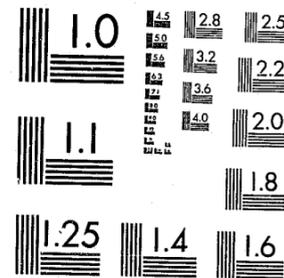


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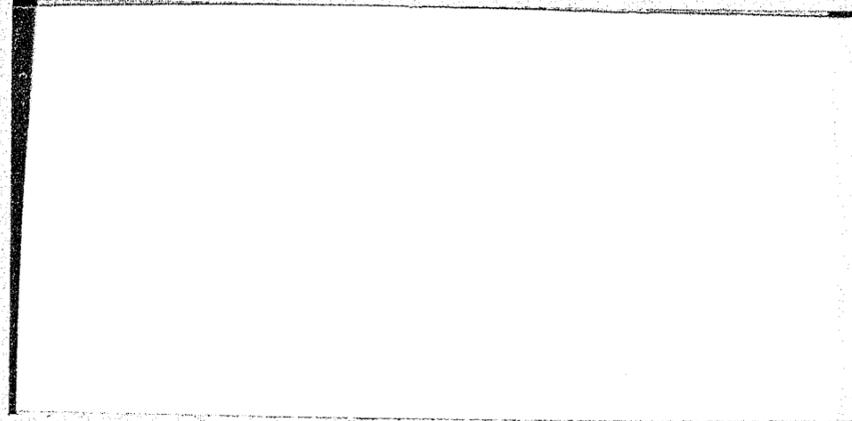
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**JUVENILE VIOLENCE AND
GANG-RELATED CRIME**

San Diego



**ASSOCIATION OF
GOVERNMENTS**

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JUVENILE VIOLENCE AND GANG-RELATED CRIME

JUNE 1982

San Diego



ASSOCIATION OF
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Preface

The Criminal Justice Evaluation Unit of the San Diego Association of Governments (SANDAG) was authorized by the Regional Criminal Justice Planning Board to conduct research on the violent juvenile offender and gang-related crime. The issues examined include the incidence and nature of juvenile violence in the San Diego region, the effectiveness of the juvenile justice system and alternative strategies for addressing these problems. The Executive Summary of this report presents conclusions and recommendations and is followed by an in-depth discussion of each issue.

This document should be useful to elected officials, juvenile justice practitioners and researchers who are concerned about the ability of the juvenile justice system to impact the violent juvenile offender.

The assistance and cooperation of the following agencies/individuals was essential in the preparation of this report and is sincerely appreciated:

Probation Department
All local law enforcement agencies
Juvenile Court
The District Attorney's Office
San Diego City Data Processing Corporation
Defense attorneys
Department of Social Services
Juvenile service providers in community agencies

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Executive Summary

NARRATIVE

The juvenile justice system has traditionally taken a paternalistic role regarding juveniles accused of law violations, with an emphasis on rehabilitation. However, recently there has been a trend toward punishment based partially on a perception that juvenile violence and gang-related crime are increasing. This research, requested by the San Diego Regional Criminal Justice Planning Board (RCJPB), explores the validity of this assumption and further examines the nature of juvenile violence, the effectiveness of the juvenile justice system response and alternative strategies for addressing these problems.

The methodology includes an analysis of official statistics, tracking of 614 juvenile offenders from initial contact to case disposition, surveys of over 1,000 juvenile justice personnel and service providers and a review of relevant literature and recent legislation.

Definitions of juvenile court terms used in this report are presented on page 8.

ISSUE I: WHAT IS THE INCIDENCE AND NATURE OF YOUTH VIOLENCE AND GANG-RELATED CRIME IN THE SAN DIEGO REGION?

Conclusion

Trends in juvenile violence indicate a decline in the number of offenses, contrary to opinions of juvenile justice practitioners. This decrease is partially due to a reduction in the proportion of juveniles in the age range with the highest risk of delinquency. Yet arrests for juvenile violence decreased at a greater rate than the population in that age range, indicating other factors are responsible for the change (e.g., changes in police procedures, juvenile behavior, etc.).

However, juvenile violence is a serious problem which must be addressed by the juvenile justice system. A profile of the violent juvenile offender suggests that intervention strategies should focus on family and economic factors, school-related problems and the effects of peer associations.

Findings

1. The majority of the juvenile justice personnel surveyed think that

the number and seriousness of violent crimes committed by juveniles have increased over the past five years.

2. Since 1977, juvenile contacts/arrests for major violent offenses in the San Diego region (homicide, rape, robbery, aggravated assault) have decreased 21% from 1,129 contacts to 887 in 1981. Both robbery and felony assault have declined, but homicide and rape contacts increased. Trend data on the seriousness of offenses (weapons/injury) committed by juveniles are not available.
3. In 1970, 15% of the region's population was estimated to be between 10 and 17, the at-risk stage for juveniles, compared to 12% in the 1980 Census.
4. The rate of arrests/contacts for violent offenses decreased from 5 per 1000 in 1977 to 4 per 1000 in 1981 for juveniles 10 to 17.
5. Referrals to juvenile probation for violent offenses show a reduction of 6% over the past five years.¹
6. Reports of school violence declined by 42% since the 1978-79 school year, based on data from the San Diego City School District.
7. From 1978 to 1981, there was a rise in reported gang-related violence in the City of San Diego. This trend was reversed in 1981; however, preliminary data from 1982 suggest a possible increase for the year.
8. In 1982, it is estimated that gang members will be involved in 816 major reported offenses in the region.
9. Projections indicate that 4% of the violent offenses reported in the region will involve gang members in 1982 (homicide, assault with a deadly weapon, rape and robbery). This does not account for unreported offenses.
10. Youth arrested/contacted for violent offenses are predominantly male, most are minorities (non-white), and the median age is 16. Less than one-third are living with both natural parents and over one-half of the families have received some type of public assistance. Compared to property offenders, juveniles arrested for violence are more likely to be members of gangs (14%) and have more extensive criminal histories. Approximately one-quarter to one-third of the violent offenders either exhibit chronic or serious delinquent behavior. Additionally, one-fourth were under jurisdiction of the court (e.g., on probation) at the time of arrest. The majority commit their offenses with companions and they usually victimize non-minorities.

¹Data for the probation and court dispositions include simple assault and therefore are not directly comparable to juvenile contact/arrest data or results from the case-tracking study.

11. In the City of San Diego, the median age of gang members is 19; therefore most are not within juvenile court jurisdiction. A small percentage of the members are females (4%), and most are minority youth (99%). Data indicate that gang members are involved in serious property and violent offenses.

12. It is estimated that there are 55 gangs and over 3,000 gang members in the San Diego region.

ISSUE II: HOW DOES THE JUVENILE JUSTICE SYSTEM RESPOND TO VIOLENT YOUTHFUL OFFENDERS?

Conclusion

Although violent offenders are treated more severely than property offenders, study results show that treatment of violent juvenile offenders by all components of the juvenile justice system has become more lenient over the past five years. Additionally, data indicate that the system response has not been effective in reducing repeat offenses. Recidivism data support the need for earlier formal intervention (at least after two offenses) for juveniles who exhibit violent behavior and those identified as having characteristics which indicate a potential for future delinquency.

Findings

1. Official statistics indicate that law enforcement referrals to probation for violent juvenile offenders decreased from 1977 to 1981 (87% to 79% of juvenile contacts).
2. A smaller proportion of cases were processed through the juvenile court in 1981. Petitions were filed with the court in 43% of the 1981 juvenile referrals to probation for violent crimes, compared to 71% five years earlier (1977).
3. California Youth Authority (CYA) commitments decreased to 5% of the case dispositions in 1981, from 7% in 1977.
4. The proportion of juvenile cases transferred to the adult criminal courts declined to 6% from 9% of all case dispositions for violent offenders over the past five years.
5. Sample data from the case tracking study show that law enforcement officers more often refer violent offenders to probation (85%) than property offenders (77%) and petitions are filed in a higher proportion of cases involving violence (58% vs. 50%).
6. Of the serious offenders, those involved in violence are placed outside the home (e.g., state institutions, local facilities and residential placement facilities) more often (23%) than property offenders (13%).

7. The majority of both violent (58%) and property offenders (55%) are recontacted (rearrested) by law enforcement within one year after arrest.
8. The proportion of violent juvenile offenders committing violent offenses remained the same after intervention by the juvenile justice system (14%).
9. The average number of arrests for violent offenders declined slightly from 1.8 in the one-year pre-test period to 1.7 after intervention. Probation referrals remained constant at 1.3 per juvenile. However, violent offenders experienced increases in the average number of petitions filed and true findings.
10. One of the primary indicators of a potential for repeat offenses appears to be the prior history of violent offenders. Only 21% of those with no prior police contacts were rearrested. The percentage of rearrests increased for those with one prior offense (53%), two other offenses (64%) and three or more previous contacts (87%).
11. Those arrested for robbery were the most likely to reenter the system.

ISSUE III: WHAT STRATEGIES HAVE BEEN IMPLEMENTED IN THE SAN DIEGO REGION AND OTHER AREAS TO ADDRESS JUVENILE VIOLENCE AND GANG-RELATED ACTIVITY?

ISSUE IV: WHAT STRATEGIES SHOULD BE IMPLEMENTED BY JUVENILE JUSTICE COMPONENTS AND COMMUNITY AGENCIES TO IMPACT JUVENILE VIOLENCE AND GANG-RELATED CRIME?

Conclusion

Findings of this study suggest a need for new and innovative approaches to juvenile violence, in addition to more effective use of current resources. There is little consensus among local juvenile justice practitioners as to the appropriate direction for treatment of violent offenders. However, recent research suggests treatment alternatives that could be implemented locally to augment existing services.

Ultimately, it must be remembered that most behavior is learned at a young age. By the time the youth reaches the juvenile justice system, behavior patterns are well established. Therefore, any approach to the problem of juvenile violence should involve other social institutions at an early stage in a juvenile's life (e.g., family, churches, schools, community and government agencies, health agencies, etc.) to reduce the potential for development of a predisposition toward violence.

Findings

1. The most frequent disposition by juvenile court in felony violent offender cases was probation (40%) followed by local (31%) and state facilities (15%), according to case study data.

2. Of the options available to the court, only 17% of the juvenile justice practitioners state that CYA or transfer to adult court are most effective in changing behavior of violent juvenile offenders. Other alternatives mentioned were camp facilities (14%), restitution (11%), counseling (11%), and probation (8%).
3. The majority of those surveyed do not think community-based agencies are an effective alternative for violent offenders.
4. Juvenile justice personnel noted the following obstacles to changing the behavior of violent juveniles: leniency of the juvenile justice system, family-related problems, lack of resources and program alternatives, influence of peers, and lack of swift and/or consistent response to juvenile offenders.
5. Police and probation officers view the primary goal of the juvenile justice system regarding violent juvenile offenders to be protection of the public. Defense attorneys, judges/referees and community agency personnel place greater emphasis on rehabilitation.
6. Complete information about a juvenile's prior delinquent history is not consistently available to juvenile justice agencies.
7. Several programs have been developed to address the gang problem in the San Diego region. The San Diego Police Department, Probation, District Attorney's Office, and San Diego City Attorney's Office have specialized gang units. The City of San Diego has recently implemented a street youth project with the goal of reducing violence through job placement, counseling and community development. Community-based agencies also have been advancing community efforts in dealing with gang problems.
8. Law enforcement officers in the region do not use consistent criteria for identifying individuals as gang members.

RECOMMENDATIONS

Juvenile Violence

1. To increase consistency in addressing juvenile offenders, specific policy guidelines should be followed by police and probation with regard to formal processing of cases. These guidelines should be based on a classification system for juvenile offenders which considers the severity of the offense and the criminal history of the juvenile.
2. Based on the premise that the juvenile offender should be held accountable for delinquent behavior, it is recommended that:
 - a. Earlier formal intervention should occur in cases involving violent juvenile offenders (at least by the second offense).

- b. Certain and graduated sanctions should be used for less serious offenders starting with options such as restitution and work project. Subsequent offenses should require more serious sanctions.
 - c. Additional sanctions should be consistently applied for probation violations to indicate that such behavior is not acceptable (e.g., added conditions of probation).
3. To ensure that complete information about prior offenses is available to the court, the following should occur:
- a. Law enforcement agencies should forward all juvenile contact reports to Juvenile Intake when the first probation referral is made.
 - b. The intake probation officer should check the Juvenile Hall Index for other law enforcement contacts and obtain relevant reports to review for inclusion in the juvenile's prior history.
 - c. Law enforcement agencies should routinely report all juvenile contacts, including status offenses, to the Juvenile Hall Index, so the information is available to other law enforcement agencies, probation, and juvenile court.
4. The San Diego region should consider the feasibility of a local program designed for violent juvenile offenders which could be housed either in a county-run facility or managed by a private service provider. Such a program should be structured based on the following concepts:
- a. Treatment within the youth's area of residence to provide the opportunity to reintegrate the juvenile into the community and to address problems in the home or school environment which may have contributed to delinquent behavior.
 - b. A case management system with one individual assigned to the juvenile throughout the treatment process.
 - c. Individual diagnosis and assessment of needs and the development of an individual treatment plan.
 - d. A multiphase program which allows the juvenile to progress gradually from a structured environment to one of increased responsibility.
 - e. An extensive after-care program to provide support and assistance to the juvenile as he/she reenters the community. This could include assignment of a counselor from a community-based agency to provide advocacy, family and individual counseling for the juvenile.
5. The County of San Diego should consider adapting these program concepts to existing services (e.g., probation, juvenile ranch facility and Girls Rehabilitation Facility). Examples include:

- a. Assigning a violent juvenile offender to one probation officer who handles the case from initial intake through the court process to increase continuity and accountability.
 - b. Including diagnostic testing in the probation investigation for violent offenders to be used in developing an individual treatment plan.
 - c. Developing a multiphase program at the juvenile ranch facility with emphasis on reintegration into the community.
 - d. Using formal referrals to community-based agencies as a means of assisting violent offenders during probation supervision and also as a method of after-care during the period of readjustment for those placed outside the home.
6. The Probation Department should monitor effectiveness of individual treatment alternatives (e.g., CYA, juvenile ranch facility, Girls Rehabilitation Facility, 24-hour schools) in terms of outcome measures such as recidivism on an on-going basis. Such information should be reported regularly to the juvenile court to ensure that decision-making is based on the best available data regarding program effectiveness with specific types of offenders.
7. A task force of key actors in the juvenile justice system should be formed to respond to recommendations in this report and to address the issue of coordination of goals and objectives of the system with those of component agencies. The task force should be chaired by the presiding judge of Juvenile Court who should appoint five to seven members to include representatives from the Probation Department, the District Attorney's Office, law enforcement agencies, and the Department of Social Services.

Gangs

- 1. The programs implemented to reduce gang-related crime in the San Diego region (San Diego Police, Probation, District Attorney, City Attorney of San Diego, and the City of San Diego's street youth project) should be evaluated to determine the relative impact on gang-related crime, gang membership, etc. Objectives for each program should be developed that are realistic and measurable. Relevant data should be analyzed for 12 to 18 months to determine the effectiveness of each component in meeting the stated objectives.
- 2. Local community agencies should encourage active involvement of community members as resources for addressing the problem of gang-related activity (e.g., churches, schools, families, community groups, community-based programs, health agencies, etc.).
- 3. All local law enforcement agencies either currently maintaining or considering the development of gang intelligence files should adhere to the Department of Justice guidelines for criminal intelligence files. The responsibility for names entered into a file should be limited to individuals with expertise in the area.

4. Academy and in-service training should be provided to police officers in identification of gang members. Training should also include information on specific gangs and appropriate enforcement techniques.
5. Data on reported gang-related crimes should be tabulated on a regional basis to document the problem and assist in the development of strategies.

DEFINITION OF TERMS

Adult Court Remand

A juvenile, 16 or 17 years of age, may be transferred (remanded) to adult court if the minor is deemed not amenable to treatment available to the juvenile court.

Disposition (Court)

The disposition in juvenile court is similar to sentencing in the adult court system. Disposition alternatives include commitment to California Youth Authority (a state institution), placement in local county or private school facilities, placement in a foster home, short-term placement in Juvenile Hall, or probation.

Juvenile

Juvenile court law defines a juvenile as 17 years of age or younger.

Juvenile Contact

A contact is similar to an arrest for an adult. A juvenile contact report, rather than an arrest report, is completed by the law enforcement officer.

Petition

A petition is similar to filing a complaint in the adult court system. The petition lists the formal charges against the juvenile to be considered by the court.

Probation Referral

A law enforcement agency may refer a juvenile case to probation for further processing. The probation officer may handle a case informally or request that the District Attorney file a petition with the juvenile court.

True Finding

If a juvenile either admits involvement in an offense, or the court determines the juvenile was involved based on evidence presented, a true finding is made. This is similar to a guilty verdict in adult court.

**CHAPTER 1
INTRODUCTION**

Introduction

DISCUSSION

The issues of youth violence and gang-related crime were designated as priorities by the San Diego Regional Criminal Justice Planning Board (RCJPB) in 1979. This research project was funded to examine relevant information regarding juvenile violence to assist juvenile justice personnel in dealing with the problem. The following research questions are explored in this report.

1. What is the incidence and nature of youth violence and gang-related crime in the San Diego region?
2. How does the juvenile justice system respond to violent youthful offenders?
3. What strategies have been implemented in the San Diego region and other areas that address juvenile violence and gang-related activity?
4. What strategies should be implemented by juvenile justice components and community agencies to impact juvenile violence and gang-related activity?

The methodology employed to address these issues includes:

1. A review of literature and recent legislation related to violent juvenile offenders.
2. A trend analysis of official statistics.
3. A case-tracking study of 614 juveniles from arrest for a crime to final case disposition.
4. A recidivism study of 101 violent offenders.
5. A profile of gang members and gang-related crime in the region.
6. Surveys of 810 law enforcement officers in the eleven local agencies, 235 probation officers in the juvenile services division, six juvenile court judges and referees, eight deputy district attorneys, 18 defense attorneys, and 21 administrators of community agencies serving juveniles.

Before presenting study results, it may benefit the reader to briefly review the history of the juvenile court system, the juvenile justice process in San Diego County, and relevant theories regarding juvenile violence and gangs to provide a foundation for understanding the discussion of the research questions.

HISTORICAL PERSPECTIVE

Historically, the role of the juvenile justice system has been rehabilitation and protection of the child rather than punishment for crimes committed. This doctrine is encompassed in the concept of parens patriae which provides for "flexibility, guardianship and a balancing of interests in the general welfare" of the child. (Smith, et al., January 1977.) Under this doctrine, the state accepts ultimate guardianship of the minor by declaring the child a ward of the court. Additionally, juveniles are not considered to be criminals but are delinquents.

This paternalistic role justifies the "court's jurisdiction over acts of youthful misbehavior, not illegal in the traditional sense, such as truancy, disobeying parents and associating with undesireables." (Smith, et al., January 1979.) In recent years, there has been a move to deinstitutionalize juveniles who have committed offenses not considered law violations for adults, thus limiting the court's jurisdiction.

Other changes in the juvenile courts are the result of the Gault decision (1967). The Supreme Court held that juveniles have the right to elementary standards of due process "such as timely, written notification of the specific charges against them; the right to counsel; the right to question evidence and cross-examine witnesses; and the right to offer testimony in their own behalf." (Silberman, 1978.) This created an adversary system in the juvenile courts similar to adult proceedings, but without the right to a jury trial.

Change in Trends

In a reaction to perceived increases in the extent and seriousness of juvenile crime, there has been a trend toward increased punishment of minors deemed not amenable to treatment available in the juvenile courts.

In California, proposed legislation includes lowering the age at which jurisdiction can be transferred to adult court from 16 to 13 and possible transfer of California Youth Authority (CYA) inmates to the State prison system at 25 instead of releasing them as is required now. At least 12 bills have been introduced in the State Senate and Assembly during the past year to increase penalties for juvenile offenders. In addition, several proposals for longer sentences in certain offenses (e.g., witness intimidation and weapons offenses) could also affect minors, since the maximum penalty is the same for adults and juveniles.

CURRENT STATUTES

Juvenile law in California is set forth in the Welfare and Institution Codes (W&I). The purpose of juvenile law, as stated in Section 202 W&I, is twofold:

1. To secure care and guidance for each minor under jurisdiction of the court; and
2. To protect the public from the consequences of criminal activity.

Delinquent acts are defined under Sections 601 and 602 W&I. Section 601 W&I refers to status offenses which are crimes when committed by minors but not adults (e.g., truancy, runaway, curfew and incorrigibility). Section 602 W&I refers to law violations by minors of state, federal or local statutes defining crimes. This report deals with specific law violations which fall under Section 602 W&I. These are felony crimes of homicide, rape, robbery and aggravated assault.

The juvenile court has original jurisdiction over minors 17 years or under. Jurisdiction can be transferred to the adult court for juveniles 16 and older who are found to be unfit for juvenile court (i.e., not amenable to the care, treatment and training programs available through the facilities of the juvenile court - Section 707 W&I).

