"We rise by lifting others."

~ Robert Ingersoll
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SUPERVISING JUDGE’S FOREWORD

Rehabilitation of the young person coming before the court and public safety is the dual mandate of this court system. In 2016 we continued to bring collaborative intention to change and reform in the Juvenile Justice system while ensuring that victims are made whole whenever possible. This report documents the full spectrum of what happens to a family and youth that enters the Juvenile Justice Systems in Santa Clara County. We are proud of the focus we give to balancing accountability with access to justice when a family touches our systems in an attempt to divert the youth from further entrenchment into law enforcement pathways.

Access to justice in this court system means access to mental health services, medical services, mediation services with a focus on restorative justice, victim services, educational services, substance use education and prevention and reducing the negative impact of our practices on children and families of color.

What this report does not directly reflect is the numerous meetings of the stakeholders that make it possible for us to breakdown systemic barriers and build opportunities for our families and youth to be successful in these otherwise daunting systems. We aim to be as transparent, culturally respectful and healing informed as a system can be with all of our different legal mandates and the reality of how complex each family circumstance is presented.

I want to thank all of the professionals who work with these families on a daily basis who enable us to be so proud of how we serve our most vulnerable populations in every aspect of each case from the youth offender to the victim. It is truly because of the dedication and commitment of each of the stakeholders, including policy makers at the highest levels, that we can present this report which highlights best practices, system collaboration, creative problem solving and compassion.

Sincerely,

The Honorable Katherine Lucero
Supervising Judge
Juvenile Justice Division
Santa Clara County
I am pleased to introduce the Santa Clara County Juvenile Justice Annual Report for 2016. The report began in 2011 as part of the Juvenile Justice Model Courts program and was designed with partnering juvenile justice organizations to facilitate information sharing, evaluate performance, and better understand how to improve outcomes for youth in the County. Each year the report is refined and modified based upon stakeholder and community feedback.

The 2016 annual report is a reflection of the collaborative nature of the juvenile justice system in the County. This report would not be possible without contributions from the Probation Department, Juvenile Justice Court, District Attorney’s Office, Offices of the Public Defender and Alternate Defender, Department of Family and Children’s Services, and Behavioral Health Services Department. We thank all our partners and staff for their commitment to youth and families in Santa Clara County.

Through this report we share insights about the juvenile justice system and describe processes to help stakeholders and the community understand the system and learn more about the young people, families and communities involved in the system. Improvements in how our systems and community address young people in the justice system can only occur through transparency and thoughtful analysis.

Successes during 2016 included a continued decline in the number of youth involved in the juvenile justice system, progress in reducing racial disparities in Deferred Entry of Judgment, and a reduction in the number of youth detained in secure care (a decrease of 44 percent compared to 2012).

As the number of youth involved in the justice system continues to decline, we remain committed to the mission of the Probation Department to promote public safety by implementing proven strategies which enhance and support:

- Positive change in our clients, families and neighborhoods
- Reparation of the harm caused by criminal behavior
- Exemplary conditions of secure care

During 2017, the Probation Department will continue its collaborative efforts to further improve the lives of all young people who touch the justice system. Thank you for joining us in this endeavor.

Sincerely,

Laura Garnette
Chief Probation Officer
Santa Clara County
EXECUTIVE SUMMARY

The Santa Clara County Juvenile Justice annual report provides insight into the juvenile justice process by reporting the number of arrests, referrals to the Probation Department, petitions filed, and dispositions for juveniles tried in court, while highlighting various programs and services available to youth and families throughout the juvenile justice system. Additionally, the report focuses on racial and ethnic disparities and gender differences at various decisions points.

<table>
<thead>
<tr>
<th>Category</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arrests</td>
<td>• Arrests/citations continued to decline in 2016 to 3,310 arrests and citations (17 percent fewer than 2015).</td>
</tr>
<tr>
<td>Admissions to Custody</td>
<td>• A total of 1,048 youth (32 percent of all arrested) were booked at (or referred to) Juvenile Hall and 921 were detained (528 individuals).</td>
</tr>
<tr>
<td>Petitions</td>
<td>• A total of 1,201 petitions were filed in 2016 (15 percent fewer than 2015).</td>
</tr>
<tr>
<td>Placements from Dispositions</td>
<td>• The overall number of out of home placements decreased by 40 percent and Ranch Commitments decreased by 48 percent from 2015 to 2016.</td>
</tr>
<tr>
<td>Violations of Probation</td>
<td>• The number of violations of probation fell from 384 in 2015 to 321 in 2016, a 16 percent reduction.</td>
</tr>
<tr>
<td>Racial Disproportionality</td>
<td>• In 2016, Black and Latino youth continue to be overrepresented at every decision point in the juvenile justice system.</td>
</tr>
</tbody>
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Report Methodology

The structure of the report outlines the continuum of care that youth and their families might be involved in through the juvenile justice system. As such, there are five key sections:

1. Introduction to Santa Clara County juvenile justice system
2. Preventive and community initiatives
3. Youth at entry to the juvenile justice system
4. Levels of intervention for youth and families
5. Youth exit from juvenile justice system

This report is a compilation of data and information from many juvenile justice organizations. As such, there are various reporting formats. In most cases the annual data is reflecting calendar year, unless otherwise specified. For each section of this report, the data source and other relevant information about the data is provided in the footnotes for reference. In addition, this report is not an evaluation of each program or service, but a presentation of the process outcomes and outputs for each area.

YOUTH IN SANTA CLARA COUNTY

Over the last two decades, Santa Clara County’s youth population (ages 10-17) has changed dramatically. Since 1993 the youth population has increased by 23 percent and there has been a significant increase in the number of youth of color in the county as shown in the U.S Census categories listed in Table 1.

Table 1: Percentage of Total Youth Population Ages 10-17

<table>
<thead>
<tr>
<th>Percentage of total youth population</th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian/PI</th>
<th>Native</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>44%</td>
<td>4%</td>
<td>29%</td>
<td>22%</td>
<td>0%</td>
</tr>
<tr>
<td>2015</td>
<td>27%</td>
<td>3%</td>
<td>35%</td>
<td>35%</td>
<td>0%</td>
</tr>
</tbody>
</table>

The greatest change has been in the Asian/Pacific Islander (Asian/PI) population which increased by 92 percent since 1993. During the same period, the Latino youth population has increased by 47 percent to become the largest racial/ethnic population. Meanwhile the White youth population decreased by 24 percent since 1993 and is no longer a majority. Decreases have also occurred in the youth populations of Black youth (-16 percent), and Native American youth (-24 percent).

