months. The only conclusion to be made here is that status offenders or predelinquent youth get into trouble with just as much frequency as more serious delinquents who have been committed to the CYA.

The Santa Clara and Youth Services programs are similar in that diversion occurred upon contact with the police. The most obvious reason for the lower recidivism figures in these two programs is that the study subjects were considered to be good enough risks to be diverted rather than referred to probation. The subjects in the San Diego and Sacramento programs were not considered appropriate for diversion by the police and were referred to probation. Diversion took place after these cases had been referred to probation.

## SUMMARY AND CONCLUSIONS

The Detention Control Program was successful in eliminating overcrowding in the San Diego Juvenile Hall. The operating strategy of the program was to avoid detention of 601 status offenders. This process consisted of two approaches: (a) releasing 601 referrals on a promise to appear before regular intake proceedings, and (b) diverting 601 referrals entirely from the probation system.

This report attempted to answer several questions regarding the impact of the diversion program. These questions, and summarized answers, are listed below.

1. "What effect has the detention control policy had on the detention of 601 cases?" The proportion of 601 cases who were detained during the program decreased by 81.8%. Only 11.2% of 601 bookings were detained. This group was comprised primarily of runaways from other counties.

2. "As a result of the policy to release 601s, has the number of 602 detentions increased?" The number of 602 cases detained during the program increased by 27.5%. This resulted in a change in the kind of youth comprising the hall population, with an increasing proportion of inmates consisting of the more serious 602 delinquents. However, this caused no difficulty for staff; in fact, it allowed several improvements to be made in the hall program.

3. "What alternatives to detention are being used for 601s?" Following screening by the DCU, 5.6% of the 601 referrals were released on a promise to appear; 18.6% of the cases were handled with a variety of alternatives such as referral to community agencies, arrangement of transportation home, etc.; and, 18.9% were counseled and released. Many of the cases temporarily detained by DCU were later released at regular intake.

4. "What percentage of 601 diversions are being subsequently referred to probation as 602s?" Of 642 diverted 601 cases, 120 or 18.7% were re-referred on 602 charges within six months. An additional 79 or 12.3% were re-referred on 601 charges, for a total of 31.0% re-referrals.

5. "What has been the impact of the policy on law enforcement and community agencies?" The absolute number of arrests in the 601 category decreased 17.7%. Probation's decision to divert 601s created a need for increased efforts at diversion at the police level. Most community agencies reported receiving only a few additional referrals following the initiation of detention control. However, there was at least one agency (and reportedly others) that received so many additional clients that it impaired their ability to deliver services.

This report on the impact of diversion contains several implications for probation systems in general. Accepting the fact that there is increasing pressure to keep 601s out of the system, the experience in San Diego County should be looked at closely. As other counties put 601 diversion programs into operation, there are several factors to be considered.

Diversion as practiced in San Diego County resulted in a financial savings to the probation department. However, the local agencies, already struggling for sufficient funding, are feeling the strain of handling even slightly increased workloads. Diversion does not eradicate the problem of youth in trouble; it simply shifts the locus. Money should be shifted in a like manner to make it possible for community agencies to perform the expected services.

Most importantly, diversion must include some form of follow-up procedures. These procedures must include formal monitoring and evaluation. It is not enough to simply make a blanket decision to release all 601 offenders who do not appear to be a danger to themselves or the community. There must be concern for the individual youth, concern that their involvement in 601 offenses may be

a signal that more serious problems are developing. The criticism was expressed by some of those interviewed that probation was releasing youths who may have benefitted from some form of attention. Detention and involvement in an institutional treatment program may not be an answer in many cases of 601 offense behavior. Yet, the statistics show that 31% of the diversion sample under study became involved in further behavioral problems within six months, and 43.8% of those referred to community agencies were re-referred.

What was lacking in San Diego County's approach to diversion was a commitment to intervention and prevention. The assumption was that probationary procedures would have little positive impact on 601 offenders, and that they would do better if returned to the community. It was ostensibly believed that these youths would better benefit from help received outside the probation system. Yet it is clear that not all cases diverted from probation sought and received help at the local level. A question in need of answers is whether diverted youths whose families do not avail themselves of the community's services are likely to recidivate. A monitoring and evaluation system would provide the data required to answer this question.

Probation seems to be moving towards a policy of specializing in treatment of more serious offenders. The state's Probation Subsidy Plan, where the county receives money from the state for those cases not committed to the Youth Authority, has added impetus to this change. Berkowitz (1975) sums it up well: "At present, it appears that Juvenile Probation...will continue to expand and strengthen its position with respect to prevention and diversion services. The alternative approach would be for probation to constrict its boundaries to focus its resources almost exclusively on the serious 'hard core' delinquent; prevention and diversion would be in control of the community."

The implication that probation departments should devote their efforts to treating more serious delinquents can be easily accepted. However, this should not be at the cost of denying services to youths committing 601 offenses. It is an unavoidable fact that many of these 601 cases will return to probation as 602s and will then necessarily require the attention of correctional agencies. By then, it may be too late.

The underlying question is one of whose responsibility are 601 offenders? The juvenile justice systems say that 601 offenders do not benefit from and may even suffer deleterious effects from placement in the system. Probation departments will be increasing the diversion of status offenders, partly for humanitarian reasons and partly to be eligible for grant money from the federal government. Community social agencies, who are expected to serve these diversion cases, are reluctant to accept too many additional cases unless financially supported to do so. School administrators and teachers cry out "Our job is to teach and educate, we can't handle behavioral and emotional problems in school." Parents are no better equipped today than they have ever been to deal with their own children once a pattern of misbehavior develops. Police departments are hard pressed to fight "crime in the streets," and express frustration at being expected to work with such minor offenders as truants and runaways. Our society must make a decision regarding who will assume responsibility for pre-delinquents.

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**END**

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