JUVENILE COURT PROCESS

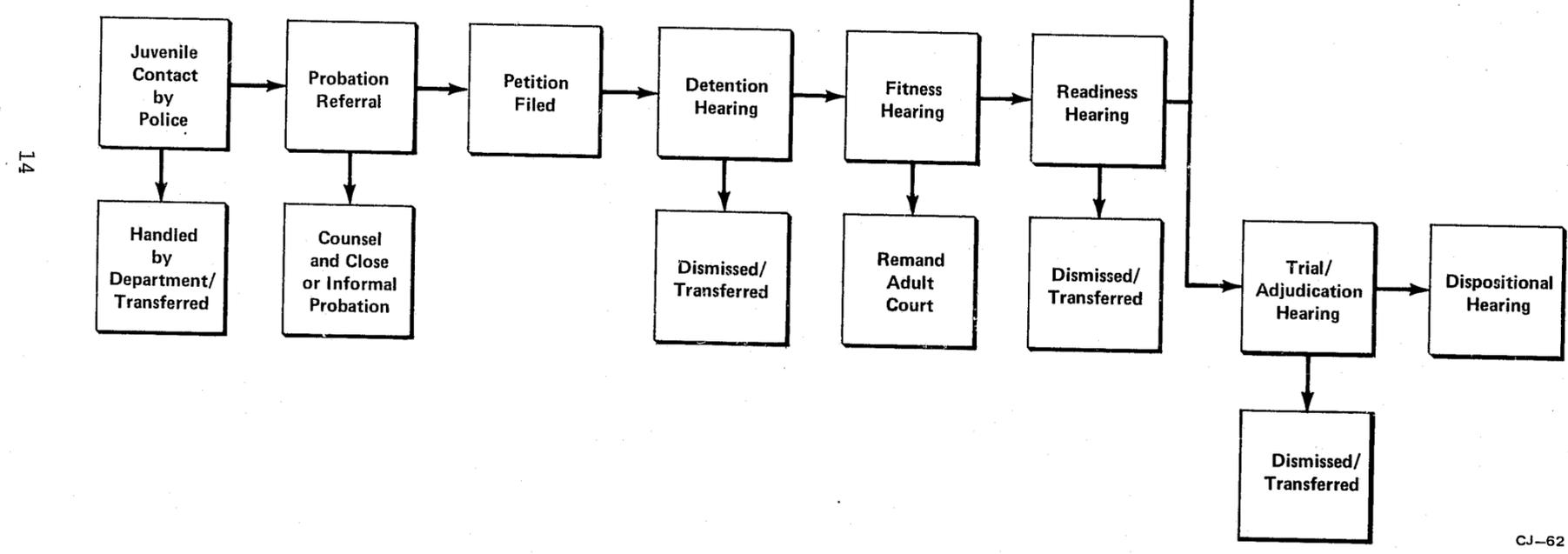
Proceedings at the juvenile level are not criminal and judging a minor to be a ward of the court is not deemed a conviction per Section 203 W&I. As a result, Juvenile Court uses its own terminology for events similar to those that occur in adult criminal courts. For example, a juvenile is not found guilty of an offense, but a true finding is made by the court. Such terms will be referenced and explained throughout the discussion of the juvenile court process.

Figure 1 presents an overview of the juvenile justice system and the possible disposition alternatives at each stage in the process. This is a simplified version of the flow of cases. Not all juveniles will proceed through every step or hearing. The chart is only used to clarify the following description of the role and decision alternatives of criminal justice actors (law enforcement, probation, courts and corrections) as set forth in state statutes and local policies and procedures.

Law Enforcement

Initiation into the juvenile justice system for 601 and 602 W&I offenders begins with contact by law enforcement. A contact is similar to an arrest for an adult and the terms are used interchangeably in this report. The first decision made by law enforcement personnel after arrest is whether to place the minor in Juvenile Hall or release to the parents. (626 W&I) The criteria for detention by probation are stated in Section 628 W&I:

FIGURE 1
JUVENILE COURT PROCESS
POLICE CONTACT TO CASE DISPOSITION
SAN DIEGO COUNTY



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1. The minor has no parent or guardian willing to exercise proper care or control.
2. The minor is destitute with no suitable home.
3. The minor has a home which is unfit.
4. The minor or the person or property of another requires protection.
5. The minor is likely to flee the jurisdiction.
6. The minor has violated a court order.
7. The minor is physically dangerous to the public due to a physical or mental deficiency or disorder.

The law enforcement officer may refer the case to probation for further processing or the juvenile can be handled informally. In some jurisdictions informal disposition includes referrals to diversion programs in individual police agencies or an outside community-based agency.

Probation

Referrals to probation are handled by an intake officer who determines if a petition will be requested from the District Attorney's office. A petition is similar to filing a complaint in the adult court system. The petition must be filed within 48 hours (two judicial days) for juveniles in custody and 21 days for "paper" referrals (non-custody cases - 653 W&I).

Other disposition alternatives include counseling by the intake officer and closing the case or informal supervision which is a six-month period of supervision authorized by probation.

Three units within the Probation Department Juvenile Services Division are involved in the decision-making process in court cases. The investigation unit prepares an in-depth investigation of the child's background and submits a social study to the court which includes recommendations regarding case disposition. The placement unit decides what institutional setting is appropriate for the minor if the court orders placement in a 24-hour school. Finally, the supervision unit actually supervises minors placed on probation. This unit also handles subsequent referrals for juvenile wards of the court who commit additional offenses during the period they are under jurisdiction of the court.

District Attorney

The decision to file a petition is shared by the District Attorney and the Probation Department. If the Probation Officer decides that a juvenile should be brought before the court, the officer requests a petition from the prosecuting attorney (Section 653 W&I). If the deputy district attorney determines that the case is provable, a petition is filed. In San Diego County, felony cases are initially screened by the District Attorney's office for provability, whereas misdemeanor referrals are first reviewed by probation before submitting them to the prosecutor. Probation's decision not to request a petition can be appealed by the victim or police agency. (655 W&I) With the exception of a shared responsibility for filing a petition, the role of the deputy district attorney is similar to the role in the adversary system in adult court.

Courts

At the initial hearing for any juvenile, the matter of court appointed counsel is decided. Section 634 W&I states that if a minor or his/her parents desire counsel, but cannot afford it, the court may appoint a defense attorney. If a juvenile appears without counsel, the court must appoint an attorney unless there is an intelligent waiver of the right to counsel by the minor.

Detention Hearing. A juvenile in custody must be brought before a judge or referee of the juvenile court to determine if the minor will be detained further. This occurs within one judicial day of the filing of a petition (632 W&I). Subsequently, the issue of detention can be reevaluated at other court appearances.

Fitness Hearing. The prosecuting attorney may move to have a 16 or 17 year old declared unfit for juvenile court based on the following criteria:

1. The degree of criminal sophistication exhibited by the minor.
2. Whether the minor can be rehabilitated prior to the expiration of the juvenile court's jurisdiction.
3. The minor's previous delinquent history.
4. Success of previous attempts by the juvenile court to rehabilitate the minor.
5. The circumstances and gravity of the offense alleged to have been committed by the minor. (707 W&I.)

The juvenile is presumed fit for juvenile court and has to be proven otherwise, except when the minor has been charged with one of 16 major offenses. In the latter case, the juvenile is presumed unfit unless there are extenuating or mitigating circumstances.

Readiness Hearing. The first court appearance for most non-custody cases is the readiness hearing, unless a fitness hearing has been required. At the readiness hearing, the court determines whether a final disposition of a case can be reached without a full trial or adjudication hearing. The juvenile at this time may plead no contest or "admit" to some or all of the charges (similar to a guilty plea). This admission is considered a true finding by the court and the disposition (sentencing) either occurs at readiness or a subsequent disposition hearing. If the case is not settled, a date is set for the adjudication hearing. The readiness hearing is not mandated by statute and therefore is not used in all jurisdictions.

Adjudication Hearing. The adjudication hearing is similar to a trial. The deputy district attorney presents evidence in support of the petition. The minor has most of the same constitutional and statutory rights as in an adult criminal trial (e.g., right against self-incrimination, confrontation of witnesses, etc.) except the right to a jury trial. At this hearing, the petition is either found to be true or dismissed.

Dispositional Hearing. At the dispositional hearing the judge or referee decides what alternatives are most appropriate for the juvenile

based on information and recommendations supplied by the probation officer in the social study as well as recommendations of the deputy district attorney and possibly defense counsel. The court may retain jurisdiction over the minor by declaring the juvenile a ward of the court. This places the court in the role of the minor's guardian during the period of wardship. Disposition options include:

1. Commitment to California Youth Authority (CYA).
2. Placement in a County camp facility (Rancho del Rayo) or Girl's Rehabilitation Facility.
3. Placement in a 24-hour school (residential setting) or foster home.
4. Short-term placement in Juvenile Hall.
5. Return home on probation either with or without wardship. Probation may include conditions such as restitution, court costs and work projects.

These disposition alternatives are explained in detail in Chapter 4.

VIOLENCE

Prior to any discussion of juvenile violence, it is necessary to define what constitutes violence or aggression. For purposes of this study, violence refers to the illegal threat or use of force against the person of another. The violent acts to be studied are the more serious felony crimes of willful homicide, forcible rape, robbery and aggravated assault.

The degree of violence may vary among incidents within a particular offense category. For example, aggravated assault may range from a schoolyard fight to assault using a firearm. Where possible, the seriousness of an offense has been measured in terms of weapons use or injury to the victim.

Theories of Violence

According to Monroe Lefkowitz (1977), most theories regarding the causes of violence fall within one of three categories:

1. Aggressiveness as an innate characteristic or the result of physiological factors (e.g., brain disorders, nutrition, the effects of alcohol or drugs, hormone imbalance, etc.).
2. Aggression as the result of frustration (e.g., restriction of goal-directed activity leads to aggression).
3. Violence as learned behavior.

The latter theory, that violence is learned through interaction with others, provides the basis for changing such behavior through retraining or un-learning the maladaptive response.

The California Commission on Crime Control and Violence Prevention (January, 1982) brought together leading experts in the study of violence to examine the causes and possible remedies for violent behavior. The report suggests specific factors within these three theoretical perspectives that may be associated with violence.

1. A family environment in which a child experiences rejection, abuse and a lack of love or affection.
2. Corporal punishment as an aggressive model for the child to emulate.
3. The interaction between institutional racism and socioeconomic status.
4. The effects of diet, drugs and other biochemical factors.
5. Academic failure and alienation from school.
6. The effects of mass media violence (e.g., television and movies).
7. The potential impact of a negative birth experience on the likelihood of healthy child development (e.g., lack of bonding between parent and child).
8. Brain damage and learning disabilities.
9. Biological factors such as genetic conditions, hormonal imbalance, brain disease and dysfunction.

The report concludes that the causes of violence are complex and inter-related. It is probable that no one theory sufficiently explains violence and aggression. However, the theoretical perspectives provide a framework for prevention and reduction strategies which can be tested to determine what works to eliminate violence.

GANGS

The definitions of gangs and gang-related crime used in this study are those established by the California Department of Justice (June 1981):

"YOUTH GANG -- an organization of individuals normally between the ages of 14-24. It is loose knit, without structure, and the strongest or boldest member is usually the leader. The gang has a name, claims a territory or neighborhood, is involved in criminal activity, and its members associate on a continuous basis. Their activities include violent assaults against other gangs, as well as committing crimes against the general population."

"GANG-RELATED CRIME -- occurs when one of the following crimes -- homicide, attempted murder, assault with a deadly weapon, robbery, rape, kidnapping, shooting at an inhabited dwelling, or arson, is reported and the suspect or victim is on file as a gang member or associate member. If the investigation strongly suggests that the incident in-

volves a gang member, though neither the victim or suspect is known to be a gang member or associate; it is classified as gang related, i.e., A shoots B while driving by and yells "WEST COAST."

The term gang is used to differentiate groups involved in criminal activity from other clubs or organizations (e.g., car clubs). This criteria is used by law enforcement to denote groups that warrant police attention. It should be remembered that most gang activity is not criminal, and that not all youths associating with gangs have necessarily committed crimes.

Theories of Gangs

Three dominant themes are present in theories of gang behavior: (1) the gang is a reaction to the values or goals of the dominant society; or (2) the gang is a normal process of adapting to lower class culture; and/or (3) the gang provides peer support during the adolescent period of transition to adulthood. Some examples of major theories in the field include the following (as described by Malcolm Klein in Street Gangs and Street Workers, 1971):

1. Delinquent subculture theory purports that lower class boys respond to frustration related to class position and low self esteem by creating a delinquent subculture which transmits delinquent values.
2. Opportunity theory suggests that individuals differ in their access to and acceptance of the goals of society (e.g., monetary rewards). If the avenues for achieving these goals are blocked, the individual may turn to illegal means. The criminal subculture, such as a gang, accepts the goals of society but not the legitimate means for attaining them.
3. Walter Miller states that lower class delinquency is normal behavior and is functional for life in that culture. Therefore, gangs are not a reaction to the values of the larger society.
4. Adolescent striving theory suggests that the gang is present during the transition period of adolescence between dependency and autonomy. The delinquent gang is seen as a collective response to this transition period where the individual finds support from his peers.

According to Malcolm Klein, differences in gang behavior can be accounted for by the fact that "deviant values, the requisite skills and the opportunities for misbehavior are learned and reinforced through association with other members." (Klein, 1971.)

Klein presents a scenario of the development of youth gangs which is useful in understanding the dynamics of the process. "When a number of boys in a neighborhood withdraw from similar sets of environmental frustrations and interact with one another enough to recognize, and perhaps generate, common attitudes, the group has begun to form. Added to the threats of rival groups are the many ways in which society reinforces

this tendency - police behavior, teacher reactions, lack of acceptance by adults on playgrounds and in local business establishments, and so on." (Klein, 1971.) It is apparent that the reaction of others can be a key factor in solidifying the cohesiveness of the delinquent group.

CHAPTER 2 INCIDENCE AND NATURE

Incidence and Nature

SUMMARY

Trends in juvenile violence indicate a decline in the number of offenses, contrary to opinions of juvenile justice practitioners. This decrease is partially due to a reduction in the proportion of juveniles in the age range with the highest risk of delinquency (10-17). Yet arrests for juvenile violence decreased at a greater rate than the population in that age range, indicating other factors are responsible for the change.

However, juvenile violence is a serious problem which must be addressed by the juvenile justice system. The offender profiles presented identify characteristics of the violent juvenile offender and gang member which should be considered in the disposition of cases reaching the juvenile justice system.

DISCUSSION

To address the issue of the incidence and nature of juvenile violence and gang-related crime, the following information is presented:

1. Trends in juvenile contacts/arrests and probation referrals for juvenile violence.
2. Trends in school violence and gang-related crime in the City of San Diego.
3. National victimization survey data on juvenile offenders.
4. Demographic characteristics of juveniles arrested/contacted for violent offenses over the past five years.
5. A profile of the violent juvenile offender based on a special study.
6. A profile of San Diego City gang members.

Data Limitations

The data presented are the best available indicators of juvenile involvement in crime. However, there are limitations inherent in each of the measures of juvenile delinquency. Official arrest statistics only represent offenses that come to the attention of law enforcement,

and therefore do not reflect all crimes committed by juveniles. Studies do suggest that arrests are a more reliable indicator of the extent and nature of major offenses such as those studied here. Another limitation is that juvenile arrest data may overrepresent the proportion of crimes in which juveniles are actually involved, because juveniles are more likely to commit crimes in groups and be arrested with others.

Victimization survey data have the advantage of supplying data on suspects in both cases known to police and unreported incidents. But reliance on the perceptions or memory of victims can be a source of error. This can also be true of suspect information collected from crime incident reports.

Use of all these measures of juvenile crime adds confidence to conclusions based on data presented.

TRENDS IN JUVENILE VIOLENCE

There is a general perception among juvenile justice personnel that youth violence has increased and has become more serious in nature. However, these presumptions are not totally supported by official statistics. When asked if the number of violent crimes committed by juveniles has increased over the past five years, the majority of respondents agreed. Positive responses ranged from 67% of the judges/referees surveyed to all of the deputy district attorneys with an opinion. The percentages were higher for those who felt that the seriousness of juvenile violence had increased (e.g., increased use of weapons or injury to victims). In terms of specific crimes, the majority of the respondents agreed that both robbery and assault have increased in number. (See Tables 1 through 3.)

TABLE 1

INCREASE IN VIOLENT CRIMES COMMITTED BY JUVENILES SURVEY OF CRIMINAL JUSTICE PRACTITIONERS

Question: Do you think the number of violent crimes committed by juveniles has increased over the past five years?

	<u>Police</u>	<u>Probation</u>	<u>District Attorneys</u>	<u>Defense Attorneys</u>	<u>Referees/Judges</u>	<u>Community Agencies</u>
Yes	98%	95%	100%	69%	67%	88%
No	2%	5%	0	31%	33%	12%
TOTAL	766	216	4	13	6	16

TABLE 2

SERIOUSNESS OF JUVENILE VIOLENCE SURVEY OF CRIMINAL JUSTICE PRACTITIONERS

Question: Do you think the seriousness of juvenile violence has increased over the past five years (for example, increased use of weapons or more serious injuries)?

	<u>Police</u>	<u>Probation</u>	<u>District Attorneys</u>	<u>Defense Attorneys</u>	<u>Judges</u>	<u>Community Agencies</u>
Yes	97%	97%	100%	86%	83%	100%
No	3%	3%	0	14%	17%	0
TOTAL	781	229	5	14	6	15

TABLE 3

INCREASE IN TYPES OF CRIMES COMMITTED BY JUVENILES SURVEY OF CRIMINAL JUSTICE PRACTITIONERS

Question: What types of violent crimes have increased?

	<u>Police</u>	<u>Probation</u>	<u>District Attorneys</u>	<u>Defense Attorneys</u>	<u>Judges</u>	<u>Community Agencies</u>
Homicide	31%	62%	50%	78%	0	64%
Rape	22%	41%	50%	33%	0	36%
Robbery	65%	85%	100%	89%	50%	71%
Assault	86%	85%	100%	89%	100%	93%
Other	2%	1%	0	0	50%	14%
TOTAL*	747	205	4	9	6	14

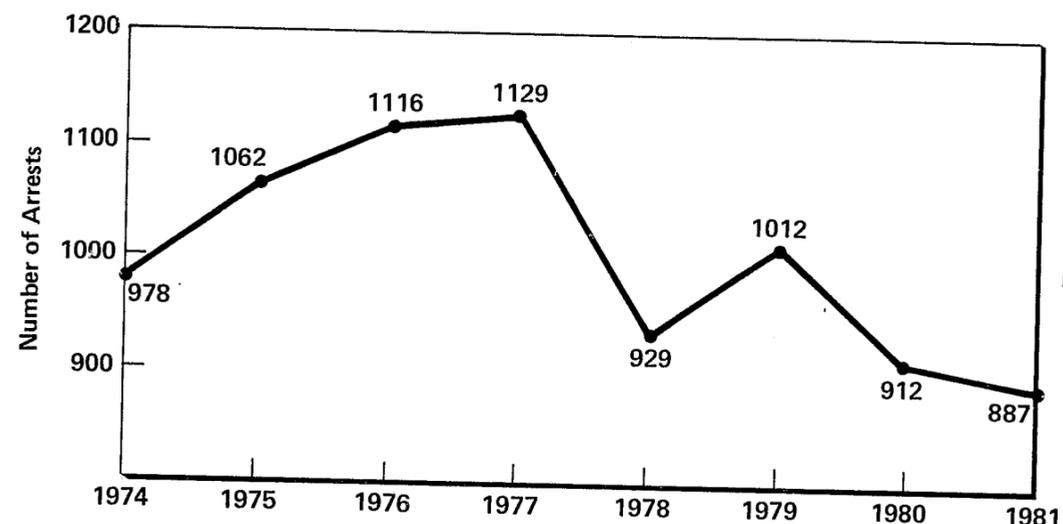
*TOTAL = those who think violent crimes have increased.

Juvenile Contacts/Arrests

Since 1977, juvenile contacts/arrests for major violent offenses (homicide, rape, robbery, aggravated assault) have decreased 22% from 1,129 contacts to 887 in 1981. Before this time, the San Diego region experienced a consistent increase in youth violence arrests (see Figure 2). Table 4 indicates that both robbery and felony assaults have declined (-26% and -21%, respectively), contrary to the perceptions of criminal justice agency personnel. Both homicide and rape have increased, although the number of arrests is relatively small. The increase in homicide arrests among juveniles (from 10 to 15) may reflect gang-related violence during this period. (See page 31.)

Trend data are not available on the seriousness of juvenile violence in terms of use of weapons or injury to victims. Therefore, perceptions regarding an increase in the severity of violent acts committed by juveniles cannot be verified. However, data on all reported aggravated assaults and robberies in the region (adult and juvenile) show a decline in use of firearms over the past five years (from 17% of the reported aggravated assaults to 11%, and from 46% to 43% for robbery).

FIGURE 2
FELONY JUVENILE CONTACTS/ARRESTS FOR VIOLENT OFFENSES*
SAN DIEGO REGION
1974 - 1981



*Homicide, rape, robbery, aggravated assault.

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TABLE 4

FELONY JUVENILE ARRESTS FOR VIOLENCE BY TYPE OF OFFENSE
SAN DIEGO REGION
1977 and 1981

	1977	1981	% Change
Homicide	10	15	+ 50%
Forcible Rape	18	27	+ 50%
Robbery	431	318	- 26%
Assault	670	527	- 21%
TOTAL	1,129	887	- 21%

The decrease in juvenile violence arrests occurred in all but four law enforcement jurisdictions (Oceanside, La Mesa, Imperial Beach, and El Cajon). (See Table 5.) Variation among jurisdictions could be the result of changes in juvenile crime problems, fluctuation in the juvenile population and/or differing police practices regarding release of juveniles or diversion.

TABLE 5

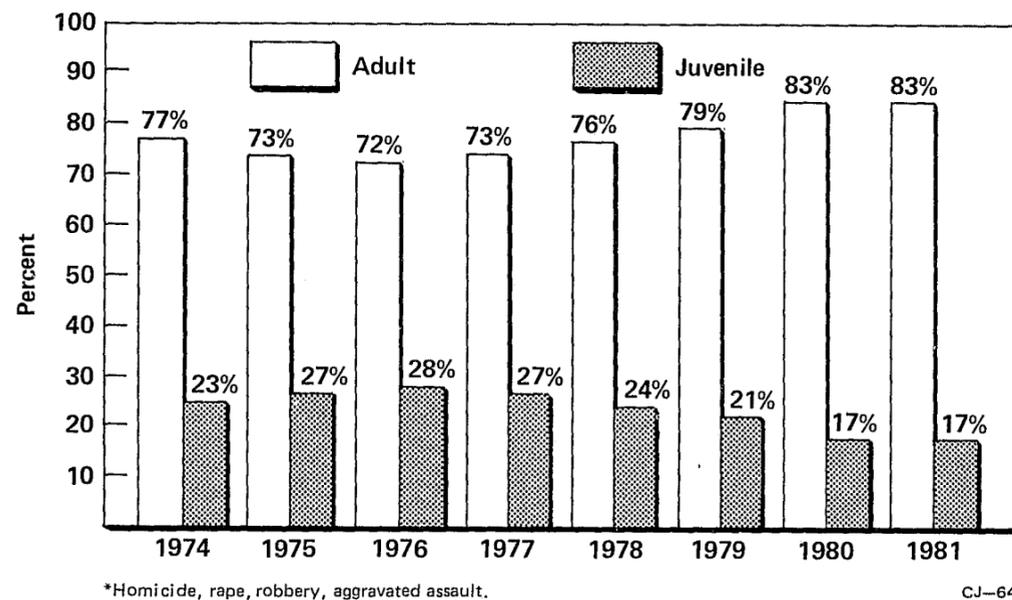
JUVENILE ARRESTS FOR VIOLENT OFFENSES
BY LAW ENFORCEMENT JURISDICTION
1977 and 1981

	1977	1981	% Change
Carlsbad	9	8	- 11%
Chula Vista	54	42	- 22%
Coronado	9	6	- 33%
El Cajon	26	31	+ 19%
Escondido	33	16	- 52%
Imperial Beach	10	12	+ 20%
La Mesa	12	18	+ 50%
National City	80	49	- 39%
Oceanside	27	50	+ 85%
San Diego	709	523	- 26%
Sheriff	152	124	- 18%
Other	8	8	Ø
Total	1,129	887	- 21%

A possible explanation for the overall declining trend in youth violence is the increase in the median age of the population from 25.6 in 1970 to 28.8 in 1980. In 1970 15% of the region's population was estimated to be between 10 and 17, the at-risk stage for juvenile offenders, compared to 12% in 1980. However, controlling for decreases in the juvenile population, there is still a decline in youth violence. The rate of arrests/contacts per 1000 juveniles was reduced from 5.03 in 1977 to 3.98 in 1981 for violent offenses. Therefore, official data suggest juveniles in the 10 to 17 age range are becoming less, rather than more violent.