---

1 National Center for Health Statistics (2016). *Vintage 2015 postcensal estimates of the resident population of the United States (April 1, 2010, July 1, 2010-July 1, 2015), by year, county, single-year of age (0, 1, 2, .., 85 years and over), bridged race, Hispanic origin, and sex.* Prepared under a collaborative arrangement with the U.S. Census Bureau. Available online from [http://www.cdc.gov/nchs/nvss/bridged_race.htm](http://www.cdc.gov/nchs/nvss/bridged_race.htm) as of June 28, 2016, following release by the U.S. Census Bureau of the unbridged Vintage 2015 postcensal estimates by 5-year age groups.
Table 2: Santa Clara County Change in Youth Population Ages 10-17 1993-2015

<table>
<thead>
<tr>
<th>Population Change 1993-2015</th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian/PI</th>
<th>Native</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>68,387</td>
<td>6,243</td>
<td>45,567</td>
<td>34,649</td>
<td>753</td>
<td>155,599</td>
</tr>
<tr>
<td>2015</td>
<td>52,185</td>
<td>5,266</td>
<td>67,161</td>
<td>66,545</td>
<td>573</td>
<td>190,730</td>
</tr>
<tr>
<td>Percent Change 1993-2015</td>
<td>-24%</td>
<td>-16%</td>
<td>47%</td>
<td>92%</td>
<td>-24%</td>
<td>23%</td>
</tr>
</tbody>
</table>

JUVENILE JUSTICE FLOW / DECISION POINTS

The flow chart on the next page describes some of the key decision points within the juvenile justice system. At each of these points, one or more justice system stakeholders has decision making power over the trajectory of a youth’s case.

WHAT IS JUVENILE PROBATION?

Probation is an opportunity for youth to remain at home, under supervision of the Court and the Probation Department while receiving services to address their needs. Services vary by type and level of intensity depending on many factors. A youth may be ordered to follow certain conditions set forth by the court, often under the supervision of a probation officer. In Santa Clara County, youth are assigned to an intervention level based upon a variety of factors such as offense, age, areas of need (such as mental health, substance use, pro-social activities, family therapy, etc.) risk of reoffending and other factors.

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2 2015 is the most recent year for which population estimates are available.
Figure 1: Santa Clara County Juvenile Justice System Map
Proposition 57 Eliminated Direct File

Proposition 57 is a ballot measure approved by voters in November 2016 to enhance public safety, to stop the revolving door of crime by emphasizing rehabilitation, and to prevent federal courts from indiscriminately releasing prisoners. It requires judges, rather than prosecutors, to determine whether juveniles charged with certain crimes should be tried in juvenile or adult court.

Prior to the passage of Proposition 57 youth who committed an offense identified in Section 707(b) of the Welfare and Institutions Code who were 14 years of age or older were eligible to be directly filed in adult court at the discretion of the District Attorney. Now, however, all juvenile matters must originate in juvenile court and are subject to a Transfer Hearing where a juvenile court judge determines whether the case should be transferred to adult court or remain in the juvenile court. In 2016, with Proposition 57 on the horizon, the District Attorney’s Office ceased directly filing juvenile cases in adult court mid-year. Thus, this year’s data may look somewhat different than in years past. This report will go into deeper detail in the District Attorney’s section related to Transfer Hearings on page 16.

Probation Commercially Sexually Exploited Children (CSEC) Screenings and Unit

The Juvenile Probation Division (JPD) recognizes the widespread and serious social issue of child trafficking. Further, JPD recognizes that the commercial sexual exploitation of a child is a form of child abuse that causes multiple levels of trauma. Victims of commercial sexual exploitation may exhibit behaviors that are manifestations of the trauma they have experienced; such behaviors can put trafficking victims at risk of entering the juvenile justice system. The physical, psychological, emotional and social harms of sexual exploitation require a range of victim-centered and trauma-informed services which build upon a youth’s strengths. JPD is committed to providing individualized, flexible services to commercially sexually exploited children (CSEC) to reduce harm and re-traumatization. JPD is also committed to ensuring that probation officers have access to the evolving information on law, policy, and best practices regarding CSEC. Therefore, JPD created a CSEC Unit is comprised of one Deputy Probation Officer who serves as a coordinator and a Supervising Probation Officer.

In 2016 JPD developed robust policy and procedures specifically to meet new identification, reporting and training requirements set forth by the State of California. As a result, beginning May 2017, probation officers began screening all youth over the age of ten, every six months, following the first in-person interview. The screening is completed using the WestCoast Children’s Clinic Commercial Sexual Exploitation Identification Tool (CSE-IT). A score is generated during the screening to indicate the level of concern for exploitation. A case review by the coordinator takes place for screenings that result in a finding of ‘possible concern’ or ‘clear concern’. If the youth is suspected or confirmed as CSEC, reports are made pursuant to mandatory reporting requirements.

Other legislation recently passed has impact the juvenile justice system in 2016 and this report presents some preliminary data on how the juvenile justice system has been affected by these new regulations. We anticipate that further outcomes will be reported in the Juvenile Justice Annual Report in 2017.
Senate Bill (SB) 1004
The young adults deferred entry of judgment pilot program authorizes five counties, including Santa Clara County, to operate a deferred entry of judgment pilot program for eligible defendants aged between 18 and 21 years old. The bill authorizes an eligible young adult to participate in the program within the county’s juvenile hall. Eligibility requirements include that a person is charged with committing an eligible felony offense, except as specified, s/he pleads guilty to the charge or charges, and the Probation Department determines that the person meets age and suitability requirements.

California Proposition 64
The Control, Regulate and Tax Adult Use of Marijuana Act, passed by voters in November 2016 (“Prop. 64”), legalizes the responsible use of marijuana by adults 21 and over and establishes a strict regulatory system to facilitate the transition to a legal market. Prop. 64 authorizes the possession, transport, purchase, consumption and sharing limitations of marijuana and marijuana concentrates in addition to limiting the number of marijuana plants permissible in each household out of public view. Most relevant, Prop.64 reduces criminal penalties for marijuana offenses and makes the reduction in crime severity retroactive.

JUVENILE PROBATION LOCAL ACTION PLAN (LAP)
As part of receiving Juvenile Justice Crime Prevention Act (JJCPA) funds from the state of California, Santa Clara County Juvenile Probation must periodically review the most pressing needs of the youth it serves, and use this information to refine its approach to meet such needs. The resulting document, a Local Action Plan, then acts as a touchstone over the next few years as Probation adjusts its internal programming and enlists community partners for systems collaboration and direct service grants.

