



The League of Women Voters of Sonoma County



# Juvenile Justice in Sonoma County

## Executive Summary

February 28, 2011

### Background

The Juvenile Justice Interest Group (JJIG) convened to make plans for an examination of the local Juvenile Justice System. The League of Women Voters of Sonoma County approved the final proposal on September 5, 2006. The study concluded in 2009.

Our goal was to increase public awareness of juvenile justice in Sonoma County, including alternative programs. Additionally we examined the need for any local position(s) to be adopted by the League of Women Voters of Sonoma County (LWVSC).

Information gathering included the following:

- Interviews- including youth, parents, 30 plus stakeholders employed in the system, and the general public.
- Tours - 3 major juvenile justice facilities:
  - Juvenile Hall
  - Probation Camp for boys
  - Sierra Youth Center for girls
- Statistical data from state and county sources.
- Town Hall Forums- convened in March 2007 and March 2008 respectively:
  - Juvenile Justice in Sonoma County – Choices, Consequences, Community. (A panel presentation of top professionals in the system.)
  - Building Pressure – Looking at Alternatives. (in lieu of incarceration)
- Related events
- Research - internet and a wide range of printed material

The juvenile justice system includes youth who commit misdemeanors and felonies (offenders). It also oversees youth who need foster care and administers their

care. This study limited its focus on how the Juvenile Justice System of Sonoma County relates to offenders. Limited research was conducted regarding the support for punishment based strategies involving youth. While there was some investigation of victims and their pivotal role within the justice system, an entire examination completely focused upon victims is warranted to provide a more thorough review.

## **Juvenile Justice in Sonoma County**

By statute the Juvenile Justice System is a rehabilitative system based on public safety and accountability. Sonoma County reports it is in the process of evolving from a punitive driven system to a needs driven system - a rehabilitative, restorative continuum of care for youth. Stakeholders have reported a high degree of cooperation and collaboration between the multiple components of juvenile justice.

The Juvenile Hall houses youth mostly from age 13 to 16 but some may be as old as 19. Police officers are generally the first to have contact with a youth within the system. Approximately 3000 youth go through the hall annually. Two unlocked facilities focus on rehabilitation. Both the Probation Camp for boys and the Sierra Youth Center for girls are successful programs. Since these programs are not state mandated, the funding is discretionary at the local level.

Very few offenders are sent to the Division of Juvenile Justice, formerly CYA. In 2008 Sonoma County probation implemented a new Detention Risk Assessment Instrument (DRAI) that identifies high risk offenders and screens out youth who would be better served in alternative programs and diversion. Some stakeholders recognized the inadequacy of the juvenile justice system's data and are working to improve it.

## **Alternatives to Incarceration**

Detention frequently pulls youth deeper into the juvenile justice system. The Probation Department currently funds some programs throughout the county with community based organizations that are involved in both prevention and diversion. There are programs that deal with mental health, drug and alcohol abuse, sexual development and character building. Community service is sometimes a condition of probation. Prevention programs, including parent education are key in promoting pro-social behavior. While many schools have established policies and various programs which address student behavior, including bullying; the effectiveness of the various programs was inconclusive. Continued investigation is necessary to ensure that the community establishes the most effective programs locally. One prominent effort in doing this important work is through the Santa Rosa's Measure O Initiative. While 20% of the measure is allocated to Gang Prevention and Intervention Services, a portion of this 20% funding promotes in-school violence prevention and conflict resolution education.

Restorative Justice is an alternative approach to the formal juvenile justice system process. It is a paradigm of justice which promotes the healing and restoration of the victim, the offender and the community. Although there are many programs that practice restorative justice, there is no one precise model.

Restorative Resources, founded in 2000, provides 3 types of services in Sonoma County: juvenile justice, school-based restorative practices and development of restorative/resilient communities. Probation contracts with Restorative Resources to provide services to some offenders who are eligible for diversion. Recourse Mediation Services is yet another example of Restorative Justice as the primary model used with offenders and victims. The County Report *Upstream Investments – to Reduce Long-Range Demand for County Criminal Justice* (January, 2010) validates the use of alternatives rather than incarceration.