Trend data presented in Figure 3 indicate that juveniles have been responsible for a decreasing proportion of violent offenses since 1977 (27% of the arrests compared to 17% in 1981). Data on suspects in crime cases (May 1, 1981 to April 30, 1982) show that, in fact, juveniles may be involved in only 11% of the reported violent offenses. Their over-representation in arrest statistics may be due to the likelihood that juveniles commit crimes in groups.

FIGURE 3
PERCENT DISTRIBUTION OF ADULT AND JUVENILE ARRESTS
FOR VIOLENT OFFENSES*
SAN DIEGO REGION
1974 - 1981



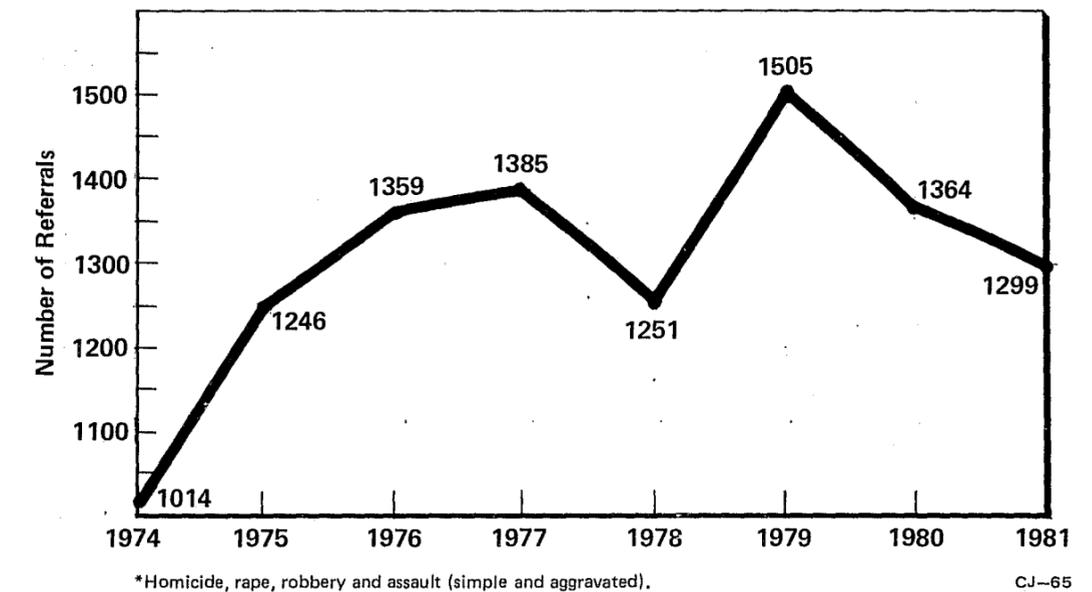
Probation Referrals

Although data on initial probation referrals for violence are not directly comparable to arrest data presented, the trends are similar. There are two major differences in the data sources:

1. Probation referrals for 1981 include both felony and misdemeanor assaults. Before 1981, these offenses were presented in one category by the Bureau of Criminal Statistics (BCS).
2. Probation data reflect initial referrals and exclude referrals of juveniles who are currently wards of the court involved in subsequent offenses. BCS reporting procedures have changed recently to incorporate all referrals, regardless of wardship, but San Diego County is still reporting under the former guidelines.

Since 1977, juvenile probation referrals for violent offenses declined from 1,385 to 1,299 in 1981 (-6%). Prior to 1977, probation referrals reflected an increasing trend. This is similar to the juvenile arrest statistics. (See Figure 4.)

FIGURE 4
INITIAL JUVENILE PROBATION REFERRALS
FOR VIOLENT FELONY OFFENSES*
SAN DIEGO REGION
1974 - 1981



School Violence

Another indicator of trends in juvenile-related crime is the number of crimes occurring on school campuses. For purposes of this study, major violent crimes reported by the San Diego City schools were examined

over a five-year period. Consistent data were available over an extended period of time for this school district, the largest in the region.

Similar to arrest data, it appears that after a peak in the 1978-79 school year (163 reported crimes), there has been a steady decline in school-related violence through 1980-81 (95 offenses). The potential seriousness of offenses may be greater though, as reflected by an increase in offenses involving firearms over the last year (from 14 to 22). Other types of weapons offenses on campus decreased during the same period. (See Figures 5 and 6.)

FIGURE 5
REPORTED CRIMES FOR VIOLENT OFFENSES*
SAN DIEGO CITY SCHOOLS
1976-77 TO 1980-81

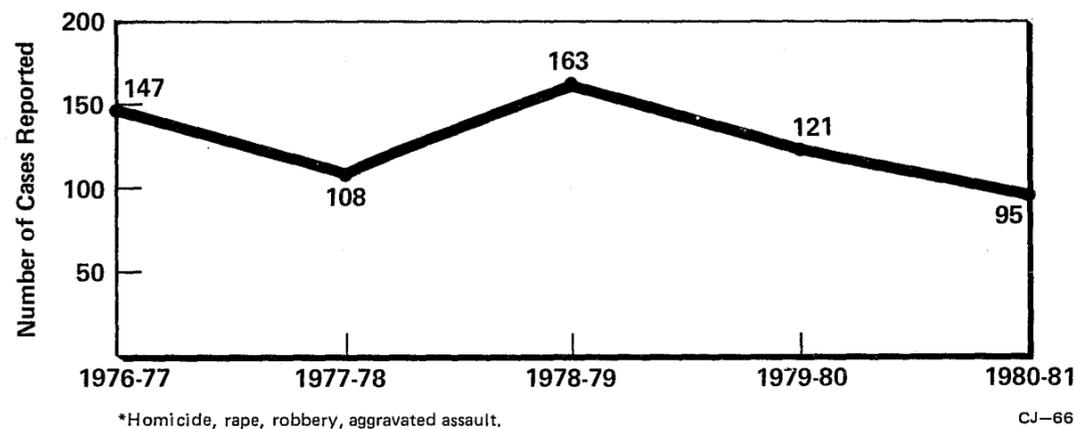
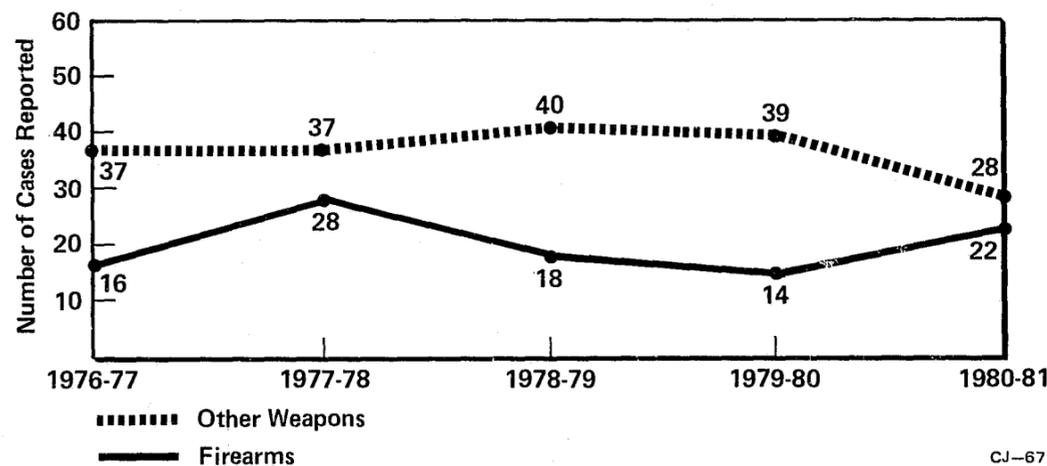


FIGURE 6
REPORTED CRIMES INVOLVING WEAPONS
SAN DIEGO CITY SCHOOLS
1976-77 TO 1980-81



Gang-Related Crime

The San Diego Police Department is the only law enforcement agency that has been collecting trend data on gang-related violence. Over the past four years (1978-1981), homicides attributed to gang members have increased (6 to 13) as have attempted homicides (7 to 11) and assaults with a deadly weapon (42 to 112). However, from 1980 to 1981, there has been an overall decrease in violent crimes related to gangs (-11%). This is a result of decreases in attempted homicide, robbery, assault with a deadly weapon, and assaults on police officers. The major crimes of violence to increase among gangs over the year were homicide, rape, and drive-by shootings or shootings into dwellings (see Table 6). The property-related crimes of burglary and auto theft also increased. There is an indication that gang-related violent offenses in San Diego may increase in 1982 based on the first three months of the year (up from 29 to 33).

TABLE 6
REPORTED GANG-RELATED CRIMES
SAN DIEGO POLICE DEPARTMENT
1980 and 1981

	1980	1981	% Change
Homicide	11	13	+ 18%
Attempted Homicide	22	11	- 50%
Rape	8	28	+250%
Robbery	119	87	- 27%
Assault with Deadly Weapon	123	112	- 9%
Shooting into Dwellings	13	19	+ 46%
Assault against Police Officer	19	11	- 42%
Burglary	76	122	+ 61%
Auto Theft	34	57	+ 68%
TOTAL	425	460	+ 8%

Countywide. A special study was conducted for a one-month period in which data were collected on major reported gang-related offenses in all eleven law enforcement jurisdictions. In April 1982, there were 68 major offenses identified as gang-related in the following categories: homicide, attempted homicide, assault with a deadly weapon, shooting into a dwelling, robbery, rape, burglary, auto theft, and felony assault against a police officer. (See Table 7.) The majority (35) were within the City of San Diego; however, six other areas experienced gang activity during this period: Oceanside (12), National City (10), Sheriff (4), Chula Vista (3), Carlsbad (2), and Escondido

(2). Projected for a one-year period, there will be an estimated 816 major crimes associated with gangs in 1982. Additionally, 4% of the major violent offenses will be attributed to gang members. This does not account for unreported offenses or instances in which gang involvement was not identified by law enforcement.

TABLE 7
MAJOR GANG-RELATED CRIMES
IN THE SAN DIEGO REGION
APRIL 1982

Homicide	2
Attempted Homicide	2
Rape	1
Robbery	11
Assault with Deadly Weapon	22
Shooting Into Dwelling	8
Assault Against Police Officer	3
Burglary	9
Auto Theft	10
 TOTAL	 68

National Victimization Survey

A study funded by the National Institute for Juvenile Justice and Delinquency Prevention explored the trends and patterns of juvenile criminal behavior in the United States using victimization survey data. (McDermott, 1981.) Information on juvenile offenders was based on victim descriptions of suspects in person crimes (rape, robbery, assault and personal larceny) from the 1973 to 1977 National Crime Survey (NCS). Data from victimization surveys overcome a major disadvantage of official statistics. Unlike arrest data, the biases that may be present in the selection of offenders for arrest are not a factor.

Substantiating conclusions from other data sources, findings from McDermott's report indicate that juvenile involvement in violent crime has not increased. Results indicate that the number and rate of person crimes attributed to youth under 18 decreased from 1973 to 1977 (a 13% decline in the number of crimes and a 9% decrease in the rate). In addition, there was no evidence of increased weapons use (i.e., guns) among juveniles and the rate of physical injury to victims did not increase. (McDermott, 1981.)

Myth vs. Reality

Research suggests that popular opinion regarding increases in juvenile violence is a reaction to media reports and actions of legislators in response to conceptions about juvenile crime. This conclusion is supported by the current study. All indicators show that juvenile

crimes against persons in the San Diego region have decreased, although homicide has increased slightly and gang-related crime has become more apparent in the past few years.

The following remarks summarize the findings and conclusions of other research in this area.

"Juvenile involvement in personal crimes of rape, robbery, assault and larceny is substantial. However, the NCS data are not consistent with the growing national alarm regarding serious juvenile crime. To the extent that recent legislation that hardens the societal response to juvenile crime is premised on substantial upswings in juvenile crime in recent years, the NCS data cannot provide support for such legislative shifts ..." (McDermott, 1981.)

"Existing national data sources suggest that the character of criminal conduct in the United States has become more serious and violent through the '70's. Persons between 16 and 24 have always been responsible for the vast majority of criminal conduct, but the present perception by the public and the media that the decade of the '70's produced a dramatic and disproportionate increase in serious and violent crime attributable to juveniles is unsupportable.

The present legal framework in the country for handling violence by youth is sufficiently diverse to provide a rich laboratory for measuring the efficacy of alternative approaches, and we urge that research be undertaken and pursued before embarking on radical policy changes which may inappropriately allocate scarce social resources." (Snyder and Hutzler, 1981.)

"... it appears that neither violent nor serious property crime rates will, in the near future, be as high as they were several years ago." (Smith and Alexander, 1980.)

Even though violent acts by juveniles have not increased, juvenile violence is a problem that must be effectively addressed by juvenile justice systems. The following profile of serious juvenile offenders supplements the knowledge required to develop a rational response to juveniles who engage in violence.

DEMOGRAPHIC CHARACTERISTICS OF OFFENDERS (SAN DIEGO COUNTY)

Over the past five years, there has been a shift in the characteristics of the violent juvenile offender population based on arrest statistics. Offenders are now more likely to be male, and a higher proportion are Hispanic.

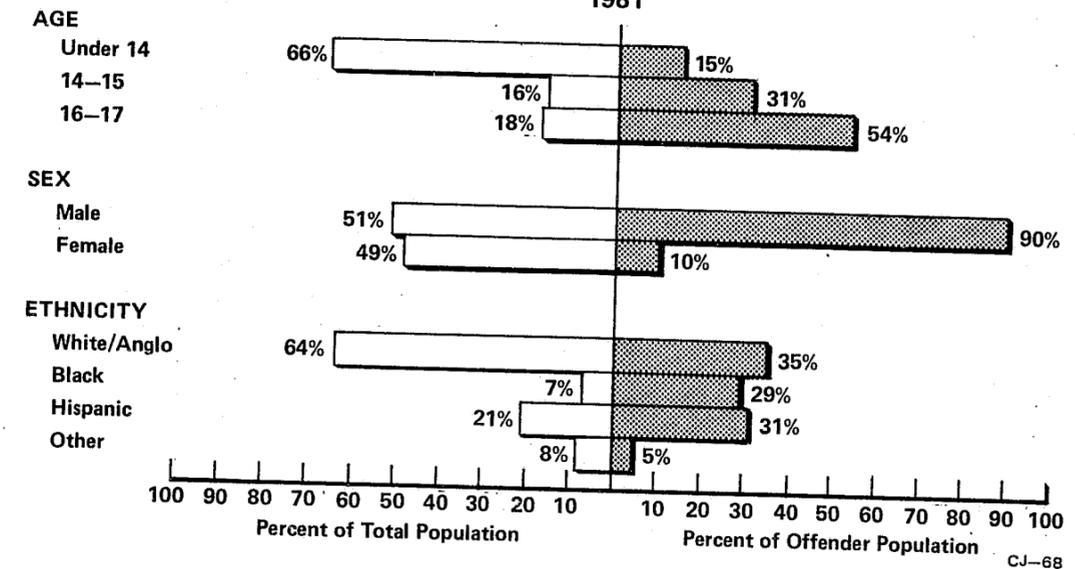
1. In 1977, 86% of the juvenile arrests for violent offenses were male, compared to 90% in 1981. This is significantly higher than the proportion of male juveniles in the population (51%). (See Table 8 and Figure 7.)

- The age distribution of violent juvenile offenders has not changed significantly between 1977 and 1981. Offenders tend to be older than juveniles in the general population. Fifty-four percent (54%) of the offenders were between 16 and 17, compared to 18% of the juveniles in the region.
- In 1981, Hispanics arrested increased to 31% of the violent offender arrests from 27% in 1977, with a corresponding decrease for blacks (34% to 29%). A higher proportion of minorities (non-whites) are contacted for violent offenses compared to their proportion in the region's population. This issue is addressed in Ethnic Minorities in the Juvenile Justice System (San Diego Association of Governments, June 1982).

TABLE 8
CHARACTERISTICS OF JUVENILES ARRESTED
FOR VIOLENT FELONY OFFENSES
1977 and 1981

	1977		1981		% Change
	#	%	#	%	
SEX:					
Male	969	86%	795	90%	+ 4%
Female	160	14%	92	10%	- 4%
AGE:					
10 and Under	11	1%	24	3%	+ 2%
11-12	53	5%	48	5%	—
13-14	270	24%	168	19%	- 5%
15-16	507	45%	405	46%	+ 1%
17	288	26%	242	27%	+ 1%
RACE:					
White	409	36%	311	35%	- 1%
Black	384	34%	259	29%	- 5%
Hispanic	309	27%	276	31%	+ 5%
Other	27	2%	40	5%	+ 3%

FIGURE 7
CHARACTERISTICS OF JUVENILE VIOLENT OFFENDERS
AND TOTAL POPULATION
SAN DIEGO REGION
1981



OFFENDER PROFILE

To augment official statistics available on violent juvenile offenders, a special study was conducted which tracked youthful offenders from initial police contact to court disposition. (See Methodology, page 113.) The results allow a comparison of violent and property offenders on socioeconomic factors, criminal history and variables associated with the tracking offense. This provides a profile of the violent offender which is useful in assessing intervention strategies.

The sample consists of 323 juveniles arrested/contacted during July 1 to December 31, 1980 for violent felony offenses (homicide, rape, robbery and aggravated assault) and 291 youths arrested for major property offenses (burglary, grand theft and motor vehicle theft). The sample was selected from juvenile contacts in five local law enforcement agencies.

The profile data presented are based on a sample of delinquents who became known to authorities. It is possible that delinquents who are not arrested differ from those represented in the arrest data. However, according to Paul Strasburg (1978), "police are more likely to arrest juveniles who are ... frequently and ... seriously delinquent according to self-report studies ... [therefore] the description provided by arrest-based data is likely to be most reliable with regard to the most violent offenders."

The reader should be cautioned that the juveniles discussed are, in reality, alleged offenders because guilt or innocence had not been determined at the arrest stage.

Demographic Characteristics

Juveniles arrested for crimes against persons tend to be older than property offenders. Fifty-three percent (53%) of the violent offenders are between 16 and 17 compared to 38% of the property offenders (see Table 9). The median age for violent juveniles is 16 compared to 15 for other serious offenders in the sample.

Juvenile offenders are predominantly male (86%). (See Table 10.) This proportion is the same for crimes against persons and property.

Data suggest that non-white juveniles are more likely to be contacted/arrested for violent offenses (68% of violence), whereas white juveniles have a greater tendency to be arrested for property crimes (58% of crimes). (See Table 11.) The proportions represented in the sample data over-represent minorities somewhat because of the jurisdictions studied (San Diego, Sheriff, Oceanside, Chula Vista and El Cajon). However, the relationship between minorities and contacts for violence is also significant in the total San Diego County offender population.²

The issue of minority involvement in the juvenile justice system is discussed by the authors in Ethnic Minorities in the Juvenile Justice System (June, 1982). Therefore, this issue will not be addressed in depth in this report. In summary, findings indicate that the association between race and serious crime, particularly violent offenses, is substantiated by several data sources including reported crimes, victimization surveys and similar case tracking studies. However, evidence suggests that this association is due to other socioeconomic variables such as income, education, et cetera. This conclusion is supported by Strasburg (1978). He found that the strength of the association between race and arrest varied by geographic location, thus implying that "some other factor (or factors) in the environment, linked to race through circumstances perhaps, contributes to the violence of ... youth."

² Statistical significance is determined using the Chi-square test (x^2). If Chi-square is significant at the 0.05 level, the results were not likely to have occurred by chance in a sample of the given size and degrees of freedom.

TABLE 9
AGE OF JUVENILE BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

<u>Age</u>	<u>Violent Offenses</u>	<u>Property Offenses</u>	<u>Total Serious Offenses</u>
13 and under	47 (15%)	60 (21%)	107 (18%)
14-15	105 (33%)	118 (41%)	223 (36%)
16-17	170 (53%)	111 (38%)	281 (46%)
TOTAL	322	289	611

$x^2 = 12.98$
Significant at 0.01 level

NOTE: Percentages may not equal 100 due to rounding.

TABLE 10
SEX OF JUVENILE BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

<u>Sex</u>	<u>Violent Offenses</u>	<u>Property Offenses</u>	<u>Total Serious Offenses</u>
Male	275 (86%)	249 (86%)	524 (86%)
Female	46 (14%)	40 (14%)	86 (14%)
TOTAL	321	289	610

$x^2 = 0.03$
No significant difference.

TABLE 11
RACE OF JUVENILE BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

Race	Violent Offenses	Property Offenses	Total Serious Offenses
White	103 (32%)	169 (58%)	272 (44%)
Minority	220 (68%)	120 (42%)	340 (56%)
TOTAL	323	289	612

$x^2 = 43.67$
Significant at 0.01 level

Socioeconomic Factors

Table 12 indicates that no significant difference exists between violent and property offenders in regard to living situation of the juvenile at the time of police contact (i.e., single-parent vs. two-parent families). Consistent with other research (Wolfgang, Strasburg, McCarkle), a relatively small proportion of serious offenders live in families that are intact, with both natural mother and father in the home. The corresponding figures are 27% of the violent offenders and 30% of the property offenders living in intact homes.