In January 2015, the Juvenile Probation Executive Team, contract management team and Applied Survey Research (ASR) launched the planning process. Key informant interviews were then conducted with fifteen leaders who held a ‘big picture’ view of the needs of youth. Seven focus groups were also held with community-based and agency-level providers, probation officers, staff, and youth. Parent intercept

Figure 2: Pillars of the Juvenile Probation Services Department Strategic Plan
interviews were conducted during Juvenile Hall visiting hours. ASR then identified the most common crosscutting themes about needs, outcomes and strategies. In summary, there was overwhelming consensus that to reduce youths’ contact with the juvenile justice system, youth and families need support in the following areas:
Youth Advisory Council
The Youth Advisory Council (Y.A.C) is a collaborative effort, between the Santa Clara County Probation Department and Fresh Lifelines for Youth (FLY), to produce positive system change through the inclusion of youth voice. The Y.A.C provides youth, who formerly participated in Juvenile Justice services, with a unique opportunity to provide input on current system processes, policies and practices. Additionally, it allows youth the opportunity to use their stories and experiences to inspire hope and encourage change in the lives of youth who are currently involved in the juvenile justice system. An additional objective of the Y.A.C is to enhance the professional development and leadership skills of all its members. This opportunity is available to former juvenile justice involved youth who reside in Santa Clara County and are between 17-24 years old.

These youth will serve as Justice Consultants and will work collaboratively with the Probation Department and other system partners to inform and enhance current Juvenile Justice related processes, policies and practices. Consultants will also have opportunities to participate in monthly community meetings, commissions and conduct presentations. Additionally, they are developing a monthly orientation to educate youth and families who have recently entered the juvenile justice system with the goal of increasing the chances of success for young people.

Neighborhood Safety/Services Unit (NSU)
The Neighborhood Safety/Services Unit (NSU) is a unique unit within the Santa Clara County Probation Department Juvenile Division. The core components of the NSU include community engagement, leadership development, and violence prevention programming through pro-social activities/services (see figure below).

Figure 3: Three Key Strategies of NSU

Strategy #1: Community Engagement and Neighborhood Action Plans
Strategy #2: Leadership Development and Capacity Building
Strategy #3: Health and Wellness Academic & Employment Pro-Social and Mentoring

By strategically partnering with county, city, and community based organizations, the NSU can provide leadership training to residents and assist them in identifying meaningful community action goals that improve safety in their communities. The NSU also provides funding for pro-social activities for both youth and adults residing in its partner communities, which may include, but is not limited to, health and wellness workshops, physical fitness classes, and access to sports and extra-curricular activities during the school year and spring/summer breaks. Finally, the NSU partners with School Linked Services (SLS) to
ensure youth who are presenting truant and/or other at-risk behaviors are linked to pro-social and other violence prevention programs or activities. The NSU is currently operating in two neighborhoods, 95122 (East San Jose) and 95020 (Gilroy) ZIP codes, both of which were identified through a data driven process reviewing public health and other system data, including crime trends and school suspensions/expulsions.

**National Compadres Network (NCN)**

Probation has partnered with the National Compadres Network (NCN) to continue its work to move from being a deficit based system to culturally rooted and asset driven. NCN brings the experience obtained from working in many communities to its training and technical assistance effort in Santa Clara County through the Mentally Ill Offenders Crime Reduction Grant (MIOCR). In 2016, NCN provided four overview presentations on La Cultura Cura, where approximately 100 participants attended from the Probation Department, other partner agencies and community providers. Additionally three different facilitator trainings were delivered for various probation staff and community providers, with approximately 80 participants collectively. Participants were trained to deliver the Xinachtli (girls cultural healing), Joven Noble (boys rite of passage) and the Cara Y Corazon (Family strengthening and healing) curriculum. Collectively, 65% of the trainings/presentations were attended by participants from community non-profit organizations. Over the past four years NCN has contributed its perspective, through membership on the Dually Involved Youth (DIY) Executive Steering Committee. The La Cultura Cura (LCC) model supports these efforts and reinforces the message that the individual hurts affects everyone and that individual healing heals the broader community.

Through the support of the youth wellness court’s Progress Achieved Through Hope and Holistic Services (PATH2S) Program, NCN has developed a Fellowship model that employs young people that successfully navigated the PATH2S Court, and have been trained in the LCC model, to help peers who are presently involved in the PATH2S Court. The goal of the Fellow is to combine the strengths of the LCC and peer mentor model to demonstrate that young people can succeed provided they gain access to needed services and supports. NCN considers this project an incubator that will demonstrate that well designed peer programs that are culturally rooted are better equipped to help system impacted youth successfully transition from court to working towards their personal goals.

NCN’s goal is to develop a scaffold of the LCC model so service providers can utilize the model within existing services. Through the trainings and local network meetings, NCN will support the development of services that reinforce the message that LCC leverages support that reinforces the positive traditional messages of many ethnic and cultural groups who are invested in the success of their children.

**County Gender Responsive Task Force**

The Gender Responsive Task Force (GRTF) was established in 2015 to create a comprehensive case plan and treatment model for moderate and high-risk girls on probation in Santa Clara County that decreases their risk of recidivism and victimization while also increasing their life outcomes. Current partner agencies involved in GRTF include:

- Superior Court of Santa Clara County
The group meets monthly and is currently focusing on improving services and supports for detained young women along with preparing for the National Conference on Justice Involved Women and Girls that will take place in Santa Clara County in December of 2017.
YOUTH AT ENTRY TO THE JUVENILE JUSTICE SYSTEM

This report section shares information on how youth enter the system including arrests, type of offenses, demographics, where they live, and how arrests move into petitions.

Arrests and citations mark the initial point of contact a youth has with the juvenile justice system. In Santa Clara County, this includes both paper tickets (citations, summons to appear, etc.) and physical arrests. In 2016 there were 3,310 arrests/citations. Of those, approximately 1,100 arrests/citations (33 percent) were accepted by the Prevention and Early Intervention (PEI) Unit. Additionally, 168 cases were diverted to the Direct Referral Program (DRP) for counseling services and were not recorded as an official arrest. Thus, 38 percent of all arrests/citations (1,300 cases) were lower level offenses or first-time offenders handled through diversionary programs.

In line with national trends, the number of juvenile arrests in Santa Clara County has declined in recent years. Multiple factors may be contributing to the reduction, including law enforcement staffing patterns throughout the county and a focus on school based and prevention oriented programs and services. In 2016, there was a 17 percent decrease in arrests/citations for all youth compared to 2015, with 680 fewer arrests/citations in 2016.

Figure 4: Arrests and Citations by Year 2012-2016

What Offenses are Youth Committing?

Property crimes and drug/alcohol related offenses combined account for approximately half of the total 3,310 arrests/citations. Property crimes decreased by 19 percent in 2016, compared to 2015, and accounted for 35 percent of total arrests/citations in 2016.

3 This is a count of arrests/citations, not of individual youth. For example, a single young person may have been arrested or cited multiple times during the year. Each of their arrests/citations is included in the total of 3,310.

4 In 2013, Probation moved Burglary in the First Degree from Felony Crimes against People to Property Crimes for purposes of categorization, therefore comparison to 2012 is not possible at this time.
Arrests/citations for drug/alcohol related offenses decreased by 30 percent from 2015 to 2016, and accounted for 11 percent of all arrests/citations in 2016. Arrests/citations for violations of probation decreased by 26 percent in 2016 and accounted for 10 percent of all arrests/citations. As in previous years, nonviolent crimes comprised most of the arrests/citations made in 2016.