## **Disproportionate Minority Confinement/Contact (DMC)**

DMC exists when the proportion of youth of color arrested and detained in secure facilities exceeds their proportion in the general population. By law, states must address DMC and reduce that proportion in order to receive federal funds under the Juvenile Justice and Delinquency Prevention Act. Studies of DMC analyze the system at each step of the process to ascertain equitable treatment. In Sonoma County most stakeholders reported that there is no disproportionality within the county system. However, no data was provided to substantiate their statements. Statistics from the California Corrections Standard Authority suggest that DMC does exist here.

Gangs are identified as a serious problem. Police look for any sign of gang affiliation to address destructive behaviors and minimize those impacts to the community. However, it is reported that quick assumptions sometimes lead to gang profiling. The Santa Rosa Mayor's Gang Prevention Task Force is one strong effort in reducing destructive gang activity and promoting safe neighborhoods.

Both a Detention Risk Assessment Instrument (DRAI) and regular data reports shared with both stakeholders and the public could help address the DMC issue. In December 2008, Sonoma County implemented a new DRAI.

## **Juvenile Justice**

### **Juvenile Justice Trends**

It was not until the 20<sup>th</sup> century that a juvenile justice system began emerging, particularly in the form of juvenile courts. Juvenile justice is an interdisciplinary area of study according to Williams (Williams III et al, 2001, p.1-10). "The synthesis of child development with criminology and criminal justice approaches is a mandatory step". Betty Rosenstein Ed.D., former President of Los Angeles Probation Commission, expressed that a change is necessary in the use of probation.

According to the National Institute of Neurological Disorders, the adolescent brain is still growing. Indeed, the region responsible for things such as impulse control and moral judgment is the last to mature, sometime in the early 20's. Sonoma County still

chooses to try some youth in the adult court in spite of recent brain research. California is one of 15 states that allow prosecutors to decide whether a youth should be tried as an adult in cases involving murder, sexual assault, arson, gang related crime or remain in the juvenile justice system. (see [www.campaign4youthjustice.org](http://www.campaign4youthjustice.org)).

### **Other Juvenile Justice Models**

Several models were examined. Some include:

In New Zealand criminal activity among youth was overwhelming the community. Efforts were made to reach out culturally to those involved using restorative justice practices. The results have been so positive that restorative justice is the system used for all youth offenders. Courts are rarely used except for very serious crimes.

Missouri turned its juvenile justice system into a model favoring small community based centers that stress therapy, not punishment. Young people are kept near their homes so their parents can participate in extensive family therapy. Only 10% become recommitted.

Santa Cruz County Probation Department, under collaborative leadership, has become a model site for developing a rehabilitative, service delivery system that is community based, comprehensive and fully integrated with interagency partners. Their most valued objective is to support youth and their families. They involve the family, beginning at intake, in the youth's assessment, evaluation, intervention and treatment.

### **Major issues for consideration in Sonoma County:**

- ✓ Should Sonoma County establish Restorative Justice Practices as our model with the courts serving as an alternative?
- ✓ Should Sonoma County refer all youth offenders under 18 to Juvenile Court when legally permissible?
- ✓ Should Sonoma County establish transparent and comprehensive data collection and reports for the purposes of increased accountability?
- ✓ Should Sonoma County address and eliminate DMC (Disproportionate Minority Confinement/Contact) at all stages of the Juvenile Justice System?

The findings of the study suggest these changes would be beneficial to the community. The complete study and findings will be available in the near future through the League of Women Voters of Sonoma County web site ([www.lwvsonoma.org](http://www.lwvsonoma.org)).

**Note:**

Publication of the complete study is available for a donation of \$7.00 per copy (including shipping and handling) from League of Women Voters of Sonoma County, 555 Fifth Street, Suite 300 O, Santa Rosa, CA 95401. For information, call (707) 546-5943.