In terms of economic factors, families of juveniles arrested for violent crimes are more likely to have received some type of welfare aid during the past five years, suggesting a lower income level than property offenders (see Table 13).

In contrast, there is no difference between type of offense and employment status of parents as measured by one or both parents working at time of arrest (see Table 13). Because data were not available on occupation, the usefulness of employment status as an economic indicator is limited. Therefore, welfare status is the primary measure used.³

³ Data on family income were not available.

TABLE 12
LIVING SITUATION BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

Situation	Violent Offenses	Property Offenses	Total Serious Offenses
Natural Parents	73 (27%)	66 (30%)	139 (28%)
Natural and Step Parent	41 (15%)	27 (12%)	68 (14%)
Single Natural Parent	116 (43%)	97 (44%)	213 (44%)
Other	40 (15%)	29 (13%)	69 (14%)
TOTAL	270	219	489

$x^2 = 1.38$
Not significant at 0.05 level

NOTE: Percentages may not equal 100 due to rounding.

TABLE 13
WELFARE STATUS BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

Status	Violent Offenses	Property Offenses	Total Serious Offenses
Received aid*	201 (68%)	142 (57%)	343 (63%)
No aid	94 (32%)	108 (43%)	202 (37%)
TOTAL	295	250	545

$x^2 = 7.45$
Significant at 0.01 level

* Includes those families that received aid during a five-year period before and/or after the tracking offense.

TABLE 14
 PARENTS' EMPLOYMENT BY ARREST CHARGE*
 CASE STUDY
 July 1 - Dec. 31, 1980

<u>Employment</u>	<u>Violent Offenses</u>	<u>Property Offenses</u>	<u>Total Serious Offenses</u>
Employed	95 (86%)	82 (92%)	177 (89%)
Unemployed	16 (14%)	7 (8%)	23 (11%)
TOTAL	111	89	200

$\chi^2 = 2.08$
 No significant difference

* At least one parent employed at time of arrest.

Gang Affiliation

Of the juveniles in the sample who were identified by police or probation as affiliated with a street gang, the majority (46 of 54) were being processed through the system for violent offenses (see Table 15). A further description of the characteristics of gang members is presented on page 52.

TABLE 15
 GANG AFFILIATION BY ARREST CHARGE
 CASE STUDY
 July 1 - Dec. 31, 1980

<u>Affiliation</u>	<u>Violent Offenses</u>	<u>Property Offenses</u>	<u>Total Serious Offenses</u>
Yes	46 (14%)	8 (3%)	54 (9%)
No	273 (86%)	279 (97%)	552 (91%)
TOTAL	319	287	606

$\chi^2 = 25.19$
 Significant at 0.01 level

Prior History

For purposes of this study, prior history of juvenile offenders is measured in terms of both prior arrests and true findings. Neither measure is a totally valid indicator of juveniles who have actually committed delinquent acts, but used in conjunction they provide the most accurate picture available. (For further discussion, see page 113.) Due to time constraints, prior history was only recorded for a sample of the offenders in the case study.

1. Violent juvenile offenders have a more extensive criminal history than juvenile property offenders in regard to frequency of offenses. Thirty percent (30%) of the youths arrested for crimes against persons had five or more police contacts compared to 21% of those arrested for property crimes (see Table 16). The average number of arrests for violent offenders was 3.4 compared to 3.0 for other offenders. This finding could be related to the fact that violent offenders are older and have had more opportunities to break the law.
2. The type of prior offenses committed also varies by arrest charge. Violent offenders are more likely to have a prior arrest for a felony crime against persons (22%) or a misdemeanor (63%). Differences for all felonies, status offenses and probation violations were not as pronounced (see Table 17).
3. To incorporate both the severity and frequency of crimes committed into one measure, a seriousness score was developed (see Methodology, page 71). Data indicate that there is not an association between seriousness of prior offenses and arrest charge. However, over 25% of the offenders scored high on level of seriousness (see Table 18).
4. In addition, there is no difference noted in prior true findings by type of offense. Approximately one-third of the serious offenders have one or more true findings (see Table 19).
5. Data on age at first arrest show that over one-fourth of both violent and property offenders with a prior record were first contacted at 11 years of age or younger. An additional one-third were first contacted at 12 or 13 (see Table 20).

In sum, the data on prior history presented to this point show that a significant proportion of violent offenders (one-fourth to one-third) have an extensive history of delinquent behavior, including violence, which begins at an early age. As in other research (Wolfgang), it is found that chronic offenders are responsible for a substantial proportion of offenses committed. Results suggest that earlier intervention for some violent offenders is needed. This is further supported by recidivism data (page 72).

TABLE 16
TOTAL PRIOR ARRESTS BY ARREST CHARGE
CASE STUDY
July 1, - Dec. 31, 1980

<u>Prior Arrests</u>	<u>Violent Offenses</u>	<u>Property Offenses</u>	<u>Total Serious Offenses</u>
None	31 (26%)	49 (40%)	80 (33%)
1-2	37 (31%)	26 (21%)	63 (26%)
3-4	15 (13%)	22 (18%)	37 (15%)
5 or more	36 (30%)	26 (21%)	62 (26%)
TOTAL	119	123	242
Median	2	1	2
Average	3.4	3.0	3.2

$x^2 = 8.84$
Significant at 0.05 level

TABLE 17
TYPE OF PRIOR ARREST BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

<u>Type of Prior Arrest</u>	<u>Violent</u>	<u>Property</u>
Prior Violence Arrest	22%	7%
Prior Felony Arrest	47%	44%
Prior Misdemeanor Arrest	63%	46%
Prior Status Offense	37%	30%
Prior Probation Violation	13%	11%

TABLE 18
SERIOUSNESS SCORE OF PRIOR OFFENSES BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

<u>Seriousness</u>	<u>Violent Offenses</u>	<u>Property Offenses</u>	<u>Total Serious Offenses</u>
None	31 (26%)	49 (40%)	80 (33%)
Low	25 (21%)	20 (16%)	45 (19%)
Medium	29 (24%)	25 (20%)	54 (22%)
High	34 (29%)	29 (24%)	63 (26%)
TOTAL	119	123	242

$x^2 = 5.23$
No significant difference at 0.05 level

TABLE 19
PRIOR TRUE FINDINGS BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

<u>Finding</u>	<u>Violent</u>	<u>Property</u>
No Prior True Findings	111 (61%)	109 (68%)
Prior True Finding(s)	70 (39%)	51 (32%)
TOTAL	181	160

$x^2 = 1.71$
No significant difference

TABLE 20
AGE AT FIRST ARREST BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

<u>Age</u>	<u>Violent Offenses</u>	<u>Property Offenses</u>	<u>Total Serious Offenses</u>
11 or under	30 (25%)	34 (27%)	64 (26%)
12-13	45 (37%)	41 (33%)	86 (35%)
14-15	35 (29%)	41 (33%)	76 (31%)
16-17	11 (9%)	9 (7%)	20 (8%)
TOTAL	121	125	246

$x^2 = 1.04$
No significant difference

Prior History and Socioeconomic Variables

An additional analysis was performed to determine which socioeconomic factors are related to prior offense history of violent offenders. The only significant relationship found was between age at arrest and prior police contacts. Older violent offenders (14-17) are more likely to have come in contact with law enforcement than those 13 or under. There appears to be a maturation effect where the number of prior offenses increases to age 15 and begins declining at 16 or 17. Other variables not associated with prior arrests are welfare status, living situation, sex and race of offender. (See Tables 21 through 25.)

TABLE 21
PRIOR ARRESTS BY AGE OF VIOLENT OFFENDER
CASE STUDY
July 1 - Dec. 31, 1980

<u>Status</u>	<u>13 and Under</u>	<u>14-15</u>	<u>16-17</u>
No Prior Arrests	10 (42%)	12 (20%)	9 (26%)
Prior Arrests	14 (58%)	47 (80%)	26 (74%)
TOTAL	24	59	35

$x^2 = 4.01$
No significant difference at 0.05 level

NOTE: The relationship between age and prior history is significant using the age categories of 13 and Under, and 14-17.

TABLE 22
PRIOR ARRESTS BY WELFARE STATUS OF VIOLENT OFFENDERS
CASE STUDY
July 1 - Dec. 31, 1980

<u>Status</u>	<u>Receiving Aid</u>	<u>No Aid</u>
No Prior Arrests	18 (22%)	12 (34%)
Prior Arrests	63 (78%)	23 (66%)
TOTAL	81	35

$x^2 = 1.85$
No significant difference at 0.05 level

TABLE 23
 PRIOR ARRESTS BY LIVING SITUATION OF VIOLENT OFFENDERS
 CASE STUDY
 July 1 - Dec. 31, 1980

Status	Family Intact	Not Intact
No Prior Arrests	4 (19%)	18 (23%)
Prior Arrests	17 (81%)	61 (67%)
TOTAL	21	79

$x^2 = 0.135$
 No significant difference

TABLE 24
 PRIOR ARRESTS BY SEX OF VIOLENT OFFENDER
 CASE STUDY
 July 1 - Dec. 31, 1980

Status	Male	Female
No Prior Arrests	26 (25%)	5 (33%)
Prior Arrests	78 (75%)	10 (67%)
TOTAL	104	15

$x^2 = 0.47$
 No significant difference

TABLE 25
 PRIOR ARRESTS BY RACE OF VIOLENT OFFENDER
 CASE STUDY
 July 1 - Dec. 31, 1980

Status	White	Minority
No Prior Arrests	13 (37%)	18 (21%)
Prior Arrests	22 (63%)	66 (79%)
TOTAL	35	84

$x^2 = 3.17$
 No significant difference at 0.05 level

Tracking Offense

More specific information was collected about the offense (arrest incident) to be tracked through the juvenile justice process. This provides insight into events surrounding the actual crime.

Type of Offense. The majority of the cases involving violence were aggravated assaults (57%) followed by robbery (38%), rape (3%), and homicide (2%) (see Table 26). These proportions are approximately the same as total violent juvenile arrests countywide; therefore, the sample is considered to be representative of types of offenses.

Wardship. Of the offenders in the sample, 25% were wards of the court at the time of arrest during July - December, 1980. In other words, these juveniles had previously been adjudicated for another offense and were still under jurisdiction of the court, usually either on probation or serving time in a local facility. The proportion does not vary by type of offense committed (see Table 27).

Companions. Previous research has indicated that juveniles more often commit crimes with companions. (McDermott, 1981.) Case study data reflect that over one-half of all juveniles commit crimes with others; however violent offenders are more inclined to commit offenses alone. Fifty-six percent (56%) of those contacted for a person crime had companions compared to 72% of property offenders (see Table 28).

Race of Victim. Seventy percent (70%) of the victims of serious offenses are white, while only 44% of the juvenile offenders are white. Minorities are more likely to be victims of violent crimes committed by juveniles than property crimes (see Table 29).

Attitude of Juvenile. Violent offenders are more often identified by police as having a fair to bad attitude (71% compared to 48% of property offenders). This measure is limited because it was only recorded on

31% of the arrest reports. In addition, it is very subjective. However, the officer's initial perception may affect case disposition by law enforcement (see Table 30).

Waiver of Rights. Violent offenders are less likely to waive their rights and answer questions at the time of arrest (see Table 31). While this is within the juvenile's legal rights, it may be perceived negatively by the arresting officer and therefore influence subsequent processing (e.g., hall placement, referral to probation).

Social Study. The social study prepared by probation provides information about the types of problems encountered by offenders. The major problems identified are similar for both violent and property offenders: other offenses; peer association; poor school attendance; beyond control; situational factors at home; poor grades and lack of guidance. However, violent offenders, by definition, more often use weapons or inflict injuries on victims (59%). They also experience more behavior problems at school and are less likely to have a good attitude when contacted by probation (e.g., show concern over acts, remorse, etc.).

TABLE 26

ARREST CHARGES - VIOLENT OFFENDERS
CASE STUDY
July 1 - Dec. 31, 1980

Charge	Number (%)
Homicide	6 (2%)
Rape	9 (3%)
Robbery	123 (38%)
Aggravated Assault	185 (57%)
TOTAL:	323

TABLE 27
STATUS AT INTAKE BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

Status	Violent Offenses	Property Offenses	Total Serious Offenses
Ward/Parole	75 (28%)	48 (22%)	123 (25%)
Alleged Ward/ Non-Ward	194 (72%)	169 (78%)	363 (75%)
TOTAL	269	217	486

$x^2 = 2.11$
Not significant at 0.05 level

TABLE 28
NUMBER OF COMPANIONS BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

Status	Violent Offenses	Property Offenses	Total Serious Offenses
No Companions	143 (44%)	81 (28%)	224 (37%)
One or More Companions	180 (56%)	208 (72%)	388 (63%)
TOTAL	323	289	612

$x^2 = 17.35$
Significant at 0.01 level

TABLE 29
 VICTIM'S RACE BY ARREST CHARGE
 CASE STUDY
 July 1 - Dec. 31, 1980

<u>Race</u>	<u>Violent Offenses</u>	<u>Property* Offenses</u>	<u>Total Serious Offenses</u>
White	159 (61%)	121 (86%)	280 (70%)
Minority	101 (39%)	20 (14%)	121 (30%)
TOTAL	260	141	401

$x^2 = 26.84$
 Significant at 0.01 level

* Race of victim is more likely to be unknown in property offenses.

TABLE 30
 ATTITUDE AT ARREST BY ARREST CHARGE
 CASE STUDY
 July 1 - Dec. 31, 1980

<u>Attitude</u>	<u>Violent Offenses</u>	<u>Property Offenses</u>	<u>Total Serious Offenses</u>
Good Attitude	31 (29%)	43 (52%)	74 (39%)
Fair/Bad Attitude	76 (71%)	40 (48%)	116 (61%)
TOTAL	107	83	190

$x^2 = 10.25$
 Significant at 0.01 level

TABLE 31
 WAIVER OF RIGHTS BY ARREST CHARGE
 CASE STUDY
 July 1 - Dec. 31, 1980

<u>Status</u>	<u>Violent Offenses</u>	<u>Property Offenses</u>	<u>Total Serious Offenses</u>
Waived Rights (answered questions)	254 (84%)	252 (91%)	506 (87%)
Did Not Waive Rights	49 (16%)	26 (9%)	75 (13%)
TOTAL	303	278	581

$x^2 = 6.0$
 Significant at 0.05 level

TABLE 32
 PROBLEMS IDENTIFIED IN SOCIAL STUDY
 BY ARREST CHARGE
 CASE STUDY
 July 1 - Dec. 31, 1980

<u>Problem</u>	<u>Violent Offenders</u>	<u>Property Offenders</u>
Drug Use	9%	7%
Alcohol Use	8%	3%
Lack of Guidance	21%	21%
Situational Factors at Home	25%	29%
Poor Living Quarters	2%	3%
Disharmony in Family	17%	20%
Beyond Control	27%	25%
Psychological Problems	17%	13%
Medical Problems	9%	10%
Poor Attendance	42%	46%
Poor Grades	21%	26%
School Behavior	27%	15%
Bad Attitude	16%	10%
Other Offenses	72%	65%
Peer Associations	44%	44%
Weapon/Injury to Victim	59%	1%

TABLE 33

POSITIVE FACTORS IN SOCIAL STUDY BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

Factor	Violent Offenders	Property Offenders
Good Attitude	25%	34%
Good Grades	16%	14%
Good Family Relations	37%	38%
Good School Behavior	17%	16%
No Priors	26%	29%
Accessory	11%	10%
Employed	17%	12%
Good Attendance	9%	12%
Appropriate Guidance	13%	16%
Receiving Counseling	11%	14%
Good Health	9%	14%

Summary

In sum, findings indicate that violent juvenile offenders are predominantly male, the majority are minorities, and the median age is 16. Less than one-third are living with both natural parents and over one-half of the families have received some type of public assistance.

The most common arrest charge was aggravated assault, followed by robbery. Compared to property offenders, juveniles arrested for violence are more likely to be members of gangs (14%) and have more extensive criminal histories in terms of frequency of arrest and prior violence. In addition, one-fourth were wards of the court (e.g., on probation) at the time of arrest. The majority commit their offenses with companions and they usually victimize non-minorities.

Major problems identified by probation include other offenses, peer influences, poor school attendance, beyond control of parents, school behavior problems, and situational factors at home that affect behavior.

Approximately one-quarter to one-third of the violent offenders either exhibit chronic or serious delinquent behavior and/or have major problems identified. These are juveniles that require special attention and perhaps earlier intervention to avert continued delinquency. The factors presented suggest key variables to be considered when evaluating disposition alternatives.

GANG PROFILE

Although gangs are prevalent in several law enforcement jurisdictions in the San Diego region, sufficient data to develop a profile of gang

members are only available from the San Diego Police Department. Most of the information presented may not be representative of all areas, but it does depict the phenomenon as it occurs in the largest jurisdiction.

Data were collected on a 25% sample of known San Diego gang members. The San Diego Gang Detail has strict guidelines for determining gang affiliation and does not include an individual in its gang file unless he/she meets at least three of the following criteria:

1. Admission.
2. Clothing which identifies membership (rags, scarves).
3. Tattoos with gang name or nicknames.
4. Arrest in a gang incident.
5. Reliable informant information.

The definitions used for a gang and gang-related crime are those developed by the Department of Justice (see page 18). It should be noted that the majority (60-85%) of the gang members admit their gang affiliation.

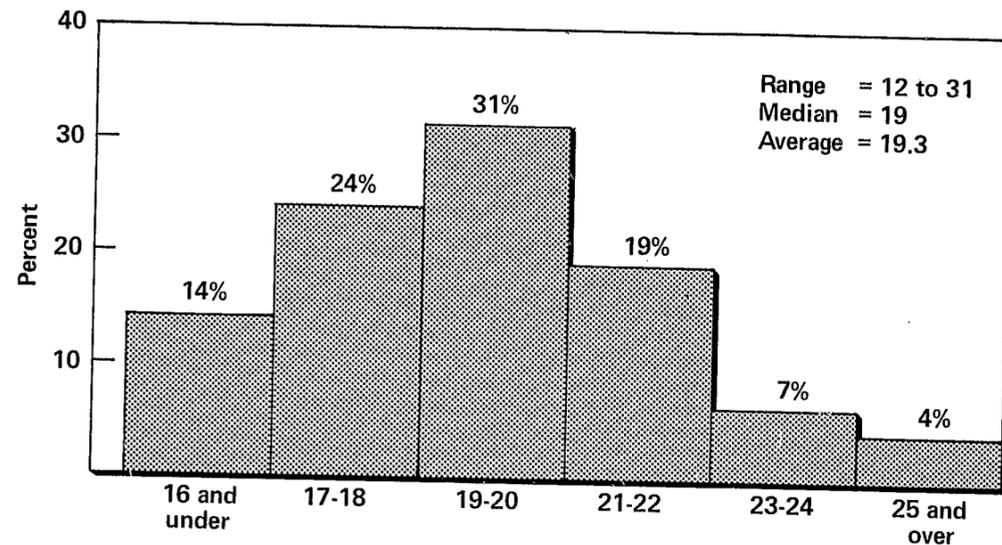
Demographic Characteristics

The typical gang member is 19 years old. Consequently, the majority are not actually juveniles and are outside the jurisdiction of the juvenile court. Members range in age from 12 to 31 (see Figure 8).

Very few females are actually affiliated with gangs, and when they are it is usually in an auxiliary or support role. Females comprise 4% of the San Diego gang population (see Figure 9).

Gangs are primarily a phenomenon of the minority community, with 54% Hispanics, 45% blacks and 1% in other categories, including whites (see Figure 10). Police estimates suggest that Chicano gangs are closer to two-thirds of the total gang population. The lower figure for the sample data reflects a recent purging of the gang file for gangs in the South Bay area. This is done periodically to ensure that the files are up to date.

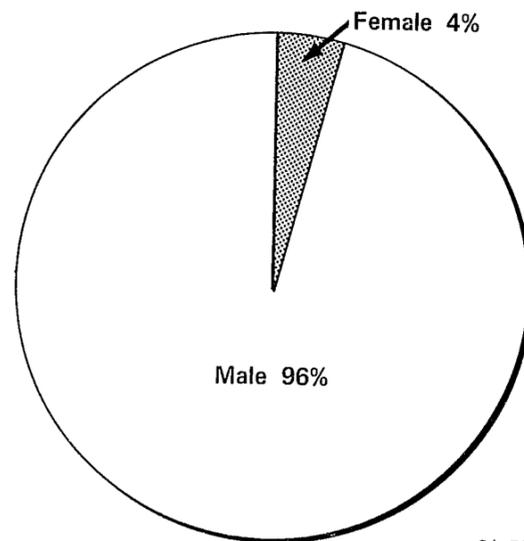
FIGURE 8
GANG MEMBERSHIP BY AGE
SAN DIEGO POLICE DEPARTMENT
N = 388



NOTE: Percentages do not equal 100 due to rounding.