Offense classification data also indicate the nature of offenses committed by youth in Santa Clara County. In 2016 infractions, status offenses and misdemeanors combined accounted for 63 percent (2,086) of arrests/citations while more serious felony offenses accounted for the remaining 37 percent (1,222).

Who are the Youth Coming Into Probation?

In 2016, 10 percent (334) of arrests/citations were of youth aged 13 years or younger, 32 percent (1,057) were youth 14 and 15 years old, and 58 percent (1,919) were aged 16 years and older. Of youth arrested/cited in 2016, 77 percent (2,534) were male and 23 percent (776) were female. Across all crime categories, female youth accounted for fewer arrests compared to male youth.
Where Do Youth Arrested or Cited Live?

Analyzing the home address information of youth arrested or cited in Santa Clara County helps to determine which communities youth live in. This allows stakeholders to understand whether there are relevant resources in the right areas and to identify opportunities to collaborate with community partners to develop or provide support to youth and their families. In 2016, the highest number of arrests and citations in a single ZIP code were of youth who lived in Gilroy (seven percent). The East San Jose ZIP codes of 95127 and 95122 each accounted for six percent of all arrests and citations. The Central and South San Jose ZIP codes of 95116 and 95111 each accounted for 5 percent of all arrests and citations. Youth who live outside of Santa Clara County accounted for 10 percent of all arrests and citations.

The number of arrests and citations decreased in eight out of ten of the top ZIP codes since 2015. For example, Gilroy arrests and citations decreased by seven percent compared to 2015. In the 95127 ZIP code arrests and citations decreased by 24 percent and they fell by 27 percent in the 95122 ZIP code. In contrast, arrest and citations of youth who live in Morgan Hill (95037) increased by 23 percent, but only accounted for 114 arrests or citations.

Figure 9: Top Ten ZIP Codes with Arrests/Citations 2016
Figure 10 shows how offense classifications vary among the top ten ZIP codes. For example, the proportion of arrests/citations for misdemeanor offenses in Gilroy (66 percent) is higher than in the 95122 zip code (36 percent). In contrast, 95122 has one of the highest proportions of felony arrests (48 percent). This provides us with some insight into areas of focus for prevention and intervention services and programs that could be deployed.

**Figure 10: Offense Classification for Top Ten ZIP codes**

![Offense Classification for Top Ten ZIP codes](image)

**Figure 11: Arrests/Citations by ZIP Code 2012-2016**

![Arrests/Citations by ZIP Code 2012-2016](image)

While the numbers based on where young people live fluctuate from year to year, some trends persist as shown in the top ten ZIP code above. It is important to consider that ZIP code sizes, population densities and the age distribution of populations can vary and influence these numbers. From 2015 to 2016, arrests and citations for youth residing in the top ten ZIP codes decreased by an average of six percent and across all ZIP codes in the county arrests and citations decreased by 17 percent. The most significant increase in arrest and citations was of youth who live outside of the county, an increase of 38 percent from 2015.
Moving from Arrest/Citation to a Petition

When a law enforcement agency cites a youth for any crime, the citation is sent to the Juvenile Probation Division of the Santa Clara County Probation Department.

Upon receipt of the citation or in-custody notification, the Probation Officer determines whether the citation must be reviewed by the District Attorney’s Office for a decision regarding filing a petition or handling the case informally. These guidelines are outlined in section 653.5 of the Welfare and Institutions Code (WIC). Any youth over the age of 14 with a felony charge, the second felony for a youth under the age of 14, and any violent felony listed under WIC Section 707(b), require review by the District Attorney’s Office, otherwise filing a petition is at the discretion of the Probation Department. The Probation Officer must review the citation or in-custody case with the District Attorney within 48 hours. The District Attorney decides whether to file a petition immediately, or allow time for the Probation Officer to investigate the case, if a youth is not in custody. By policy, petitions are brought to the District Attorney once a youth has been accused of committing a felony or specified misdemeanor (DUI or Domestic Violence). Once an out-of-custody petition is filed the probation officer must serve the minor and parents with a notice of the upcoming court date. If a youth is in-custody, their case must be scheduled for court within 48 to 72 hours of arrest, excluding weekends and holidays.

Direct Filing of Charges in Adult Court

In 2016, of the 255 youth eligible, nine percent (23 youth) were directly filed. Latino youth had the highest number of youth directly filed (21 youth, or 11 percent, of all eligible Latino youth). Two Asian/PI youth were directly filed (15 percent of eligible Asian/PI youth). There were no other youth with cases directly filed for 2016.

Six offense categories account for the most serious offenses directly filed in 2016. Assault with a deadly weapon was the most common offense with seven direct files, and murder offenses account for five direct files. Armed robbery or carjacking also accounted for five direct files combined. In addition, there were two attempted murders, two assaults with a deadly weapon, and two Other offenses.

In 2016, all the directly filed cases were for youth ages 16 and 17. None of the 23 direct file cases were girls although 30 girls were eligible to have cases filed in adult court.

“Transfer” to Adult Court (Formerly Fitness)

Following the passage of Proposition 57, the only way in which a youth can have their case adjudicated in adult court is through a transfer hearing, as described in Section 707(a) of the Welfare and Institutions Code (WIC). When a youth aged 16 or older is petitioned for a felony offense, or a youth aged 14 or 15 is
petitioned for an offense outlined in WIC Section 707(b), the District Attorney can ask for a Transfer Hearing, before the Jurisdiction Hearing, to decide if the youth is appropriate for rehabilitative services in Juvenile Justice Court or the youth’s case should be transferred to adult court.

For the Transfer Hearing, the Probation Officer provides a report to the Court regarding the five criteria listed below. At the hearing, the judge decides after a review of the probation report and any other evidence or information provided by the District Attorney and the youth’s defense attorney. If the judge decides that the youth should remain in juvenile court, the case will proceed with the juvenile justice process. If the judge decides that the youth should not remain in juvenile court, the Court dismisses the petition and sends the youth to adult criminal court.5

The five criteria the Court must evaluate in deciding whether to transfer the case include:

1. The degree of sophistication of the crime;
2. If the youth can be rehabilitated in the juvenile justice system;
3. The youth’s previous criminal history;
4. What happened on prior attempts to rehabilitate the youth; and
5. The circumstances and gravity of the current offense.

Additionally, each of the five criteria includes mitigating factors related specifically to the minor such as intellectual ability, mental and emotional health, history of trauma, whether influenced by family, peers, and his or her community environment, impulsiveness, level of maturity, and the potential for growth.

In 2016, there were a total of six youth who went through what was still at the time, the fitness process. Of those, two youth were found fit without a contested hearing and remained under the jurisdiction of the Juvenile Justice Court. The remaining four youth had their cases transferred to adult court without a contested hearing.

Following the passage of Proposition 57, the District Attorney, Jeff Rosen, made the decision to permit all direct file cases that were not yet final to return to juvenile court for a transfer hearing. Defense counsel for each defendant did not have to litigate the issue of whether the Proposition was retroactive—meaning it applied to cases that had been direct filed before the change in the law. This resulted in approximately 50 cases returning to juvenile court between November 2016 and March 2017. Many of the cases were old (offenses that occurred as far back as 2012) and had been slowly winding their way through the long and complicated adult criminal court system. Some had gone through grand jury indictments, lengthy preliminary hearings, had multiple co-defendants to coordinate, or had attorneys who were unavailable due to other trials. Also, some cases did not move forward while attorneys waited to see if Proposition 57 passed, so they could be returned to juvenile court. Many of the direct file cases from this group were not originally filed in 2016 and the crimes did not occur in 2016. None of these cases had the actual Transfer Hearing decided in 2016 so the outcomes for those hearings will be reflected in future reports.

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5 Superior Court of California, County of Santa Clara www.scscourt.org/self_help/juvenile/jjustice/process.shtml
Role of Defense Counsel

Once a case has been petitioned, all youth are eligible for defense counsel services and in Santa Clara County, youth are presumed to be indigent. The law office of the Santa Clara County Public Defender is the first level of defense in Juvenile Justice Court. All cases petitioned in Juvenile Justice Court are referred to the Public Defender Office (PDO). If the Public Defender discovers that there is a conflict of interest in the representation of a youth, the youth is referred to the Alternate Defender Office (ADO) and/or the Independent Defense Counsel Office (IDO). It is the policy of the Public Defender that if ADO has represented a youth on a previous petition and the youth is charged with a new petition, the ADO rather than the PDO, will represent the youth on that new petition for purposes of continuity of representation, even if the PDO would not have had to declare a conflict of interest. A similar policy exists for most IDO cases. If the ADO discovers that there is a conflict of interest in the representation of a youth, the youth is referred to the IDO for representation. The IDO assigns juvenile justice cases to private attorneys based on a contractual relationship. The PDO, ADO and IDO are governmental departments/offices within the Santa Clara County government structure.

The Juvenile Units of the PDO, the ADO and the IDO are responsible for the representation of a youth in the Juvenile Justice Court from the beginning of the case to disposition, and in some cases, in post-dispositional hearings. The Juvenile Units of the PDO, ADO, and IDO are also responsible for filing petitions for record sealing, as well as Proposition 47 and Proposition 64 reductions. The agencies are also responsible for assisting youth seeking immigration relief, namely Special Immigrant Juvenile Status. The attorneys begin the process in Juvenile Justice Court by seeking preliminary legal findings, and the cases are thereafter referred to Legal Advocates for Children and Youth (LACY) to complete the applications to the United States Citizenship and Immigration Services.

The PDO and ADO represented youth in 906 cases in 2016 (637 with the PDO and 269 with the ADO), with 281 cases referred to IDO during that time. Of the 906 cases represented by PDO and ADO, 507 (56 percent) were felonies and 233 (26 percent) were violations of probation.

Since 2013, referrals to public defense counsel have decreased by 37 percent (1,934 in 2013, 1,217 in 2016). This downward trend impacted all offices. PDO cases that were neither referred to ADO/IDO nor were represented by private counsel decreased by 41 percent since 2013 (1,084 in 2013, 637 in 2016). ADO cases that were neither referred to IDO nor were represented by private counsel decreased by 35 percent since 2013 (420 in 2013, 269 in 2016). Cases referred to IDO decreased by 37 percent since 2013 (445 in 2013, 281 in 2016).

Proposition 57 and Judicial Transfer Hearings

Because of the passage of Proposition 57, the juvenile public defense counsel has absorbed well over fifty cases that have been returned to Juvenile Justice Court. These cases were previously directly filed in adult

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6 For a description of these propositions, please see page 13.
court by the Office of the District Attorney, and have since been returned to Juvenile Justice Court for Judicial Transfer Hearings.

Given the complexity and intensive mitigation work involved in these cases, attorneys representing youth have attended county and statewide trainings on adolescent brain development, trauma, and other important topics pertaining to youth. With the monumental changes in the law, 2017 promises to be an opportunity to offer a rehabilitative approach to dispositions. The PDO, ADO, and IDO will focus additional resources on mitigating factors involving youth accused of more serious crimes.

**Continuous Training Requirements for Appointed Counsel for Youth**

In 2016, the Legislature declared that juvenile delinquency attorneys need specialized skills, education, and training as representing minors in the juvenile justice system has become much more complex, and the potential consequences of juvenile involvement in the juvenile justice system have become more severe than the past.

> “It is essential that California’s juvenile delinquency defense attorneys have the appropriate knowledge and skills needed to meet the demands of this increasingly complex area of legal practice. Advances in brain research demonstrate that children and adolescents do not possess the same cognitive, emotional, decision-making, and behavioral capacities as adults. Counsel must ensure that these differences are appropriately recognized in the attorney-client relationship and defense of the case.” (AB703)

Effective January of 2016, Assembly Bill 703 added section 634.3 to the Welfare and Institutions Code, establishing training requirements for attorneys who are appointed to represent juvenile justice youth. The law mandates establishment of a minimum number of training hours that attorneys must complete before assuming representation of delinquent youth, as well as establishment of topics that must be included in the training.

The Judicial Council thereafter approved California Rule of Court 5.664, which specified attorneys must receive training and education with respect to: an overview of delinquency law; adolescent development; education, special education, and school discipline; competence and mental health issues, including the capacity to commit a crime and the effect of trauma, child abuse, and family violence; counsel’s ethical duties; cultural competency and sensitivity to providing adequate care to lesbian, gay, bisexual, and transgender youth; immigration consequences and the requirements of Special Immigrant Juvenile Status; advocacy in the post-dispositional phase; appellate advocacy; direct and collateral consequences of court involvement; securing effective rehabilitative resources; judicial transfer hearing (formerly called “fitness” hearing); and trial skills.

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7 Minimum training and education requirements apply to appointed counsel ONLY – they do not apply to privately retained attorneys.
Social Worker at Public Defender’s Office

2016 marks the first year that the Public Defender’s Office (PDO) has a full-time social worker. While the social worker is not strictly dedicated to the Juvenile Division, most of her work has been focused on the juvenile cases. In 2016, the PDO social worker worked on over 60+ juvenile cases, 80 percent of which involved ongoing case management over the course of one month or more.

The referrals from the juvenile defenders range from housing referrals, educational and family support, mental health linkage, substance abuse treatment, homelessness resourcing, safety planning, school placement/advocacy, treatment placement coordination, Supplemental Security Income (SSI) consultations, general assistance support, and consultations with attorneys on San Andrea Regional Center (SARC) services. The social worker often works closely with Juvenile Probation Officers and other juvenile justice system partners, attends Multi-Disciplinary Team (MDT) meetings on behalf of the youth, visits incarcerated youth, and submits psychosocial assessments on behalf of the youth to the Juvenile Court for consideration.