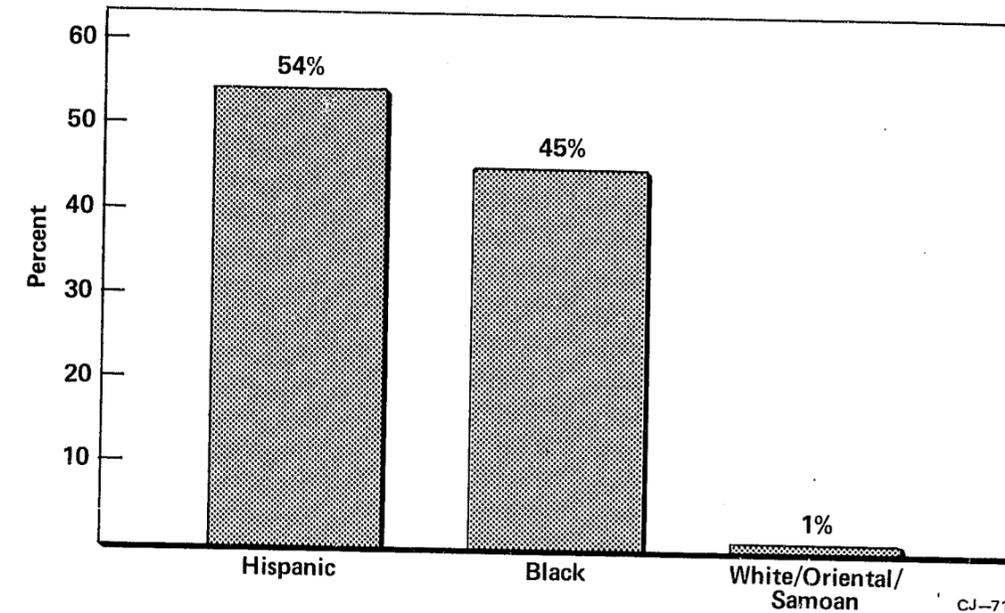
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FIGURE 9
GANG MEMBERSHIP BY SEX
SAN DIEGO POLICE DEPARTMENT
N = 388



CJ-70

FIGURE 10
GANG MEMBERSHIP BY ETHNICITY/RACE
SAN DIEGO POLICE DEPARTMENT
N = 387



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Prior History

Gang investigators record prior offense data on felonies only. In addition, they do not include all arrests made by other law enforcement agencies. However, the data available do show the types and seriousness of crimes committed by gang members. Although these data suggest that gangs are involved in serious crimes, it should be remembered that most gang activity is not crime-related. (Klein, 1971.)

Table 34 indicates that black gang members are more likely to be arrested for robbery (211 PC) and auto theft (10851 VC), whereas Chicano gang members are more often contacted for assault with a deadly weapon (245a PC). Drive-by shootings (246 PC) are common among gang members, as seen in reported crime statistics. However, arrests are rarely made in these instances due to problems inherent in identifying suspects.

TABLE 34

DISTRIBUTION OF FELONY ARRESTS OF IDENTIFIED GANG MEMBERS
 BASED ON HIGHEST ARREST CHARGE
 BY RACE/ETHNICITY OF GANG
 SAN DIEGO POLICE DEPARTMENT

	Black		Hispanic	
	#	%	#	%
Homicide	7	8%	3	3%
Rape	5	5%	3	3%
Robbery	30	33%	22	19%
Assault with Deadly Weapon	7	8%	28	24%
Burglary	17	19%	23	20%
Auto Theft	14	15%	9	8%
Assault on Officer	0	0%	2	2%
Other Felony	11	12%	25	22%
TOTAL	91		115	

Gang Membership

The size of San Diego gangs ranges from approximately 50 to 200 members. Total membership is estimated at 2,100 for 35 gangs.

Gang Structure

Specific data on gang structure is not available for San Diego, but research in Los Angeles by Malcolm Klein (1971) provides a model that is useful in describing gangs as well as targeting intervention strategies. Klein states that there are two major types of gangs: spontaneous and traditional. Spontaneous gangs have from ten to thirty members and appear in areas of transition. They are not a permanent grouping and seldom last more than one to two years. Evidence of this type of gang has appeared from time to time in San Diego.

Traditional gangs have two to five age-graded subgroups, each with a sense of identity, a name and a strong group identification. These gangs consist of 100 to 200 members with a core and fringe membership. These groups usually have a ten to fifty-year tradition. Most San Diego City gangs would fall in this category. According to Klein, the traditional gang is the most appropriate target for gang programs because they are established and they perpetuate themselves. (Klein, 1971.)

San Diego Region

Local law enforcement personnel with expertise in the gang issue were asked to estimate the number of gangs and gang members in their respective areas. Data were standardized by using Department of Justice definitions. The results provide an overall picture of the gang problem in the region. In eight of the eleven law enforcement jurisdictions, it is estimated that there are 55 gangs and 3,056 gang members. Table 35 presents the estimated gang membership by agency.

TABLE 35

ESTIMATED GANG MEMBERSHIP - SAN DIEGO REGION
 April 1982

<u>Jurisdiction</u>	<u>Gangs</u>	<u>Members</u>
Carlsbad	1	12
Coronado	0	0
Chula Vista	3	75
El Cajon	0	0
Escondido	3	103
Imperial Beach	1	18
La Mesa	0	0
National City	4	300
Oceanside	6	348
San Diego	35	2,100
Sheriff	2	100
TOTAL	55	3,056

CHAPTER 3 EFFECTIVENESS OF SYSTEM RESPONSE

Effectiveness of System Response

SUMMARY

Although violent offenders are treated more severely than property offenders, study results show that treatment of violent juvenile offenders by the juvenile justice system has become more lenient over the past five years. Additionally, data indicate that the system response has not been effective in reducing repeat offenses.

Recidivism data support the need for earlier formal intervention for juveniles who exhibit violent behavior and those identified as having characteristics which indicate a potential for future delinquency. This is consistent with the approach proposed by Edwin Lemert, a leading proponent of labeling theory. He suggests that "for some serious delinquents, unequivocal definition of what they represent to others or society may be a necessary antecedent to change and rehabilitation." (Smith, April 1980.)

DISCUSSION

Before addressing the issue of the effectiveness of the juvenile justice system in altering the behavior of violent offenders, it is necessary to analyze the process for dealing with serious offenders. To do this, data will be presented from both official statistics and the case tracking study on the following:

1. An analysis of the five-year trend in case dispositions for violent offenders by law enforcement, probation and the courts, based on official data.
2. An overview of the flow of cases through the system and the various decisions regarding violent and property offenders based on case study data.

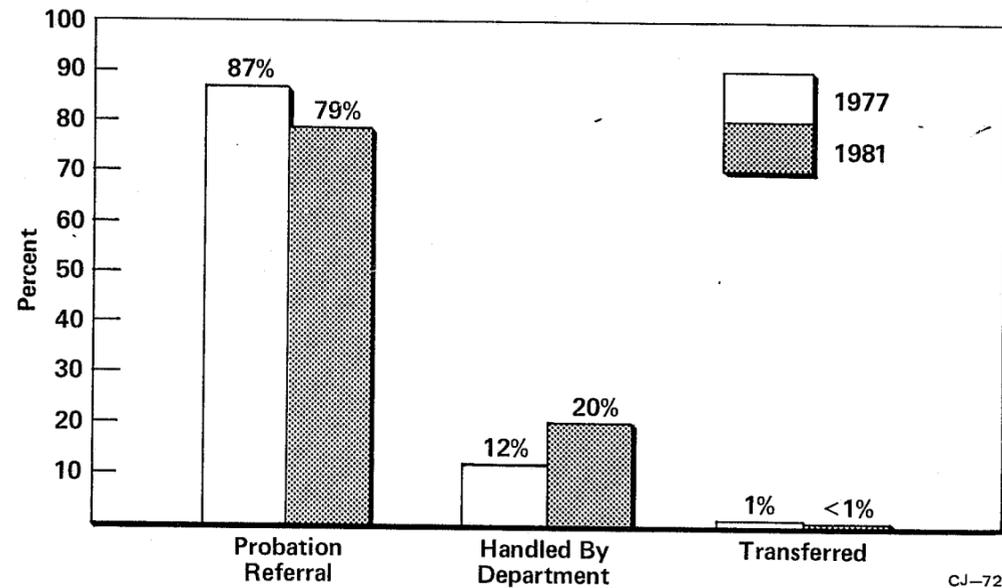
OFFICIAL STATISTICS

The nature of treatment of violent juvenile offenders by the juvenile justice system has changed significantly over the past five years. There has been an increase in diversion and informal handling of violent offenders by both law enforcement and probation. In 1977, 12% of all juvenile contacts for violent crimes were handled within the police department compared to 20% in 1981. There was a corresponding reduction in referrals to probation (from 87% to 79% of juvenile contacts). (See Figure 11.)

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FIGURE 11
LAW ENFORCEMENT DISPOSITION OF
FELONY JUVENILE ARRESTS FOR VIOLENT OFFENSES
SAN DIEGO REGION
1977 AND 1981



Probation

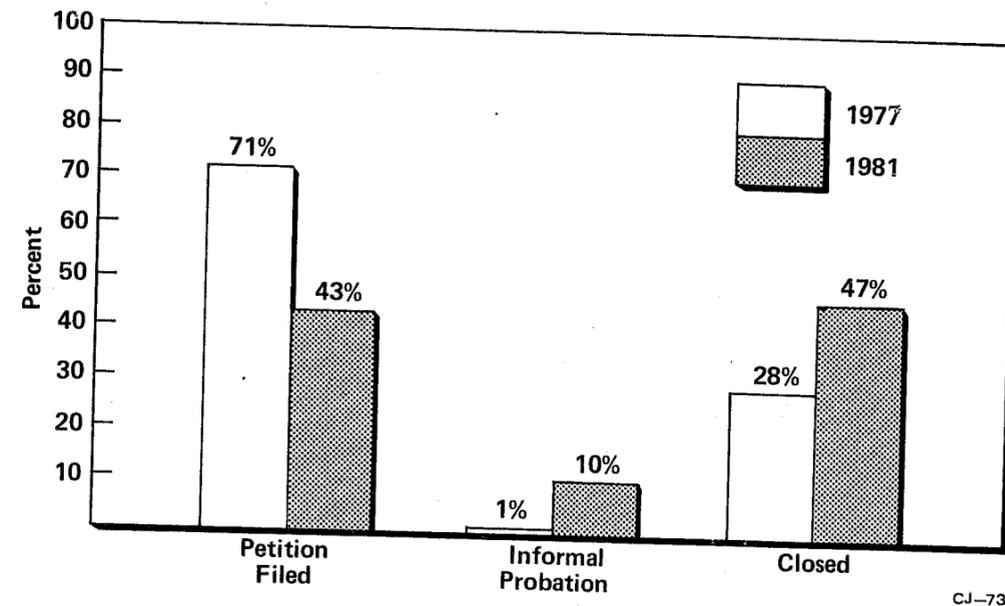
The proportion of violence cases closed by probation with no further action taken increased from 28% in 1977 to 47% in 1981. (See Figure 12.) Informal probation, which is a six-month period of supervision authorized by probation, also increased (1% to 10%). Consequently, petitions were filed in only 43% of the 1981 referrals for major personal crimes, compared to 71% five years earlier.

These changes are consistent with the theory that labeling juveniles as delinquent by formally processing a case through the courts can be detrimental to the less sophisticated offenders. Although this philosophy has primarily been advocated for status offenders, the trend toward diverting juveniles from formal processing has affected less serious violent offenders also.

Juvenile Court

The juvenile court has also become more lenient in the disposition of violent juvenile offender cases. A smaller proportion of violent juveniles are being committed to California Youth Authority (CYA) and remands to adult court have decreased. CYA commitments in 1977 reflected 7% of the case dispositions, decreasing to 5% in 1981. (See Figure 13.) That is partially a result of the movement to deinstitutionalize juvenile offenders and treat them in their local communities.

FIGURE 12
PROBATION DISPOSITION OF
INITIAL JUVENILE REFERRALS FOR VIOLENT OFFENSES
1977 AND 1981

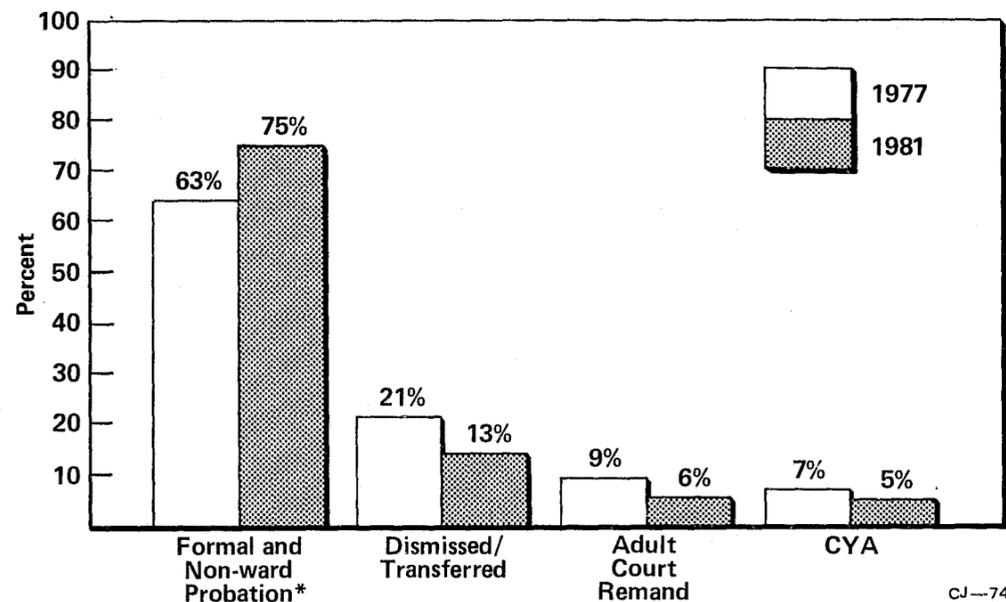


In California, counties receive funds (AB 90) to develop local treatment alternatives designed to reduce the population in state institutions for both adults and juveniles.

As mentioned in Chapter 1, juveniles 16 years of age or older may be remanded to adult court under specified circumstances. Despite efforts to strengthen the statute by requiring all juveniles charged with one of sixteen major offenses to prove their fitness for juvenile court (1976), adult court remands fell from 9% to 6% of all case dispositions for violent offenders over the past five years. (See Figure 13.) In actual numbers, there were 106 remands in 1977 compared to 48 in 1981 for violent juveniles. These changes can be partially attributed to changes in philosophy of the judges assigned to the juvenile court during this time period.

An additional comparison was made of court dispositions for violent offenses and all law violations (602 W&I offenses) during 1981. As expected, violent offenders are more likely to be sent to CYA or processed through the adult criminal court than are other delinquents. (See Figure 14.) Fewer are initially placed on probation (75% of those contacted for felony crimes against persons compared to 82% of all 602 W&I offenders).

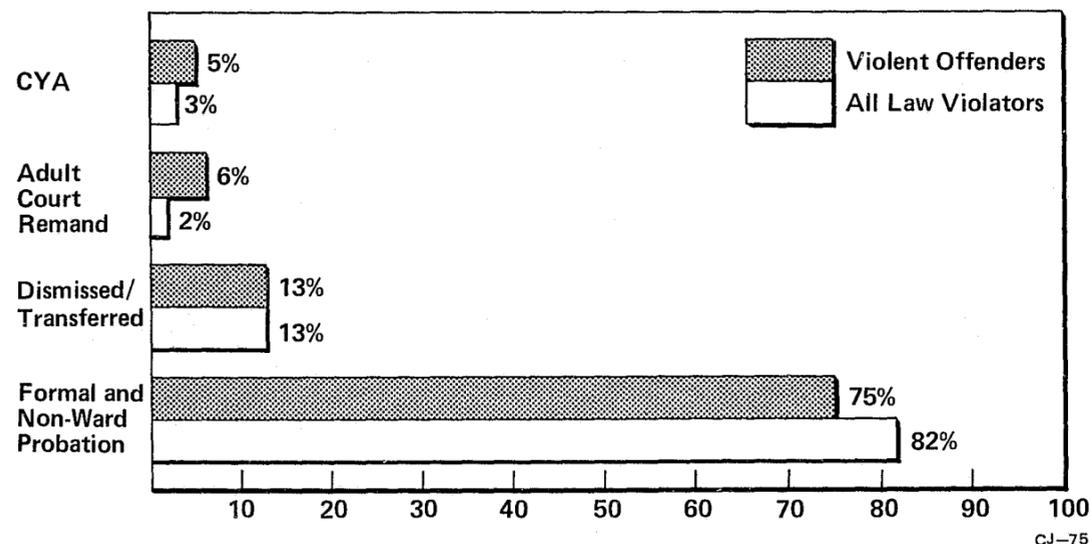
FIGURE 13
JUVENILE COURT DISPOSITIONS RESULTING FROM
INITIAL AND SUBSEQUENT REFERRALS FOR
VIOLENT OFFENDERS
1977 AND 1981



*Includes commitments to local juvenile facilities.

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FIGURE 14
JUVENILE COURT DISPOSITIONS RESULTING FROM
INITIAL AND SUBSEQUENT REFERRALS
BY TYPE OF OFFENSE
1981



CJ-75

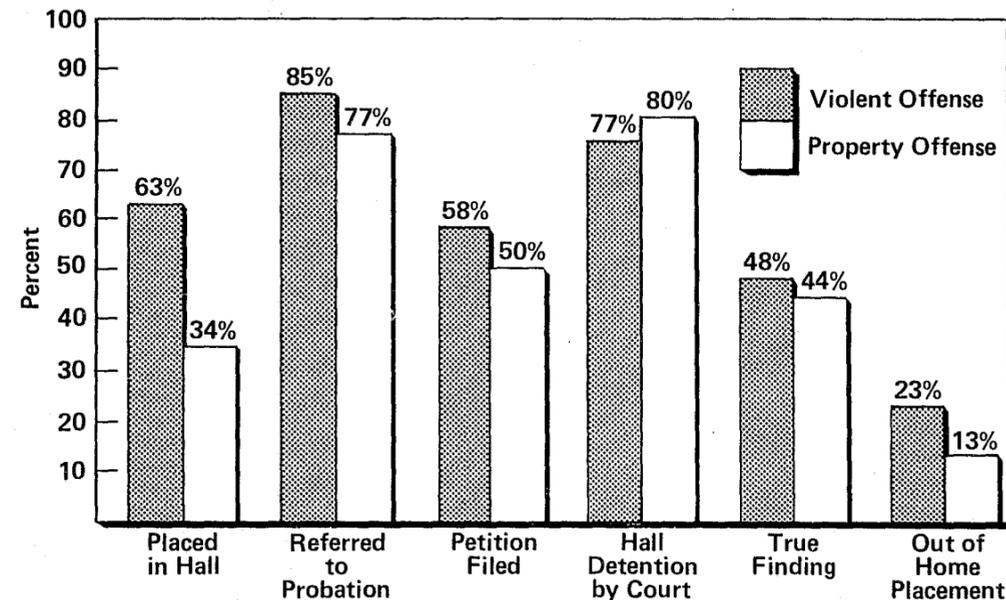
CASE STUDY

Data from the case tracking study allow an in-depth review of the juvenile justice system. The case study results for probation and court disposition are not totally consistent with official statistics presented which include simple assault in addition to major felony crimes of violence.

The following discussion presents an overview of the system, with a comparison of the treatment of violent and property offenders. Figures 15 and 16 depict the major decision points as violent and property offenders proceed through the system. In general, violent offenders were more likely to continue through the formal process and were treated more severely.

After arrest, 63% of those contacted for violence were placed in Juvenile Hall, compared to 34% of the property offenders. This is consistent with Juvenile Hall's Detention Control Policy and Procedure Manual (July 1980), which states that, in general, "a child will not be considered eligible for release when the charge is a serious offense," including crimes of violence (assault, battery, manslaughter, armed robbery, forcible rape and murder). Detention for property crimes such as burglary, is limited in that the following circumstances must be present:

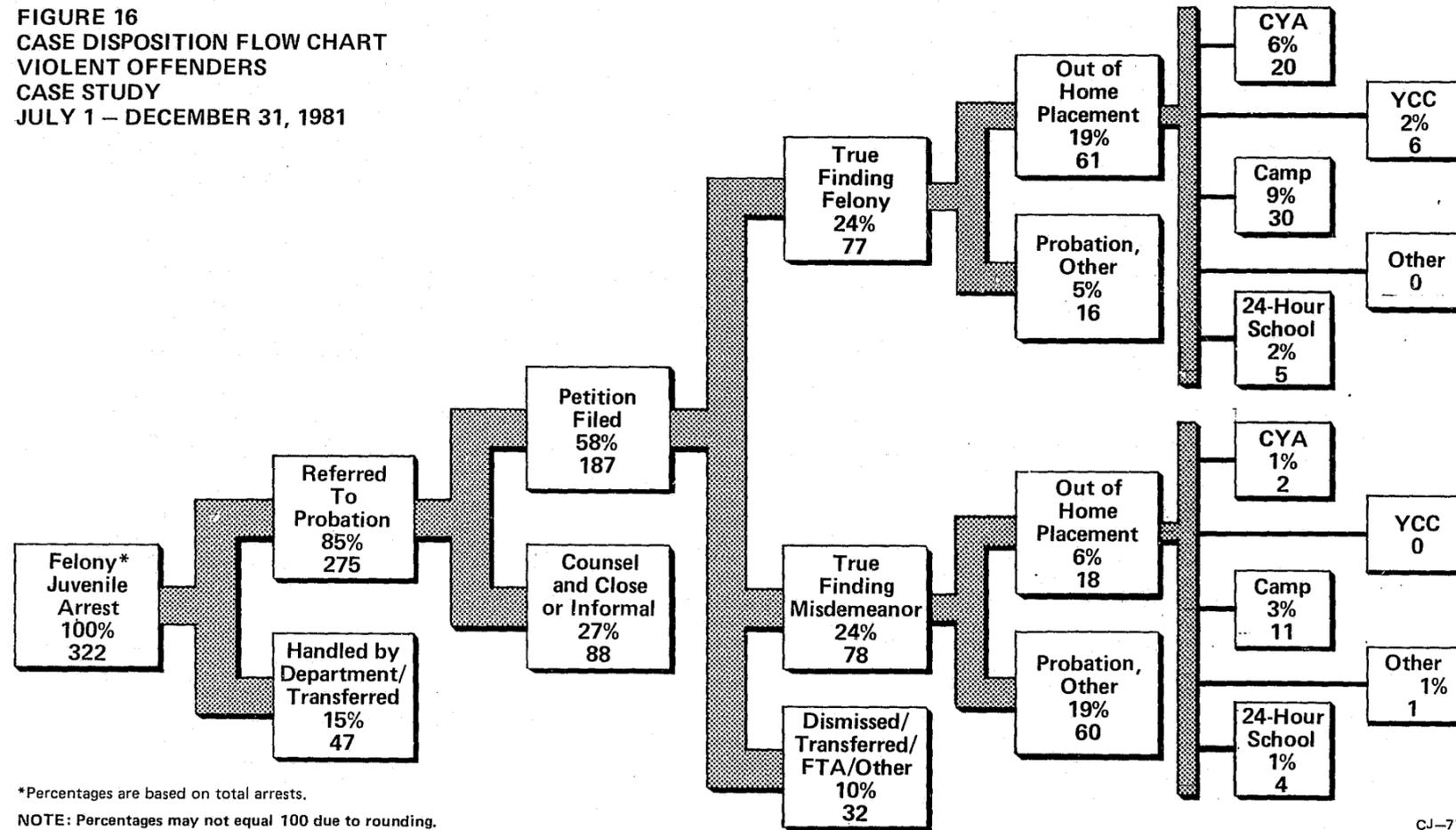
FIGURE 15
CASE DISPOSITION BY ARREST CHARGE
CASE STUDY
JULY 1 - DECEMBER 31, 1980



*Percentages based on total arrests.

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FIGURE 16
CASE DISPOSITION FLOW CHART
VIOLENT OFFENDERS
CASE STUDY
JULY 1 – DECEMBER 31, 1981



*Percentages are based on total arrests.
NOTE: Percentages may not equal 100 due to rounding.

1. A "hot prowl."
2. Victim's safety is threatened.
3. The number of burglaries suggests a crime series.

Law enforcement officers more often referred violent offenders to probation (85%) than property offenders (77%), although the differences were not as great as for hall placement. Petitions were also filed in a higher proportion of cases involving violence (58%) than property crimes (50%).⁴

Juvenile Court

In those cases in which a detention hearing is required, 77% of the violent offenders and 80% of the property offenders were retained in Juvenile Hall. This difference was not statistically significant. However, since a higher proportion of violent offenders were initially detained by law enforcement, they were more likely to remain in the Hall during court processing. Table 36 shows that there were essentially no differences in the court's decision regarding other types of detention (e.g., home supervision).

Violent offenders were detained in Juvenile Hall for longer periods (Table 37). This was because cases involving violence take longer to process, on the average, than property cases (49 days from the filing of the petition to the court disposition, compared to 34 days for property cases).

Reasons stated in the court order for detention were, in order of frequency:

1. Danger to person or property of others (67%).
2. Likely to flee jurisdiction (10%).
3. Violation of a court order (10%).
4. Protection of the minor (2%).
5. Absence of parent or guardian (Ø).

Fitness Hearings. All fitness hearings in the sample cases were for violent offenses. Nine percent (9%) of the violent offenders with petitions filed had fitness hearings (17) with nine juveniles remanded to adult court (5% of the court cases involving violence).

Findings. True findings were made in a higher proportion of violence cases (48% compared to 44%), and the finding was more likely to occur at a trial. Twelve percent (12%) of the court cases involving violence (187 cases) went to trial (22), compared to less than 1% of the property offenses (1 of 147). The majority of the cases were decided by admission (71% for violent vs. 80% of property offenders). The remainder were either dismissed or transferred to another jurisdiction.

Charges. Person crimes were more often reduced to misdemeanors at the time the petition was filed and at the finding. Table 38 suggests that this is primarily due to reductions in aggravated assault charges to assault and battery or lesser offenses.

⁴ Data reflecting dispositions by specific violent offenses are presented in Appendix B, page 119.

TABLE 36
RESULTS OF DETENTION HEARING BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

	<u>Violent Offenses</u>	<u>Property Offenses</u>	<u>Total Serious Offenses</u>
Juvenile Hall	105 (77%)	39 (80%)	144 (78%)
Own Home	6 (4%)	- 0 -	6 (3%)
Home Supervision	22 (16%)	10 (20%)	32 (17%)
Other	3 (2%)	- 0 -	3 (2%)
TOTAL	136	49	185

$x^2 = 3.64$
No significant difference

TABLE 37
DAYS DETAINED IN JUVENILE HALL BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

<u>Days Detained</u>	<u>Violent Offenses</u>	<u>Property Offenses</u>
One (1) week	94 (45%)	55 (47%)
Two (2) weeks	10 (5%)	19 (16%)
Three (3) weeks	25 (12%)	16 (14%)
Four (4) or more weeks	82 (39%)	28 (24%)
TOTAL	211	118

$x^2 = 16.52$
Significant at 0.01 level

TABLE 38
REDUCTION IN CHARGES FOR COURT CASES
VIOLENT OFFENDERS
CASE STUDY
July 1 - Dec. 31, 1980

	<u>Initial Charge</u>	<u>Petition Charge</u>	<u>Disposition Charge</u>
Homicide	5 (3%)	6 (3%)	4 (2%)
Rape	3 (2%)	2 (1%)	1 (1%)
Robbery	76 (41%)	73 (39%)	23 (12%)
Aggravated Assault	103 (55%)	66 (35%)	21 (11%)
Other Felony	- 0 -	4 (2%)	28 (15%)
Misdemeanor	- 0 -	35 (19%)	78 (42%)
Dismissed/Other	- 0 -	1 (1%)	32 (17%)
TOTAL	187	187	187

Disposition. Of the serious offenders, those involved in violence were placed outside the home more often (23% vs. 13% for property offenses). These placements included CYA, Youth Correctional Center, camps, Girls Rehabilitation Facility and 24-hour schools. (See Figure 16.) The length of commitment was slightly longer for violent offenders, primarily due to CYA commitments (see Table 39). Length of time ordered on probation was approximately the same for violent and property offenses (see Table 40).

TABLE 39
INSTITUTION TIME ORDERED BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

<u>Institution Time</u>	<u>Violent Offenses</u>	<u>Property Offenses</u>
3 months or less	15 (19%)	13 (33%)
3-6 months	28 (36%)	15 (38%)
6 months to 1 year	6 (8%)	5 (13%)
Indefinite	29 (37%)	6 (15%)
TOTAL	78	39

TABLE 40
 PROBATION TIME ORDERED BY ARREST CHARGE
 CASE STUDY
 July 1 - Dec. 31, 1980

<u>Probation Time</u>	<u>Violent Offenses</u>	<u>Property Offenses</u>
One (1) year	61 (50%)	60 (55%)
Two (2) years	54 (44%)	45 (41%)
Over two years	8 (7%)	5 (5%)
TOTAL	123	110

NOTE: Percentages may not equal 100 due to rounding.

Probation Supervision

Table 41 indicates a higher proportion of violent offenders were placed on intensive supervision by probation (24% vs. 10% of the property offenders). This program involves a personal contact with the minor and family at least once a month, if not more often. These cases require additional crisis intervention, school contacts, parental counseling and reports to the court according to the Juvenile Services Manual of Policies and Procedures.

Probation files reflect that only 14 violent offenders, of an original sample of 323, were formally referred to an outside agency for counseling or other services. It is unknown how many were referred informally. The formal referral option has the advantages of feedback from the referral agency and a commitment by the juvenile and/or his family to seek help. This option is used primarily in informal probation rather than court-ordered supervision. Formal referrals could be a useful means of assisting wards during probation supervision and also as a method of after-care during the period of readjustment for those placed outside the home.

TABLE 41
 SUPERVISION CLASSIFICATION BY ARREST CHARGE
 CASE STUDY
 July 1 - Dec. 31, 1980

<u>Classification</u>	<u>Violent Offenses</u>	<u>Property Offenders</u>
Minimum	6 (7%)	3 (4%)
Medium	24 (29%)	26 (33%)
Maximum	34 (40%)	41 (53%)
Intensive	20 (24%)	8 (10%)
TOTAL	84	78

SYSTEM EFFECTIVENESS

Results suggest that the juvenile justice system does not have a significant impact on violent juvenile offenders. Over one-half of the juveniles arrested for violent offenses were recontacted by police within one year. In addition, the number of juveniles with contacts for violent offenses was the same before and after intervention for the tracking offense. The only decrease noted was a slight decline in the average number of arrests per juvenile in the subsequent year. Probation referrals remained the same, while petitions and true findings increased.

The less serious offenders handled informally by police and probation are less likely to recidivate indicating appropriate diversion criteria are being used. Juveniles placed out of home and those receiving probation show no difference in recidivism. Further study is needed to evaluate specific types of out-of-home placement.

Factors associated with higher recidivism rates include prior arrest history, type of violent offense (robbery), broken homes, family and school problems, negative peer associations, and race/ethnicity of offender.

Methodology

A before and after comparison of recidivism rates for a sample of juveniles in the tracking study was the method used to measure system effectiveness in reducing delinquent behavior. Included in the analysis are 101 violent offenders and 114 property offenders. The study periods were one year prior to and one year after the tracking arrest. Due to time constraints, a longitudinal study was not possible. Therefore, results represent short-term effects of intervention strategies.

Recidivism was operationally defined as rearrest and/or true finding on an arrest charge. Data based on official records only represent delinquent behavior that comes to the attention of authorities. Consequently, results may reflect an underestimate of actual delinquent acts committed.

Two measures of recidivism, arrests and true findings, were used to increase the validity of the findings. Arrest alone does not constitute a determination that a crime has actually been committed by a juvenile. However, due to increased use of diversion by law enforcement and probation of juveniles who admit their involvement in offenses, true findings are also not a totally reliable indicator of guilt.

Seriousness Index. A seriousness scale was devised to measure the severity of delinquent behavior in terms of the type of offenses committed and the frequency of occurrence. A score is calculated based on the following four-point scale and multiplied by the number of arrests or true findings.

Felony Crimes Against Persons	4
Other Felonies	3
Misdemeanors	2
Status Offenses/Infractions	1
Probation Violations	1

Results

Table 42 indicates that the majority of both violent (58%) and property offenders (55%) were recontacted by law enforcement within one year after arrest. The difference noted is not statistically significant.

A major concern about violent offenders is reoccurrence of violent behavior after intervention. Data suggest that the juvenile justice system was not effective in reducing violent behavior of these juveniles. The proportion committing violent offenses in the pre- and post-periods remained the same (14%) and the number of violent crimes increased by one (see Table 43).

Frequency. A measure of the frequency of offenses committed is the average number of contacts with the system per juvenile. The average number of arrests for violent offenders declined slightly from 1.8 in the year before to 1.7 after intervention (-6%).

Probation referrals remained constant at 1.3 per juvenile. However, violent offenders experienced increases in the average number of petitions filed (0.6 per juvenile to 0.7) and true findings (0.4 to 0.5). This can be interpreted to mean that juveniles referred to probation after a previous contact for violence were treated more severely. (See Table 44.)

Seriousness Index. The average seriousness score for violent juveniles decreased slightly from 3.8 to 3.5. This reflects the decrease in the average number of arrests noted previously, but indicates that the severity of the offenses committed did not decrease significantly.

TABLE 42

RECIDIVISM RATE BY ARREST CHARGE
CASE STUDY
July 1 - Dec. 31, 1980

	Violent Offenders	Property Offenders
Successful*	42% (42)	45% (51)
Unsuccessful	58% (59)	55% (63)

$$x^2 = 0.22$$

No significant difference

* No arrests during one year after tracking offenses.

TABLE 43

PRIOR AND SUBSEQUENT VIOLENT OFFENSES
VIOLENT OFFENDERS
CASE STUDY
July 1 - Dec. 31, 1980

Arrests for Violent Offenses	One Year Before	One Year After
No arrests	86 (86%)	86 (86%)
One arrest	13 (13%)	12 (12%)
Two arrests	1 (1%)	2 (2%)
TOTAL	100	100

No significant difference

TABLE 44
 JUVENILE JUSTICE CONTACTS - VIOLENT OFFENDERS*
 CASE STUDY
 July 1 - Dec. 31, 1980

	<u>Before</u>	<u>After</u>	<u>% Change</u>
Total Arrests	1.8	1.7	- 6%
Probation Referrals	1.3	1.3	Ø
Petitions filed	0.6	0.7	+17%
True Finding	0.4	0.5	+25%

* Average number of contacts per juvenile one year before and after arrest date.

Recidivism and Case Disposition

Data indicate that juveniles handled informally by both police and probation were less likely to recidivate compared to those processed through the system. This can probably be attributed to the less serious nature of these cases. Law enforcement and probation personnel appear to be differentiating between the juveniles likely to continue their delinquency and those who are not when making decisions regarding case disposition. Approximately 50% of the juveniles handled informally were contacted during the subsequent year. (See Tables 45 and 46.)

Court Disposition. Court dispositions were analyzed by grouping the various treatment alternatives into two categories: out-of-home placements and probation. The size of the sample did not allow further breakdown of the data. (See Table 47.)

Sixty-five percent (65%) of those placed out of home were rearrested compared to 68% of those on probation, which is not a statistically significant difference. During the follow-up period, some of the juveniles placed out of home were in local institutions for a period of time. This may have had an effect on recidivism rates; however, a substantial proportion were recontacted despite having lived in a controlled setting part of the year.

A report currently being prepared by the San Diego County Probation Department will present an analysis of institutional placements by specific treatment alternatives and will include data on recidivism. This will allow evaluation of the effectiveness of specific types of placements (e.g., juvenile ranch facilities, Girls Rehabilitation Facility, 24-hour schools, Youth Authority, etc.).

TABLE 45
 RECIDIVISM RATE BY LAW ENFORCEMENT
 DISPOSITION OF VIOLENT OFFENDERS
 CASE STUDY
 July 1 - Dec. 31, 1980

	<u>Probation Referral</u>	<u>Handled by Department</u>
Not Rearrested	33 (40%)	9 (50%)
Rearrested	49 (60%)	9 (50%)
TOTAL	82	18

$x^2 = 0.58$
 No significant difference

TABLE 46
 RECIDIVISM RATE BY PROBATION
 DISPOSITION OF VIOLENT OFFENDERS
 CASE STUDY
 July 1 - Dec. 31, 1980

	<u>Petition Filed</u>	<u>Handled Informally</u>
Not Rearrested	14 (30%)	18 (55%)
Rearrested	33 (70%)	15 (45%)
TOTAL	47	33

$x^2 = 4.95$
 Significant at 0.05 level

TABLE 47
 RECIDIVISM RATE BY COURT
 DISPOSITION OF VIOLENT OFFENDERS
 CASE STUDY
 July 1 - Dec. 31, 1980

	<u>Out of Home</u>	<u>Probation</u>
Not Rearrested	7 (35%)	6 (32%)
Rearrested	13 (65%)	13 (68%)
TOTAL	20	19

$x^2 = .05$
 No significant difference

Factors Associated with Recidivism

One of the primary indicators of a potential for repeat offenses appears to be the prior arrest history of violent offenders. Table 48 shows that the juveniles who had no prior police contacts were not likely to be rearrested (79% had no contacts within one year). Of those with one prior offense, 53% recidivated. This appears to be the break-even point. As the number of prior arrests increased to two or more, the likelihood for rearrest increased. Sixty-four percent (64%) of juveniles with two prior contacts had a subsequent arrest, as did 87% of those with three or more priors (see Table 48).

An additional factor related to rearrest is the type of violent offense committed. Those arrested for robbery as the tracking offense were most likely to re-enter the system (see Table 49).

TABLE 48
 RECIDIVISM RATE BY PRIOR ARRESTS/CONTACTS
 VIOLENT OFFENDERS
 CASE STUDY
 July 1 - Dec. 31, 1980
 (TOTAL = 99)

	<u>Number of Priors</u>			
	<u>None</u>	<u>One</u>	<u>Two</u>	<u>3 or More</u>
Not Rearrested	22 (79%)	10 (53%)	5 (36%)	5 (13%)
Rearrested	6 (21%)	9 (47%)	9 (64%)	33 (87%)
TOTAL	28	19	14	38

TABLE 49
 RECIDIVISM RATE BY TYPE OF VIOLENT OFFENSE
 CASE STUDY
 July 1 - Dec. 31, 1980

	<u>Homicide</u>	<u>Rape</u>	<u>Robbery</u>	<u>Aggravated Assault</u>
Not Rearrested	1 (100%)	3 (75%)	15 (32%)	23 (47%)
Rearrested	- 0 -	1 (25%)	32 (68%)	26 (53%)
TOTAL	1	4	47	49

These data suggest that the most appropriate point of intervention for violent offenders is after one or two arrests rather than when delinquent behavior is more pronounced. These offenders should not necessarily be institutionalized at this point. That decision would depend on factors specific to each case. But it may be more effective to take some formal action at this earlier stage (e.g., restitution, work project, etc.). For further discussion of possible treatment alternatives, see Chapter 4.

A factor related to the use of prior history information by the courts is that the judge/referee can only consider those offenses for which there is sufficient evidence that the juvenile committed the crime (Callaway decision). This includes all true findings, but also cases in which the juvenile was diverted by probation or law enforcement and there is a certainty of involvement (e.g., admission). Probation officers generally have access to information on local and sometimes out-of-county true findings and informal probation dispositions, but often do not have all relevant juvenile contact reports. Without this document, a contact cannot be considered for inclusion in the social study. Consequently, a juvenile may have five verified prior offenses, but only 2 or 3 are presented to the court.

To rectify this situation, law enforcement agencies should forward all contact reports for a juvenile when the first probation referral is made. In addition, the intake probation officer should check the Juvenile Hall Index for contacts by other law enforcement agencies and obtain the appropriate reports. The validity of the prior history data is dependent on the degree to which police agencies submit juvenile contact information to the Index. Currently, the policies of law enforcement jurisdictions are not uniform in this respect. This situation should be rectified.

Socioeconomic Factors

Two additional factors show a significant relationship with recidivism: living situation and race/ethnicity of offender. Table 50 indicates that juveniles living with both natural parents are less likely to be recontacted. Non-minorities also had a lower risk of continued involvement with the juvenile justice system. (See Table 51.)

The association between race/ethnicity and recidivism may be due to the nature of offenses committed or economic status. Minorities were likely to be arrested for a higher proportion of robberies, and alleged robbers had higher rearrest rates. Using welfare status as an economic indicator, there was no apparent association between recidivism and income level. However, there may be a relationship between race/ethnicity and welfare that masks the effects of economics on recidivism. The sample size is too small to evaluate this issue. (See Table 52.)

Other factors not associated with rearrest are age and sex of the juvenile offender (see Tables 53 and 54).

Social Study. Although the sample is too small to measure significance levels, the data collected from the social study indicate that juveniles with family problems (e.g, disharmony, lack of guidance, etc.), school-related problems, and negative peer associations may be more likely to recidivate.

Limitations

It should be remembered that the variables assessed in this study are those for which data were available in official records. Therefore, results may not reflect all factors that affect delinquent behavior. However, the findings suggest circumstances and factors that should be considered in evaluating case dispositions and developing treatment alternatives.

TABLE 50
 RECIDIVISM RATE BY LIVING SITUATION
 VIOLENT OFFENDERS
 CASE STUDY
 July 1 - Dec. 31, 1980

	<u>Intact Home</u>	<u>Broken Home</u>
Not Rearrested	11 (61%)	21 (33%)
Rearrested	7 (39%)	43 (67%)
TOTAL	18	64

$x^2 = 4.73$
 Significant at 0.05 level

TABLE 51
 RECIDIVISM RATE BY RACE OF VIOLENT OFFENDERS
 CASE STUDY
 July 1 - Dec. 31, 1980

	<u>White</u>	<u>Minority</u>
Not Rearrested	17 (57%)	25 (35%)
Rearrested	13 (43%)	46 (65%)
TOTAL	30	71

$x^2 = 4.00$
 Significant at 0.05 level

TABLE 52
 RECIDIVISM RATE BY WELFARE STATUS
 VIOLENT OFFENDERS
 CASE STUDY
 July 1 - Dec. 31, 1980

	<u>Receiving Aid</u>	<u>Not Receiving Aid</u>
Not Rearrested	25 (36%)	16 (55%)
Rearrested	44 (64%)	13 (45%)
TOTAL	69	29

$x^2 = 3.01$
 No significant difference at 0.05 level

TABLE 53
 RECIDIVISM RATE BY AGE OF VIOLENT OFFENDERS
 CASE STUDY
 July 1 - Dec. 31, 1980

	<u>13 and Under</u>	<u>14-15</u>	<u>16-17</u>
Not Rearrested	11 (46%)	17 (37%)	14 (47%)
Rearrested	13 (54%)	29 (63%)	16 (53%)
TOTAL	24	46	30

$x^2 = 0.89$
 No significant difference

TABLE 54
 RECIDIVISM RATE BY SEX OF VIOLENT OFFENDERS
 CASE STUDY
 July 1 - Dec. 31, 1980

	<u>Male</u>	<u>Female</u>
Not Rearrested	36 (41%)	6 (46%)
Rearrested	52 (59%)	7 (54%)
TOTAL	88	13

$x^2 = 0.13$
 No significant difference

Survey Data

Survey data indicate that there is concern among personnel in the juvenile justice system regarding their effectiveness in dealing with juvenile offenders. Only 2% of the law enforcement officers and 23% of the probation officers stated that the system is effective in reducing/deterring delinquent acts. One of the primary problems noted was the leniency in treatment of serious juvenile offenders by system components. Deputy district attorneys and police are most likely to think the response to juveniles is too lenient (100% and 97% respectively), followed by probation officers (82%), community agency personnel (78%), juvenile court judges/referees (60%), and defense attorneys (36%). (See Table 55.)

Other obstacles to modifying/reducing violent juvenile behavior are, in order of frequency mentioned, family-related problems (e.g., lack of concern or guidance on the part of parents), lack of resources and program alternatives, influence of peers and lack of swift and/or consistent system response to juvenile offenders.

System Goals. Personnel in component agencies have differing perceptions regarding what the system goals should be. This presents a dilemma for the juvenile justice system of how to impact juvenile violence. For example, law enforcement officers are most concerned with protection of the public and punishment, whereas probation officers view the primary goals as public protection and rehabilitation of the juvenile. (See Table 56.) Defense attorneys, judges/referees, and community agency personnel place a greater emphasis on rehabilitation. It is obvious that juvenile justice personnel view the role of the entire system in light of their own individual responsibilities. However, this lack of consensus regarding system goals may indicate poor system coordination.

TABLE 55

LENIENCY OF THE JUVENILE JUSTICE SYSTEM
 SURVEY OF CRIMINAL JUSTICE PRACTITIONERS

STATEMENT: The juvenile justice system is
 too lenient in its treatment of serious
 juvenile offenders.