Arrests/Citations Filed as Petitions

Of the 1,201 petitions filed in 2016, the most frequent offenses petitioned were car theft/stolen vehicle (197), robbery (190), residential burglary (130), possession of a stolen vehicle (109), and resisting arrest (101). Each charge is counted individually and there may be more than one charge on a petition. Figure 13 shows the top 10 most frequent charges at time of petition for 2016.

Figure 13: Top 10 Most Frequent Charges at Time of Petition 2016
Figure 14 reflects the number of individual petitions, regardless of the number of charges included in each petition. As shown in Figure 14, within the last four years, the number of petitions has decreased. Since 2012, there has been a 26 percent decrease in petitions. From 2015 to 2016, there were 334 fewer petitions, or a 15 percent decrease. In 2016, there was an increase in petitions where the most serious offense is a violent felony charge. For the first time since 2011, robbery is the second most serious charged offense (190) and felony assault is back in the top 10 most frequent charges on individual petitions. In fact, assault with a deadly weapon (47) and assault likely to produce great bodily injury (44) are each in the top 10 charges in 2016. Misdemeanor battery (41) continues to be in the top 10, as it has been every year since 2011. It is likely the number of serious felony charges has been impacted by Proposition 57 and the return to juvenile court of many cases that had been previously direct filed in adult criminal court. The trend will continue to be monitored as cases that previously would have been filed in adult criminal court will be filed in juvenile court moving forward.

**Admission to Custody**

In 2016, of the 3,310 arrests/citations in Santa Clara County, 1,048 youth (32 percent of all youth arrested) were booked at (or referred to) Juvenile Hall with 921 detained (528 individuals). At Juvenile Hall intake, a detention risk assessment instrument (RAI) is administered by the Probation Screening Officer to determine whether the youth should be held in secure confinement pre-adjudication. The RAI includes a written checklist of criteria that are applied to rate each youth for specific detention-related risks. The overall risk score is then used to guide the intake officer in making the critical decision of whether to admit the arrested youth to a secure facility, refer them to a non-secure detention alternative, or release them.

The objectivity, uniformity, and risk-based format of RAIs help to protect against disparate treatment at intake and focus on reducing the likelihood of failing to appear in court or reoffending before adjudication. Objective and standardized criteria anchor admission decisions in ascertainable and equally evaluated facts. For example, RAI indicators include the nature and severity of the offense and the number of prior referrals.

Of the 1048 youth referred to (or booked in to) Juvenile Hall in 2016, 88 percent were detained (921 of 1,048 youth) and 12 percent (127 youth) were released at detention screening. Of the 921 youth initially detained at intake, 15 percent (138 youth) were subsequently released by Probation prior to their detention hearing. The average number of hours youth were held prior to being released at detention screening and prior to a detention hearing was eleven hours.
Overrides

Overrides are a decision to admit or release a youth despite the risk score and outcome recommended by the RAI. A high percentage of detention overrides undermines the integrity of the risk-screening process. The detention override percentage is the proportion of youth who score below the detention threshold score and are nevertheless detained. Some of these youth are detained due to a local or state policy mandating detention (regardless of their assessment score), while others are detained at the discretion of the Probation Screening Officer.

The 2016 detention override rate was 82 percent. Of the total 673 youth who were eligible for release based on their RAI score (low and medium scoring youth), 549 youth (82 percent) were detained.

Of the 549 youth detained in contravention of the RAI score, 58 percent (316 youth) were detained under mandatory detention policies, while the remaining 42 percent (233 youth) were held under discretionary detention policies.

Table 3: Risk Assessment Instrument Override Percentage 2016

<table>
<thead>
<tr>
<th>Override Percentage for 2016</th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian/PI</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Eligible for Release (L/M RAI Score)</td>
<td>75</td>
<td>80</td>
<td>486</td>
<td>25</td>
<td>7</td>
<td>673</td>
</tr>
<tr>
<td>Eligible for Release (L/M RAI Score) but Detained</td>
<td>71</td>
<td>65</td>
<td>388</td>
<td>19</td>
<td>6</td>
<td>549</td>
</tr>
<tr>
<td>Override Percentage</td>
<td>95%</td>
<td>81%</td>
<td>80%</td>
<td>76%</td>
<td>86%</td>
<td>82%</td>
</tr>
</tbody>
</table>

Figure 15: Risk Assessment Instrument Score and Decision Making in 2016

Table 4 illustrates the reasons why the risk assessment instrument was overridden including both mandatory and discretionary overrides.
Table 4: Risk Assessment Instrument Override Reasons 2016

<table>
<thead>
<tr>
<th>Mandatory Override Reasons (316)</th>
<th>Discretionary Override Reasons (233)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warrant</td>
<td>144</td>
</tr>
<tr>
<td>EMP/CRP Failure</td>
<td>112</td>
</tr>
<tr>
<td>Placement Failure</td>
<td>11</td>
</tr>
<tr>
<td>Ranch Failure/Escape</td>
<td>16</td>
</tr>
<tr>
<td>Weapon used in commission of crime</td>
<td>16</td>
</tr>
<tr>
<td>Inter-County Transfer</td>
<td>7</td>
</tr>
<tr>
<td>All other reasons</td>
<td>10</td>
</tr>
</tbody>
</table>

The most frequent mandatory override reasons include Warrants (FTA, Arrest, and VOP) and Pre/Post Court Electronic Monitoring Program (EMP) failures. These two categories combined, account for 81 percent of mandatory policy admissions. The most frequent discretionary override reasons include: victim/community/youth safety (61 youth), parent related reasons (61 youth), both parent(s) cannot be located (39 youth), and parent(s) refusing to pick up their children from Juvenile Hall (22 youth).

**Offenses of Youth Detained**

Of the 921 youth detained, 27 percent were admitted for property crimes (including 1st degree Burglary and Auto Theft). Another 26 percent of youth were admitted for felony crimes against people (e.g. assaults), 23 percent of admissions were for technical violations of probation (VOPs), and six percent for weapon related offenses. Admissions for drug and alcohol related offenses accounted for only five percent of the total admissions to Juvenile Hall.8

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8 Typically, youth are only admitted for drug and alcohol related offenses if the offense is sales-related or the youth’s safety is at-risk due to being under the influence of drugs or alcohol. Most youth admitted to detention for being under the influence are released to a parent/guardian before the detention hearing phase.
Figure 16: Admissions by Offense Category 2016

<table>
<thead>
<tr>
<th>Offense Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>DRUGS, ALCOHOL RELATED OFFENSES</td>
<td>5%</td>
</tr>
<tr>
<td>FELONY CRIMES AGAINST PEOPLE</td>
<td>26%</td>
</tr>
<tr>
<td>OTHER CRIMES</td>
<td>7%</td>
</tr>
<tr>
<td>OTHER CRIMES AGAINST PEOPLE</td>
<td>5%</td>
</tr>
<tr>
<td>PROPERTY CRIMES</td>
<td>27%</td>
</tr>
<tr>
<td>RETURN FROM OTHER STATUS/COURTESY HOLD/OTHER ADMITS</td>
<td>23%</td>
</tr>
<tr>
<td>WEAPON CRIMES</td>
<td>6%</td>
</tr>
</tbody>
</table>

Age & Gender of Youth Detained

In 2016, 82 percent of youth detained in Juvenile Hall were male and 69 percent were aged 16 years or older. Female youth made up 18 percent of those detained. The ages of youth were similar across both genders.