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	<u>Police</u>	<u>Probation</u>	<u>District Attorneys</u>	<u>Defense Attorneys</u>	<u>Judges</u>	<u>Community Agencies</u>
Strongly Agree	78%	54%	75%	18%	20%	21%
Agree	19%	28%	25%	18%	40%	57%
Neither	2%	14%	Ø	41%	20%	14%
Disagree	1%	3%	Ø	18%	20%	7%
Strongly Disagree	1%	2%	Ø	6%	Ø	Ø
TOTAL	807	229	8	17	5	14



TABLE 56

GOALS OF THE JUVENILE JUSTICE SYSTEM
SURVEY OF CRIMINAL JUSTICE PRACTITIONERS

Question: What do you think the goal(s) of the juvenile justice system should be in regard to violent juvenile offenders?*

	<u>Police</u>	<u>Probation</u>	<u>District Attorneys</u>	<u>Defense Attorneys</u>	<u>Judges</u>	<u>Community Agencies</u>
Rehabilitate	18%	50%	38%	<u>72%</u>	<u>100%</u>	<u>63%</u>
Punish	60%	26%	38%	33%	∅	6%
Deter	29%	16%	25%	17%	∅	50%
Protect Public	<u>77%</u>	<u>93%</u>	<u>88%</u>	61%	83%	50%
Other	2%	1%	∅	∅	∅	25%
TOTAL	747	230	8	18	6	16

* Respondents could indicate two responses.

CHAPTER 4 ALTERNATIVE STRATEGIES

Alternative Strategies

SUMMARY

It is apparent from the preceding chapter that the juvenile justice system has not had an impact on delinquency among violent juvenile offenders. This suggests a need for a new and innovative approach in addition to more effective use of current resources.

A lack of consensus exists among local juvenile justice practitioners as to what direction treatment of violent offenders should take. Options advocated range from CYA and adult court remands to the use of community based agencies. However, recent research suggests treatment alternatives that could be implemented locally to augment existing services. These are presented for consideration.

Ultimately, it must be remembered that much of a juvenile's behavior is learned at a young age. By the time the youth reaches the juvenile justice system, behavior patterns may be well-established. Therefore, any approach to the problem of juvenile violence should involve other social institutions at an early stage in a juvenile's life to reduce the potential for development of a predisposition toward violence (e.g., social services, government agencies, schools, community groups, family, churches, health agencies, etc.). A thorough discussion of these options is beyond the scope of this report.

DISPOSITIONAL ALTERNATIVES

A wide range of dispositional alternatives are currently used in violent offender cases. The following is a brief description of the options available to the probation officer and the courts.

Counsel and Close

The intake probation officer confers with the juvenile and the minor's parents regarding the incident. If the matter is not serious and the parents appear to be handling the situation appropriately, the probation officer can close the case at this point.

Informal Supervision

In lieu of filing a petition, the probation officer can place the juvenile on informal supervision for up to six months with the consent of both the

minor and the parents. During this period, the family may be referred to an outside agency for counseling or other services. If the minor does not meet the conditions of informal supervision, a petition can be filed (654 W&I).

If a petition is filed and a true finding made, the court can place a juvenile on non-ward probation or declare wardship.

Non-ward Probation

The court may place a juvenile on non-ward probation supervision for a period not to exceed six months (725 W&I). This is similar to informal supervision, but is court ordered.

Wardship

If the court finds that a juvenile is a person described in Sections 601 or 602 W&I, the juvenile can be declared a ward of the court (725 W&I). This can include any of the out-of-home placement alternatives described in the following section, placement in a foster home, probation supervision, work project, restitution, paying of court costs, etc.

Out-of-Home Placements

This section provides a discussion of the institutional program alternatives available to judges/referees for juvenile offenders. The program descriptions were summarized from a report by the San Diego County Probation Department entitled Analysis of Institutional Placement of Juvenile Offenders (1982).

1. The Rancho del Rayo camp facility provides a minimum security placement for 100 delinquent boys ages 13-18. The primary focus is on a required school program and work activities (e.g., litter control, trail building, reforestation, general clean-up, etc. for the County and the U.S. Forestry Service). In addition, an average of 2 hours per week of counseling is provided. A special program within Rancho del Rayo is the "lightning unit": a short-term commitment (30-90 days) for 25 minor offenders. This is compared to a program length of 90-240 days for 75 more serious or repeat offenders.
2. Girls Rehabilitation Facility (GRF) provides for required school attendance and individual programming for up to 20 delinquent girls committed by the court for felony and misdemeanor offenses. Program options include work experience (e.g., at schools or in the Probation Department), family and individual counseling, drug and alcohol counseling, services of volunteers and community-based agency staff and crafts. GRF has a short-term "lightning" program (30-45 days) and a regular program (90-180 days).
3. The 24-Hour Schools are residential facilities which vary in the type of program offered, the type of client served and the bed space available. There are approximately 45 facilities used regularly for placement of San Diego youth. "Services provided by these institutions

range from intensive psychiatric treatment programs for severely emotionally dysfunctional youth to out-of-home maintenance programs for the mildly to moderately disturbed youngsters." (San Diego County Probation Department, 1982.) Therapy falls within five categories: medical model; psychological treatment; milieu therapy; socialization in a home-like atmosphere; and training for developmentally disabled or pregnant teenagers. The intended length of stay varies from 274-365 days.

4. The Youth Correctional Center (YCC) was not in operation at the time this report was prepared, however it may be reopened in fiscal year 1982-83. This program would be housed at Camp West Fork, an adult facility. It is intended to serve 90 delinquent juvenile males (16-17) and young adults (18-23). The program is designed for serious juvenile offenders handled by the adult courts (707 W&I) and youth who will turn 18 while in custody. The primary emphasis is on work at the County parks, along County roads, at County beaches and on federal forestry projects. The commitment period ranges from 60-183 days.
5. California Youth Authority (CYA) administers ten institutions and six conservation camps with a maximum of 5,340 beds. The camps provide work experience similar to the types of programs at local camp facilities. The training centers offer remedial and high school education, vocational and job training, college courses, and activities designed to meet special needs such as drug abuse and medical-psychiatric programs. The average length of stay is a little over one year (12.9 months).

The average daily cost per bed for the various alternatives ranges from \$18.24 for one of the 24-hour schools to \$66.49 for CYA and \$77.00 for Vision Quest, excluding hospital and more extensive psychiatric care.

Frequency of Dispositions

Table 57 presents case study data on court dispositions in violent offender cases. The most frequently used disposition was probation with wardship of the court (37%). An additional 3% were placed on non-ward probation. Violent offenders were less likely to be placed on probation than other serious offenders.

Local facilities were the next most common alternative, with 18% sent to a regular camp commitment or GRF and 8% placed in the shorter term lightning unit. Four percent (4%) were sent to YCC which was housed at an adult facility during the study period, and 1% were sentenced to jail for one year or less.

A small proportion were committed to state institutions (14% to CYA and 1% to prison). The jail and prison options can only be used when a juvenile is remanded to adult court. Other juvenile cases heard in the criminal courts which have reached disposition are included in the CYA commitments.

Twenty-four hour schools were only used in 5% of the cases. Many 24-hour schools only accept violent juveniles under special circumstances.

These data suggest a wide range of disposition alternatives are being used. However, recidivism data indicate that neither the institutional options nor probation appear to be effective in reducing subsequent law violations of violent offenders.

TABLE 57

COURT DISPOSITION - VIOLENT OFFENDERS
CASE STUDY

Disposition Alternative	Number	Percent
CYA	22	14%
YCC	6	4%
Camp/GRF	28	18%
Lightning Unit	13	8%
24-hour School	9	6%
Foster Home	1	1%
Probation with Wardship	58	37%
Non-Ward Probation	5	3%
Jail	2	1%
Prison	1	1%
Other (e.g., transferred to another state restitution work project)	10	6%
TOTAL	155	

Effective Strategies

Table 58 suggests that there is little consensus among juvenile justice personnel as to what works in treating violent offenders. Of the options available to the court, only 17% of the survey respondents think that CYA or adult court remands are the most effective. Other alternatives mentioned were camp facilities/GRF (14%), restitution (11%), counseling (11%), and probation (8%). (See Table 58.)

TABLE 58

EFFECTIVE ALTERNATIVES
SURVEY OF JUVENILE JUSTICE PRACTITIONERS
1982

Question: Which alternatives do you feel are most effective for changing the behavior of violent juvenile offenders?

Alternative	Number	Percent
CYA	133	17%
Adult Court Remand	123	17%
Camp/GRF	110	14%
Restitution	86	11%
Counseling	88	11%
Probation	65	8%
24-hour School	54	7%
Paying Court Costs	56	7%
Work Project	46	6%
Stayed Commitment	35	4%
Other (includes Vision Quest, SIP, Barrio Station)	33	4%

Community Agencies. Of 337 respondents, the majority did not think that specific community based agencies are effective in dealing with violent juvenile offenders. The most frequent response was Vision Quest (15), followed by the Southeast Involvement Project - SIP (9), Barrio Station (8), and MAAC (4). Other agencies were mentioned by 3 or fewer respondents: Social Advocates for Youth (SAY), Youth Service Bureaus (YSB), Project JOVE, Job Corps, Harambe House, County Mental Health (CMH), Nu-Way, Project Oz, Teen Challenge, Family Services, CETA, Neighborhood House, South Bay Neighborhood Recovery, Barrio Grossmont, and Our House. Many of these agencies do not routinely accept referrals for violent offenders.

The types of services offered by community agencies that are viewed as most effective are counseling and job training (25% of respondents). A wide range of other services were mentioned. (See Table 59.)

TABLE 59
 TYPES OF EFFECTIVE COMMUNITY AGENCY SERVICES
 SURVEY OF JUVENILE JUSTICE PRACTITIONERS
 1982

Type of Service	Number	Percent
Counseling	37	25%
Job Training	37	25%
Residential Treatment	11	7%
Education	9	6%
Incarceration	7	5%
Work Program	5	3%
Psychological/Psychiatric Treatment	4	3%
Small Staff-Client Ratio	3	2%
Build Self-Esteem	3	2%
Hands-on Treatment	3	2%
Intensive Supervision	3	2%
Individual Treatment Plans	2	1%
Discipline	2	1%
Work with Family	1	1%
Diversion	1	1%
Follow-up in Community	1	1%
Recreation	1	1%
Peer Pressure	1	1%
Early Identification	1	1%
Other	13	9%
TOTAL	149	

Conclusion. As stated previously, this study has not been able to determine the effectiveness of specific dispositional alternatives for violent offenders. However, the overall conclusion is that current practices are not producing the desired results. Therefore, the County of San Diego should consider different options for future program development.

In addition, the Probation Department should be required to monitor effectiveness of individual programs in terms of outcome measures (e.g., recidivism) on an on-going basis. Such information should be reported regularly to the courts to ensure that decision-making is founded on the best possible data regarding program effectiveness with specific types of offenders. The present study being prepared by the Probation Department is a step in this direction.

Innovative Programs

The 24-hour schools and community based organizations currently provide the most diverse treatment alternatives available to San Diego youth. However, programs designed solely for the violent juvenile or even the serious chronic offender have traditionally been neglected. This is not

just a local phenomenon. Only recently has federal funding designated the violent juvenile offender a priority issue for research and program development.

Inherent problems in dealing with violent offenders have limited their access to 24-hour schools. Many schools do not have the level of security required for serious juvenile offenders, either in the physical structure of the facility or the number of staff positions. In addition, the presence of these juveniles can be disruptive to the treatment of other. Therefore, many of the schools will not accept violent juveniles or will accept them only under limited circumstances. There is a tendency among programs to admit only juveniles who can be impacted by services provided. This results in violent offenders being placed in CYA because no alternatives exist.

A variety of programs are necessary to meet the treatment needs of individual juveniles with specific problems (e.g., psychosis, mental illness, character disorders, disturbed personalities, unsocialized behavior, etc.). Since the relative proportion of serious juvenile offenders in need of psychiatric or medical treatment is small, the major emphasis will be on programs for juveniles amenable to resocialization through establishment of controls and social learning.

A myriad of treatment alternatives are possible, but recent research suggests five basic concepts for program structure in dealing with the violent or serious offender within a residential setting. (Strasburg, Armstrong, Romig, Agee.)

1. Treatment within the youth's area of residence provides the opportunity for reintegrating the juvenile into the home environment to which he/she will eventually return.
2. A case management system provides continuity and continued support of at least one individual in the juvenile's life by having one counselor follow the youth through the treatment process.
3. Essential to appropriate treatment is the initial diagnosis and assessment of needs and the development of an individual treatment plan.
4. A multi-phase program allows the juvenile to be gradually taken from a structured environment to one of increasing responsibility and self-reliance with the goal of reintegration into the community. (Armstrong, 1982.)
5. An extensive after-care program provides support and assistance to the juvenile as he reenters the community.

Within the basic structure, the following types of treatment/services are considered important and should be geared toward individual needs:

1. Education (e.g., remedial, alternative school).
2. Job training and career development (leading to jobs of value that have the possibility for advancement).

3. Recreation (to redirect behavior in a positive direction).
4. Family and individual counseling.
5. Development of communication skills.
6. Life skills training (e.g., balancing a check book, cooking, shopping, etc.).
7. Peer group support.
8. Reinforcement of successes to build self-esteem.
9. Consistent, certain and fair sanctions.
10. High staff ratio for one-on-one interaction.

The emphasis is on a more integrated and intensive approach which provides these services to juveniles based on specific needs.

Key techniques involved in many of these strategies are the setting of concrete and realistic objectives for the juvenile which can be accomplished and continued support and reinforcement for positive behavior.

Programs incorporating some or all of these program criteria (Closed Adolescent Treatment Center - CATC, OJJDP Violent Juvenile Offender Programs, etc.) generally range in length from a 12 to 18 month treatment period before release.

The program design presented deals with the specific problem areas identified for violent offenders in previous sections (e.g., family relationships, peer pressure, school-related problems). These factors should be considered in the development of any local treatment option.

The San Diego region should consider the feasibility of a similar local program designed for the violent youthful offender. The project could be housed either in a county-run facility or managed by a private service provider. Any new programs should be evaluated during the first one to two years of operation to determine effectiveness.

A summary of a program model developed in Arizona (Project Phoenix) as part of the Office of Juvenile Justice Delinquency Prevention (OJJDP) program for violent juvenile offenders is presented in Appendix C. Five programs using a similar design are currently in the implementation and testing phase.

Adaption of Concepts to Existing Programs

The program concepts outlined in the previous section can also be applied to existing local facilities and services as follows:

1. A violent juvenile offender could be assigned to one probation officer who handles the case from initial intake through the court

process. This would add a sense of continuity and accountability not present in the current separation of intake and investigation functions. If the juvenile has a second probation referral and is not a ward of the court, he/she could be assigned to the same probation officer at intake, when possible.

2. The probation investigation for violent offenders could include diagnostic testing on a more regular basis to develop an individual treatment plan for the juvenile based on needs, offense committed and prior delinquent history.
3. The juvenile camps could develop a multiphase program with an emphasis on reintegration of the juvenile into the community. This program could incorporate many of the treatment alternatives proposed for violent offenders (e.g., family and peer group counseling, etc.).
4. Violent offenders on probation could be assigned to a counselor from a community based agency who would work in conjunction with the probation officer. This counselor would be in a position to counsel and provide advocacy for the youth and the family. Such a counselor could also assist in development of an after-care program for juveniles returning to the community from state or local facilities.

San Diego County should consider the possibility of implementing these strategies.

Another Approach

Vision Quest is an innovative program currently being used as a disposition alternative by the San Diego Juvenile Court. Seventy-two (72) serious or repeat offenders have been placed in Vision Quest over the past 1½ years.

The program is a multi-faceted residential treatment setting for 250 juveniles (male and female) ranging in age from 10 to 21. Vision Quest operates in four states, but San Diego youth are placed in the Arizona facility. The program has five major components.

The Lodge. This is a diagnostic center which is the initial phase for most juveniles entering the program. The juvenile stays from four weeks to a few months and receives schooling, psychological and psychiatric testing and training in care of animals and equipment required for the wagon train.

Wilderness Camp. This is a three-month camp experience in New Mexico. Program emphasis is on physical training, hiking, climbing, map reading and orientation to wildlife.

The Wagon Train. Youngsters generally ride the wagon train across the United States for six months. Juveniles assigned to the train assist with tasks and care for animals and equipment.

Ocean Quest. This is a three-month program which prepares a crew for a two-week sailing voyage. This component has been temporarily suspended.

Group Homes. The group homes provide educational and psychological services. Juveniles remain in a group home until their release to the community. (San Diego County Probation Department, 1982.)

Vision Quest also has an after-care component in which a counselor interacts with the youth and the family after release. This is not currently operating in San Diego County.

Vision Quest is a change from traditional treatment alternatives and, therefore, has created controversy locally. This and other 24-hour schools need to be evaluated to determine their effectiveness in treating San Diego County youth.

A Note on the Trend Toward Increased Punishment

"Underlying the debate on rehabilitation vs. harsher penalties rests the uncomfortable premise that 'nothing works' in juvenile corrections." (Taylor, 1980.)

Data presented do not support claims that juvenile violence is on the rise nor do they support the contention that increased punishment is the answer. The legislative response toward increased severity perhaps is a reaction to media coverage and public perceptions based on fear. Of course, with the serious assaultive juvenile offender there is a primary need to consider the protection of the public as well as punishment consistent with the offense committed. However, existing juvenile court law has the necessary flexibility to address individual needs of juveniles as well as to detain older serious juvenile offenders not amenable to treatment as juveniles (i.e., CYA and adult court remands). The answer lies in using the means available in a more efficient and effective manner.

The juvenile must be held accountable for delinquent behavior. Too often, youth have the attitude that nothing of any consequence will happen to them. The system response must reflect certain and graduated sanctions for delinquent acts. This can be implemented under current statutes and does not require legislation, only a commitment on the part of juvenile justice practitioners. Actions that could facilitate a coordinated response are as follows:

1. Ensure that the Probation Department and the courts have information on all admissible juvenile contacts so they can be considered in case disposition.
2. Earlier intervention in cases involving violence-prone youth (e.g., at least by the second offense).
3. Graduated sanctions for less serious offenses starting with options such as restitution and work project.

4. Additional sanctions for any violation of probation to indicate that such behavior is not acceptable (e.g., added conditions of probation).
5. Development of specific policy guidelines for police and probation regarding formal processing of cases. These policy guidelines should be based on a classification system for offenders which considers the severity of the offense and the criminal history of the juvenile. (See Zimring, 1978.)

STRATEGIES TO REDUCE GANG-RELATED CRIME

Summary

A review of local programs designed to address gang-related crime suggests that the San Diego region has already implemented many of the innovative approaches developed in other cities. The San Diego Police Department, Probation, the District Attorney's Office and the San Diego City Attorney's Office have specialized gang units. In addition, a street worker program has recently become operational in the City of San Diego and local community-based agencies have been working to increase the community effort in dealing with the problem. What is needed is an evaluation of these programs to determine their effectiveness in reducing gang violence.

Law Enforcement

The San Diego Police Department is the only local law enforcement agency with a gang detail. The unit is responsible for:

1. Maintaining accurate, up-to-date information on gang members.
2. Conducting follow-up investigations on major reported crimes involving gang members as suspects.
3. Performing pro-active gang enforcement (e.g., field interviews, monitoring of local gang activity, etc.).
4. Collecting statistics on gang-related crimes and arrests.

The detail consists of five two-officer teams and one Sergeant.

As mentioned in Chapter 3, major gang-related crimes decreased in the City of San Diego in 1981, but show indications of an increase in the first quarter of 1982. These changes cannot be attributed to any specific gang detail strategies without an in-depth evaluation of the project.

Gang File. The unit maintains a gang file containing names, nicknames (monikers), demographic characteristics, vehicle information and police contacts for verified gang members. The gang files were established based on Department of Justice guidelines for intelligence files and include the following controls as outlined in Criminal Intelligence File Guidelines (April 1980).

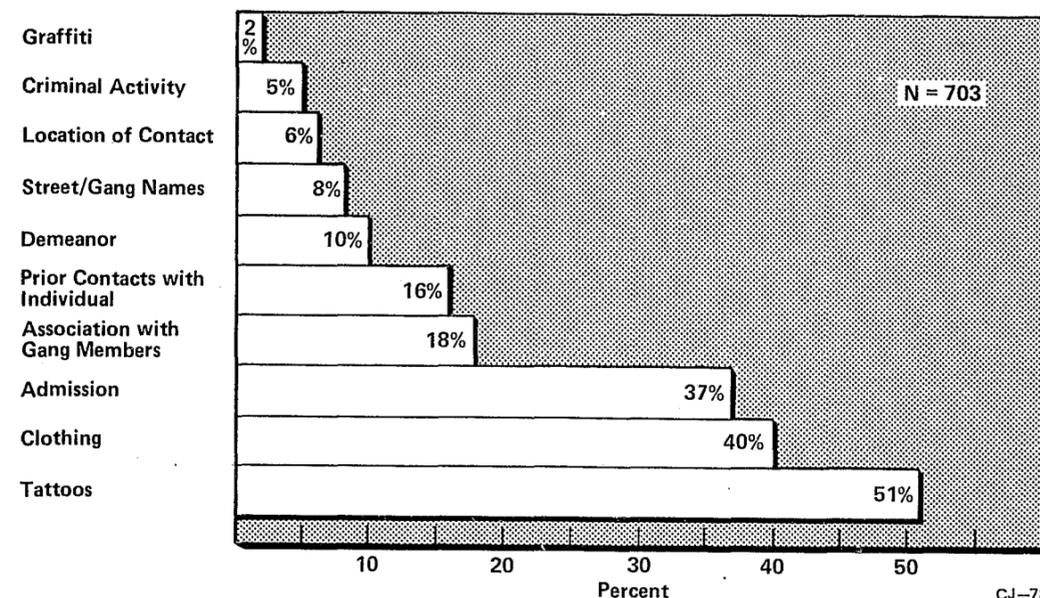
1. "Material stored in the criminal intelligence file should be restricted to documents of criminal intelligence, related information from public records and media sources.
2. All information to be retained in the criminal intelligence file should meet criteria designed by the agency. These criteria should outline the parameters of the agency's criminal interests ... and provide specifics for determining whether subjects involved in these crime categories are suitable for file inclusion.
3. Information retained in the criminal intelligence file should be evaluated for source reliability and content validity prior to filing.
4. Information retained in the criminal intelligence file should be classified to indicate the degree to which it should be kept confidential in order to protect sources, investigations and individuals' right to privacy. ... Classification of information should be the responsibility of a carefully selected and specifically designated individual....
5. Information should be disseminated only to those with a need-to-know as well as a right-to-know.
6. Information stored in the criminal intelligence file should be periodically purged to ensure that the file is current, accurate and relevant to the needs and objectives of the agency and to safeguard the individuals' right to privacy as guaranteed under federal and state statutes.
7. The criminal intelligence file should be located in a secured area with file access limited to authorized personnel."