Table 5: Age and Gender of Youth Detained 2016

<table>
<thead>
<tr>
<th>Age</th>
<th>Male</th>
<th>Female</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>13 &amp; Under</td>
<td>16</td>
<td>1</td>
<td>17</td>
</tr>
<tr>
<td>14-15</td>
<td>216</td>
<td>52</td>
<td>268</td>
</tr>
<tr>
<td>16 &amp; Older</td>
<td>525</td>
<td>111</td>
<td>636</td>
</tr>
<tr>
<td>Grand Total</td>
<td>757</td>
<td>164</td>
<td>921</td>
</tr>
</tbody>
</table>

Geography

Youth detained in Juvenile Hall resided within nine of the top ten Zip codes for arrests/citations. All Zip codes were located within the City of San Jose except for 95020 (Gilroy) and Out of County youth. The only ZIP code for youth detained that was different to the top ten Zip Codes for arrests/citations was 95123 in south San Jose.
Intake and Admission Trends

The number of youth detained in Juvenile Hall decreased by 44 percent between 2012 and 2016. However, as the number of youth in detention continues to decline, the percentage of youth and detained increased by 16 percent, from 76 percent in 2012 to 88 percent in 2016.

Figure 18: Juvenile Hall Intake Decision Trend 2012-2016
System partners have been engaged in the Juvenile Justice Systems Collaborative (JJSC), since its inception by Board Resolution on July 1, 2008. The JJSC is to provide a channel for system partners to work together in the best interest of youth in the juvenile justice system while preventing or reducing the unnecessary detentions of youth. The JJSC originally included 25 members and was expanded to the current 28 members with the addition of a Youth Service Provider, a Youth Service Provider named by the Silicon Valley Council of Non-Profits and the Juvenile Justice Commission Chairperson. The addition of these three representatives was intended to get as many stakeholders to the table as possible to identify systemic problems and devise solutions to improve outcomes for juveniles that enter the system. The JJSC has two standing work groups that meet monthly, the Case, Systems and Processes (CSP) and Prevention and Programs (PPW). Members of the JJSC serve as voting members on only one of the work groups, but anyone can participate in the work group meetings and subcommittees. Members of the JJSC meet quarterly to discuss cross-functional issues and to get updates on efforts to reduce the overrepresentation of youth of color in the juvenile justice system. Both work groups operate on systemic issues using a racial and ethnic disparity (RED) lens that guides the focus areas and work.

The Case, System and Processes work group is focused on decreasing disparate impact of policies and practices on youth of color at key decision points in the juvenile justice system; reducing justice system involvement for youth overrepresented in the juvenile justice system at the “arrest” decision point; and reducing justice system involvement for youth of color at the “violation of probation” decision point. The CSP had several subcommittees in 2016 that worked on the following areas/processes: Deferred Entry of Judgment (DEJ), Juvenile Hall Risk Assessment Instrument (RAI), 95122/Overfelt High School Project, Direct File and Fitness Hearings, and the Elimination of Administrative Discretionary Fees.

The Prevention and Programs work group (PPW) is focused on the following areas:

- increasing knowledge and understanding by learning strategies to decrease racial and ethnic disparities through education, training and dialogue with stakeholders about disproportionate representation of youth of color in our juvenile justice system; and
- creating pipelines to success through enhanced education and vocational opportunities to improve the outcomes of overrepresented youth of color involved in the juvenile justice system by providing supports and services in the school setting.

Since its inception, the PPW has been focused on areas that draw youth into the juvenile justice systems, including the school discipline pipeline and arrests and citations that originate at the school site.

Despite these efforts and the progress that has been made, addressing racial and ethnic disparities remains a challenge in Santa Clara County and for the workgroups. The following sections demonstrate how youth of color are over represented through the stages of juvenile justice system involvement.
**Arrest and Citations**

Comparing the youth population of the county with arrests/citations clearly indicates overrepresentation for Latino and Black youth. While Latino youth represent 35 percent of the overall youth population in Santa Clara County, they represent 65 percent of youth arrested/cited. Black youth represent three percent of the overall youth population, but ten percent of youth arrested/cited.

There is an inverse relationship for White and Asian/PI youth. White youth account for 27 percent of the population, but 15 percent of arrests. Similarly, Asian/PI youth account for 35 percent of the population and only seven percent of arrests/citations.

**Table 6: Number and Rate of Arrests and Citations (2016) and Youth Population (2015)**

<table>
<thead>
<tr>
<th>Number and Rate of Arrests/Citations (2016) to Youth Population (2015)</th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian/PI</th>
<th>All Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Youth Population (10-17)</td>
<td>52,185</td>
<td>5,266</td>
<td>67,161</td>
<td>66,545</td>
<td>573</td>
<td>190,730</td>
</tr>
<tr>
<td>Arrests/Citations</td>
<td>511</td>
<td>325</td>
<td>2,146</td>
<td>215</td>
<td>113</td>
<td>3,310</td>
</tr>
<tr>
<td>Youth Population Percent</td>
<td>27%</td>
<td>3%</td>
<td>35%</td>
<td>35%</td>
<td>0%</td>
<td>100%</td>
</tr>
<tr>
<td>Arrest/Citation Percent</td>
<td>15%</td>
<td>10%</td>
<td>65%</td>
<td>7%</td>
<td>3%</td>
<td>100%</td>
</tr>
<tr>
<td>Rate of Arrest (per 1,000 youth)</td>
<td>10</td>
<td>62</td>
<td>32</td>
<td>3</td>
<td>**</td>
<td>21</td>
</tr>
<tr>
<td>Disparity Gap: Times More Likely to be Arrested/Cited</td>
<td>6.3</td>
<td>3.3</td>
<td>0.3</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Examining rates of arrest/citation is another way to understand the extent of disparities. In Santa Clara County in 2016, for every 1,000 Black youth, there were 62 arrests/citations of Black youth who reside in Santa Clara County. Compared to the rate of 10 for every 1,000 White youth, Black youth were over six times more likely than White youth to be arrested or cited. For every 1,000 Latino youth, there were 32 arrests/citations of Latino youth. The likelihood of a Latino youth being arrested/cited was over three times that of White youth. Asian/PI youth had the lowest rate of three arrests/citations for every 1,000 Asian/PI youth in the population.