All local law enforcement agencies either currently maintaining or considering the development of gang intelligence files should adhere to these guidelines. A critical factor is that the responsibility for names entered into a gang file should be limited to specifically assigned individuals with expertise in the area. Patrol officers do not always have the knowledge required to differentiate gang members from car clubs or other groups, although their awareness is increasing.

Figure 17 indicates that the five major factors used by patrol officers in the region to identify gang members are similar to criteria set up by San Diego Police Department (see page 53): tattoos indicating gang affiliation (51%); clothing (40%); admission (37%); association with gang members (18%); and prior police contacts with the individual (16%). However, criteria used are not consistent throughout the region. There is still a need for academy and in-service training to be provided to officers in the region on an on-going basis. The training should include information on specific gangs and appropriate enforcement techniques as well as identification of gang members.

FIGURE 17
IDENTIFICATION OF GANG MEMBERS BY LAW ENFORCEMENT
SURVEY OF LAW ENFORCEMENT OFFICERS

QUESTION: How do you know that a juvenile is a gang member rather than a member of a car club or other group?



Field Interviews. Field interviews are a method for gathering information on gang members. San Diego Police Department data indicate that gang members are contacted on an average of once during a year. The number of field interviews recorded range from zero to 32 for one individual. Multiple contacts occur when several officers complete a report on the same individual. This information can be used at a later time to link suspects to crimes through their location, clothing, companions and vehicles. However, the usefulness of this information should be weighed against the potential for perceived harassment when field interviews occur at rates higher than two per month for some youths.

Other Jurisdictions. Local law enforcement agencies which have identified a gang problem in their area have assigned at least one officer to develop expertise in gangs. These officers use some of the techniques developed by the San Diego Police Department (patrolling during time periods with high gang activity, responding to radio calls related to gangs, field interviews, etc.).

Regional Approach. Currently, officers from all law enforcement jurisdictions, the Probation Department, CYA, school security, Border Patrol, and the Marshal's office meet on a monthly basis to share information on gang-related activity.

Regional Statistics. The Attorney General's Youth Gang Task Force (June 1981) recommended that the Bureau of Criminal Statistics (BCS) collect statewide data on gang-related reported crimes. This kind of information is important to document the gang problem and develop effective strategies. It is suggested that the San Diego region begin tabulating these data at the local level in a manner similar to the special study conducted for this report.

Prosecution

In 1981, the District Attorney's Office instituted a gang prosecution unit modeled after the Hard Core Unit in Los Angeles. One deputy district attorney is currently assigned fulltime, with parttime assistance from one other prosecutor. Additional grant funding from the state (\$100,000) will increase the staff to three prosecutors and one investigator (all bilingual). Special features of the unit include:

1. Vertical prosecution of defendants where the same prosecutor appears at every hearing.
2. Reduced caseload.
3. Elimination of plea bargaining to lesser offenses.
4. Special attention to victims such as protection to ensure their appearance in court.
5. Increased availability to police for advice.

The cases handled are more difficult to prosecute because of problems in obtaining evidence and refusal of witnesses to cooperate. Despite this, the gang prosecution unit has a conviction rate of 93%.

The San Diego City Attorney's Office assigned one attorney to prosecute gang-related cases in June, 1982.

Probation

In April 1982, the Probation Department implemented a gang unit in South-east San Diego. The unit is composed of four probation officers who have specialized training in supervision of gang members. These officers have a relatively small caseload (30 to 35 probationers). Contacts are made with juveniles at least twice a month but up to twice a week. The officers are familiar with the area they serve and work closely with local police. Three major components of the program are:

1. School enrollment.
2. Job placement.
3. Working with parents/family.

Additional strategies include visits to areas where gang members gather and addition or enforcement of special probation conditions. An adult component is proposed for the program with the addition of two probation officers.

San Diego City Street Youth Project

The City of San Diego received \$200,000 from the Regional Education and Training Consortium (RETC) to develop a program to address the problem of street gangs (April 1982). The project is staffed with a director, six street workers/counselors, and a secretary. The goal is to reduce homicide and gang-related violence by diverting group activities in a more positive direction. A major emphasis is on job training and job placement. The youth served are 16 and over. Three target areas were identified based on the level of activity: Logan, Southeast San Diego, and Del Sol-San Ysidro.

Street Worker Programs

The concept of a street worker program to deal with gang-related crime is not new. The results of other projects have been conflicting and there is disagreement as to what is the best approach. For example, some researchers advocate breaking up the gang as the only way to reduce their delinquent behavior (Klein, 1971). Others suggest working within the existing structure of the gang as the San Diego City's street youth project proposes (Moore, 1981; Torres, 1978). However, any street worker program developed locally should consider the problems and limitations encountered in other programs.

The following conclusions were made by Malcolm Klein (1971) regarding Los Angeles detached worker programs:

1. Gathering the gang members together as a group reinforces the cohesiveness and "gang-as-gang" identification which can work against the goal of delinquency reduction.
2. The street worker can be a source of status for the group. In one instance in Los Angeles, the removal of the worker may have led to dissolution of the gang.
3. Working with younger subgroups or fringe members can perpetuate the traditional gang structure by increasing group cohesiveness and membership.
4. The worker cannot control all the factors that contribute to gang membership such as psychological propensities of the youth, stresses of adolescence, the opportunity structure of the community and the norms of the group.
5. There is a possibility of lack of field supervision due to the flexibility of the job. This can lead to an unplanned and uncoordinated response.

6. Primary goals (e.g., violence reduction) can become secondary to activities (e.g., placing emphasis on the number of youths contacted).

Despite the problems experienced by street worker programs, Klein states that there are advantages. The core gang member is more accessible through this type of program. In addition, the flexibility of the workers allows them to respond according to situational factors in the field.

Evaluation

The San Diego region has implemented several programs to address the gang problem over the past few years. It is essential that these programs (SDPD gang detail, Probation gang unit, the District and City Attorneys' gang prosecution units, and the City's street youth project) be evaluated in terms of their impact on gang activity. With so many strategies operating at one time, it is necessary to isolate specific activities in each program that contribute to changes in gang-related crime, gang membership, etc. Otherwise, it will be difficult to determine what strategies worked. Objectives should be developed for each program that are realistic and measurable. Relevant data should be analyzed for 12 to 18 months to determine the effectiveness of each component in meeting stated objectives.

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APPENDICES

APPENDIX A

METHODOLOGY

CASE TRACKING STUDY

To assess the response of the juvenile justice system to the youthful violent offenders, 323 juveniles were tracked from initial arrest/contact for a violent personal crime (willful homicide, forcible rape, robbery and aggravated assault) to final case disposition. Data were also collected on a comparison group of 291 serious property offenders arrested for burglary, grand theft and motor vehicle theft. Study results allow:

1. The development of a profile of the violent juvenile offender.
2. A review of juvenile justice system processing of offenders.
3. An analysis of the effectiveness of the system in reducing recidivism.

A sample was selected of juvenile arrests/contacts occurring from July 1 to December 31, 1980 in five law enforcement jurisdictions. This study period provided for a one-year follow-up on subsequent offenses. Additionally, the time frame was recent enough to reflect current practices of juvenile justice component agencies.

Sample Selection

The five law enforcement jurisdictions (El Cajon, National City, Oceanside, San Diego City, and San Diego County Sheriff) were selected using the following criteria:

1. Geographic location (representative of all areas of the region).
2. Volume of juvenile contacts for the offense categories being examined.
3. Seriousness of juvenile offenses (i.e., a significant proportion of the total juvenile arrests in the County for crimes less frequently committed such as homicide and rape occurred in these jurisdictions).
4. Rate of referral to probation (high enough to provide a sufficient number of cases reaching juvenile court disposition).

These five agencies represent 81% of all juvenile contacts for the seven major offenses studied and 80% of the probation referrals during 1980.

A probability sample of juvenile arrests/contacts was selected from the arrest and citation register at each law enforcement agency. To obtain a comparable number of violent and property offenses, all crimes against persons were included and 25% of the property offenders were chosen.

The following is a breakdown of study cases from each agency:

<u>Jurisdiction</u>	<u>Number</u>	<u>Percent</u>
El Cajon	32	5%
National City	52	8%
Oceanside	31	5%
San Diego	342	56%
Sheriff	157	26%
Total:	614	

If a juvenile was charged with more than one offense at the time of arrest, the most serious crime was coded based on the Uniform Crime Report (UCR) hierarchy of offenses. If an individual had more than one arrest during the study period, a single arrest was randomly selected as the tracking offense.

Data Collection

Data were collected from the following sources:

1. Arrest and citation register (demographic and arrest information).
2. Probation files (socioeconomic variables, factors related to the tracking offense and other probation referrals).
3. District Attorney records (case disposition for remands to adult court).
4. Juvenile Hall Index (juvenile arrests).
5. Law enforcement records (prior and subsequent juvenile arrests not in probation records).
6. Department of Social Services (welfare status of family).

The form used for collecting data is presented on page 116. Data elements include:

1. Age.
2. Sex.

3. Race.
4. Socioeconomic status.
5. Living situation.
6. Disposition by law enforcement, probation and courts.
7. Prior and subsequent arrests, probation referrals, petitions, true findings and commitments.
8. Attitude of juvenile.
9. Pre-adjudication detention and reason for detention.
10. Charges at arrest, on petition and at disposition.
11. Social factors identified by probation.
12. Intervention strategies.
13. Gang affiliation.
14. Case processing time.
15. Number of companions.
16. Remands to adult court.
17. Referrals to outside agencies.

APPENDIX B

TABLE 60

PLACEMENT IN JUVENILE HALL BY TYPE OF VIOLENT OFFENSE
CASE STUDY
July 1 - Dec. 31, 1980

	<u>Homicide</u>	<u>Rape</u>	<u>Robbery</u>	<u>Aggravated Assault</u>	<u>Total</u>
Juvenile Hall	6 (100%)	2 (22%)	83 (68%)	112 (61%)	203 (63%)
Released	Ø	7 (78%)	39 (32%)	72 (39%)	118 (37%)
Other	Ø	Ø	1 (1%)	1 (1%)	2 (1%)
TOTAL	6	9	123	185	323

TABLE 61

LAW ENFORCEMENT DISPOSITION BY TYPE OF VIOLENT OFFENSE
CASE STUDY
July 1 - Dec. 31, 1980

	<u>Homicide</u>	<u>Rape</u>	<u>Robbery</u>	<u>Aggravated Assault</u>	<u>Total</u>
Referred to Probation	5 (83%)	7 (88%)	106 (86%)	157 (85%)	275 (85%)
Handled by Department	1 (17%)	1 (13%)	16 (13%)	28 (15%)	46 (14%)
Other	Ø	Ø	1 (1%)	Ø	1 (1%)
TOTAL	6	8	123	185	322

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TABLE 62

PROBATION DISPOSITION BY TYPE OF VIOLENT OFFENSE
CASE STUDY
July 1 - Dec. 31, 1980

	<u>Homicide</u>	<u>Rape</u>	<u>Robbery</u>	<u>Aggravated Assault</u>	<u>Total</u>
Counsel and Close	Ø	4 (57%)	28 (26%)	42 (28%)	74 (28%)
Informal	Ø	1 (14%)	2 (2%)	7 (5%)	10 (4%)
Petition	5 (100%)	2 (29%)	76 (72%)	102 (68%)	185 (69%)
TOTAL	5	7	106	151	269*

*Insufficient information was available on 6 cases.

TABLE 63

COURT DISPOSITION BY TYPE OF VIOLENT OFFENSE
CASE STUDY
July 1 - Dec. 31, 1980
TOTAL = 155

	<u>Homicide</u>	<u>Rape</u>	<u>Robbery</u>	<u>Aggravated Assault</u>	<u>Total</u>
CYA	4 (80%)	Ø	10 (16%)	8 (9%)	22 (14%)
YCC	Ø	Ø	3 (5%)	3 (3%)	6 (4%)
Camp	Ø	Ø	15 (24%)	13 (15%)	28 (18%)
Lightning	Ø	Ø	7 (11%)	6 (7%)	13 (8%)
24-hr school	1 (20%)	Ø	6 (10%)	2 (2%)	9 (6%)
Foster Home	Ø	Ø	Ø	1 (1%)	1 (1%)
Probation (Ward)	Ø	Ø	16 (26%)	42 (49%)	58 (37%)
Non-ward Probation	Ø	Ø	1 (2%)	4 (5%)	5 (3%)
Jail	Ø	Ø	Ø	2 (2%)	2 (1%)
Prison	Ø	Ø	1 (2%)	Ø	1 (1%)
Other	Ø	2 (100%)	3 (5%)	5 (6%)	10 (6%)
TOTAL	5	2	62	86	155

APPENDIX C

PROJECT PHOENIX

(This material was extracted
from the program description.)

The Arizona State Department of Corrections has become the recipient of a \$700,000 federal contract issued by the Office of Juvenile Justice and Delinquency Prevention. The National Council on Crime and Delinquency is coordinating the eighteen-month contract which is designed to implement a research and development program for violent juvenile offenders from the greater Phoenix area. We hope to learn what interventions will work to rehabilitate juvenile offenders who have committed violent offenses (homicide, sexual assault, aggravated assault, armed robbery and arson of an occupied structure).

Project Phoenix will provide a specialized and intense program for an experimental group of 25 randomly selected chronic violent offenders who are committed to the Department of Corrections Juvenile Services. The program will address their behavior and the underlying factors contributing to their chronic violence. A comparable control group will also be tracked through the research. The program has been carefully designed to give the juvenile an opportunity to break his pattern of violence. The program will provide comprehensive and coordinated treatment services in settings of progressively reduced security. These juvenile offenders will be provided with intense family counseling, educational, psychological and vocational opportunities and training, and the support system necessary for independent, crime-free community living. An important aspect of the program is the building of community ties and resources to support the reintegration of youth into the community. An Advisory Board consisting of representatives of the juvenile justice system (police, probation, prosecutors, judiciary, community service, etc.) will oversee the project and provide increased coordination among the components of the local juvenile justice system.

Youths participating in Project Phoenix will progress through five phases. An experienced counselor (advocate) will be responsible for coordinating all treatment and services for each program youth from intake through termination of jurisdiction. Each advocate will maintain a small caseload of approximately eight youths.

During the first three phases of Project Phoenix, the program will be conducted in a secure cottage at Adobe Mountain School, a Department of Corrections juvenile institution.

Prior to the completion of every phase of the program, the Project Phoenix Treatment Team will review the youth's progress, achievements, and satisfactory accomplishments for ascension to the next program phase. They will also conduct regular, periodic reviews and assessments of each youth throughout the entire program, every thirty days. Case staffing such as this incorporates four programming principles--social networking, provision of opportunities, social learning, and realistic goals--into the process for review and revision of each juvenile's treatment and service plan.

Phase I - Orientation

An advocate will coordinate the diagnostic assessment for project youths. The specific needs of the individual will be identified. Areas to be examined during this phase are: court arrest history; family and social history; educational and vocational skills; educational and vocational aptitude; medical and dental needs; interpersonal and coping skills and special needs that individual youths may have.

During Phase I, counselors and staff will serve as the role models for youth and provide one-to-one counseling that emphasizes social learning techniques. Counselors will be both professionals and ex-offenders with extensive experience working with serious and violent offenders both inside institutions and in the community. The emphasis of this phase is on helping the participants to understand their behavior and learn the requirements or limits of the program.

Phase II - Short-Term Goals

This phase will emphasize learning to be a role model for others, developing coping skills, self-control, and responsibility for one's behavior. The therapeutic staff will work with the youth to develop relative short-term goals that are concrete enough so that both the youth and staff can determine whether or not they are being met.

The resultant treatment plan will develop a direction for the juvenile that is premised on both realistically achievable objectives and identified needs. Upon completion of the personal planning, the juvenile will begin work assignments and participate in the school program. The correctional staff and counselors will carefully monitor the youth's interaction with peers and adherence to rules and program regulations. A system of sanctions ranging from confrontations to loss of privileges to modification of the performance contract will be used by the Treatment Team to hold the participants accountable for their behavior. Movement to the next phase throughout the program is based on the regular reviews and positive evaluation by the Treatment Team.

Phase III - Responsibility

Demonstrated achievement in the areas of self-awareness and behavior as these relate to the goals and objectives of the juvenile's plan, will allow the participant to ascend to this phase. In this phase, the advocate will work with the treatment staff to intensify the youth's rela-

tionship to his home and family and the community. Elements of the program will include internal control development, intensified education and vocational learning, controlled group counseling and one-to-one counseling, and the development of a broader support system.

Although the youth will receive the continued support and guidance of the advocate when he is reintegrated to the community, Project Phoenix will link each participant to a community member at this time. The therapeutic staff, working with the outreach component of the OK Community [a local agency], will identify community members to work with each juvenile within the program. Somewhat similar to the "Big Brother" or "Foster Grandparent" concept, this is intended to initiate a lasting and positive relationship for the youth in the community, with someone other than the advocate or his family.

Phase IV - Re-entry Transition

Upon entering Phase IV, the juveniles will be transferred to a community based transition house in Phoenix which is operated by the O.K. Community, under contract with DOC. They will provide a unique multicultural and experiential orientation to the program.

The O.K. Community was established in 1976 as a follow-up program for the then-existing Ft. Grant in-patient, in-prison program. Initially, the program's function was simply to assist ex-offenders to function in society. Since that time, O.K. Community has expanded and evolved to meet multiple ex-offender and potential offender needs. The program is now a collection of programs located in prisons, institutions, and in the community. The staff is a blend of caring people from all backgrounds--professionals and ex-offenders--working with a board of local citizens who help govern the organization.

The staff from the O.K. Community, working with Project Phoenix, bring a mix of education, training, and experience to the program that is unique by virtue of their experience in working with street gangs and other youth from the various barrios and projects in Phoenix.

The Transition House is a supervised (non-secured) placement, where program youth will set their educational and career plans into motion. While the advocate will continue the case management function with youth, his support system is expanded to include ties into the community through the O.K. Community organization itself. These linkages will be developed through increased exposure to neighborhood resources, community activities, and supervised overnights that eventually culminate in return home or to a community residential placement during this phase.

The re-entry transition focus is totally on the individual. Vocational and educational groups are provided during Phase IV. Counseling is provided on a one-to-one basis from this point on. Planned family visits are carried out by the juvenile who is accompanied by his advocate. The youth will be expected to display survival as well as coping skills. Through role playing, self-imaging, and transactional analysis techniques, counseling efforts are directed toward the youth's independence and realization of goals.

Emphasis during re-entry preparation will provide the youth with information about the follow-up aspects of the program, the range of community services available, and the options for continuing their educational and vocational programs outside the institution within the community.

During the first three phases of the program, the juveniles have been learning decision-making, goal attainment, techniques to build self-esteem, communication skills, assertiveness, responsibility, and accountability, and remain self-aware in order to avoid old behavior patterns. All of this information and learning was within the institution and applied to their job assignments and participation in the program. At this point, the counselors will provide a career development program that will be actualized when the youth returns home or to a community placement. The planning and career readiness portions of this program occur during Phase IV, and skill acquisition and pre-apprenticeship should be completed during Phase V. The intent is that each youth will have a viable means for support within the community. This does not preclude the participants from continuing their educational goals either in the program or the community, but rather, to provide for their eventual self-sufficiency and financial independence within the community. The career development program will be designed on the basis of the youth's diagnostic assessment and his treatment plan.

Phase V - Re-entry and Follow-Up

While return home is ideal, it is understood that some youth may not have this option. Therefore, some participants may leave the Transition House to a totally independent residential situation within the community. The advocate will, in these instances, spend more time with emancipated youth and be supported by the outreach workers for O.K. Community. In this way, both the necessary support will be provided to the youth and protection to the community assured. Foster placements, although not preferable, may be utilized when required. Reintegration will be intensively supervised by the advocate and the outreach workers for all program participants. A new performance contract or release plan will be established prior to reintegration, and although the advocacy function will end when the youth reaches his eighteenth birthday, the O.K. Community outreach will continue to be available. It is anticipated that youth in the program will be self-sufficient upon their return home. That is, that they will have the necessary survival skills, training education, and job placements necessary to function in the family setting and community, in a productive and crime-free lifestyle.

The Arizona Department of Corrections is committed to the concept of Project Phoenix for the contribution that it can make at both the local and national levels. The Project will provide continuous case management, intensive individualized treatment interventions, a wide range of treatment resources and services, gradual transition through phases of secure to non-secure residential treatment, planned transition and re-entry into the community, an increased sense of community responsibility for the Project youth (Big Brother concept), coordination of the local juvenile justice system to function as an integrated system, and multicultural/experientially oriented counseling (OK Community as subcontractors). The

ADOC proposes that resultant efforts will give meaningful attention to the needs of violent juvenile offenders toward becoming responsible, productive community members. All phases of the Project will be thoroughly documented by all staff and youth to provide information toward understanding juvenile violent offenders and effective program intervention strategies. The Project will contribute to knowledge building from a national perspective. It is the hope of ADOC that Project Phoenix and the research efforts will establish a framework for more effective, efficient and integrated legislative policy and program development and implementation within the local juvenile justice system.

Eligibility

The eligibility criteria used to identify adjudicated offenders for random assignment to the experimental (Project Phoenix) and control (traditional ADOC juvenile programming) groups:

Males between the ages of eight and 16.5, residing in metropolitan Phoenix, who are adjudicated by the Maricopa County Juvenile Court and committed to the Arizona Department of Corrections for either:

1. First or second degree murder; or
2. One (1) violent instant offense (as defined below).

Attempted murder
Kidnap
Forcible rape or sodomy
Attempted rape
Aggravated assault (with a weapon or resulting in bodily harm)
Armed robbery
Arson of an occupied structure

And at least one prior adjudication for a violent offense, as follows:

Homicide (first and second degree)
Kidnap
Forcible rape or sodomy
Aggravated assault
Armed robbery
Arson of an occupied structure
Attempted murder
Attempted rape
All non-vehicular manslaughter
Felonious assault
Robbery
Mayhem
Violent sexual abuse (felonious)

END