Between 2012 and 2016, there was a 60 percent decrease in the number of arrests/citations for all youth. The decrease in arrests/citations from 2012 to 2016 was greater for White youth than for Black and Latino youth. Between 2012 and 2016, White youth arrests/citations decreased by 62 percent while arrests/citations of Black and Latino youth decreased by 58 and 60 percent, respectively. During the same period, Asian/PI youth experienced a 53 percent decrease in arrests/citations.

Table 7: Arrest and Citation Yearly trends

<table>
<thead>
<tr>
<th>Arrest/Citation Numbers</th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian/PI</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>1,341</td>
<td>771</td>
<td>5,300</td>
<td>460</td>
<td>431</td>
<td>8,303</td>
</tr>
<tr>
<td>2013</td>
<td>950</td>
<td>624</td>
<td>4,424</td>
<td>280</td>
<td>334</td>
<td>6,612</td>
</tr>
<tr>
<td>2014</td>
<td>832</td>
<td>518</td>
<td>3,767</td>
<td>238</td>
<td>281</td>
<td>5,636</td>
</tr>
<tr>
<td>2015</td>
<td>521</td>
<td>385</td>
<td>2,687</td>
<td>274</td>
<td>123</td>
<td>3,990</td>
</tr>
<tr>
<td>2016</td>
<td>511</td>
<td>325</td>
<td>2,146</td>
<td>215</td>
<td>113</td>
<td>3,310</td>
</tr>
<tr>
<td>Percent Change 2015-2016</td>
<td>-2%</td>
<td>-15%</td>
<td>-20%</td>
<td>-22%</td>
<td>-9%</td>
<td>-17%</td>
</tr>
<tr>
<td>Percent Change 2012-2016</td>
<td>-62%</td>
<td>-58%</td>
<td>-60%</td>
<td>-53%</td>
<td>-75%</td>
<td>-60%</td>
</tr>
</tbody>
</table>

A decrease in the number of youth arrested/cited does not control for changes to population that have occurred over the same time period. However, arrest/citation rates\(^9\) provide a more accurate view of system involvement for each group. While arrest/citation rates between 2012 and 2016 fell considerably across all racial/ethnic groups, rates of arrest/citation remain far higher for Latino and Black youth than for White youth.

\(^9\) Rates help to remove variations in population size between different groups and provide a standardized measure of the likelihood of system involvement for each group. To calculate the rates, we divide the number of youth arrested by the number of youth in the population and multiply by 1,000 youth.
Youth Detention

Disparities across racial groups continue at the detention decision point where there is an overrepresentation of Black and Latino youth admitted to detention in Santa Clara County compared to their representation in the youth population. Black youth represent three percent of the population but ten percent of admissions. Latino youth represent 35 percent of the population, but 74 percent of admissions. In contrast, while 27 percent of youth in the population are White, only eleven percent of total admissions were White youth, an increase from 2015.

Table 8: Numbers and Rate of Admission to Secure Detention 2016

<table>
<thead>
<tr>
<th>Numbers and Rate of Admission to Secure Detention (2016)</th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian/PI</th>
<th>All Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Youth Population (10-17)</td>
<td>52,185</td>
<td>5,266</td>
<td>67,161</td>
<td>65,545</td>
<td>573</td>
<td>190,730</td>
</tr>
<tr>
<td>Admissions to Detention</td>
<td>101</td>
<td>95</td>
<td>679</td>
<td>37</td>
<td>9</td>
<td>921</td>
</tr>
<tr>
<td>Youth Population Percent</td>
<td>27%</td>
<td>3%</td>
<td>35%</td>
<td>35%</td>
<td>0%</td>
<td>100%</td>
</tr>
<tr>
<td>Admission to Detention Percent</td>
<td>11%</td>
<td>10%</td>
<td>74%</td>
<td>4%</td>
<td>1%</td>
<td>100%</td>
</tr>
<tr>
<td>Rate of Admission (per 1,000 youth)</td>
<td>1.9</td>
<td>18.0</td>
<td>10.1</td>
<td>0.6</td>
<td></td>
<td>4.8</td>
</tr>
<tr>
<td>Disparity Gap: Times More Likely to be Detained</td>
<td>10.5</td>
<td>5.8</td>
<td>(0.3)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In 2016, White youth had a rate of two admissions per 1,000 White youth in the population. Black and Latino admission rates were 18 (Black) and 10 (Latino), respectively. Asian/PI youth had the lowest rate of 0.6.
A comparison of the rates of detention for White youth reveals the likelihood of a Black youth being admitted to detention is 10.5 times that of White youth. Latino youth were admitted at a rate 5.8 times that of White youth.

Table 9 shows that from 2012 to 2016, there was a 44 percent decrease in the overall rate of admission. During that period all races experienced a reduction in numbers of admissions to secure detention. The number of Black youth admitted to detention decreased by 49 percent, while the number of White and Latino youth admitted to detention each decreased by 43 percent, and Other youth decreased by 76 percent.

Table 9: Admission Numbers 2012-2016

<table>
<thead>
<tr>
<th>Admission Numbers 2012-2016</th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian/PI</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012&lt;sup&gt;11&lt;/sup&gt;</td>
<td>178</td>
<td>187</td>
<td>1,188</td>
<td>50</td>
<td>38</td>
<td>1,641</td>
</tr>
<tr>
<td>2013</td>
<td>135</td>
<td>158</td>
<td>1,152</td>
<td>34</td>
<td>32</td>
<td>1,511</td>
</tr>
<tr>
<td>2014</td>
<td>111</td>
<td>126</td>
<td>1,011</td>
<td>41</td>
<td>10</td>
<td>1,299</td>
</tr>
<tr>
<td>2015</td>
<td>86</td>
<td>105</td>
<td>775</td>
<td>36</td>
<td>15</td>
<td>1,017</td>
</tr>
<tr>
<td>2016</td>
<td>101</td>
<td>95</td>
<td>679</td>
<td>37</td>
<td>9</td>
<td>921</td>
</tr>
<tr>
<td>Percent Change 2015-2016</td>
<td>14%</td>
<td>-8%</td>
<td>-9%</td>
<td>2%</td>
<td>-67%</td>
<td>-7%</td>
</tr>
<tr>
<td>Percent Change 2012-2016</td>
<td>-43%</td>
<td>-49%</td>
<td>-43%</td>
<td>-26%</td>
<td>-76%</td>
<td>-44%</td>
</tr>
</tbody>
</table>

<sup>10</sup> As with arrests, we look at the rate of admissions by race and ethnicity, to remove variations in population size between different groups and provide a standardized measure of the likelihood of admission for each group. To calculate the rates, we divide the number of youth admitted by the number of youth in the population and multiply by 1,000 youth.

<sup>11</sup> An error in the admission numbers for 2012 was discovered and corrected for the 2016 report.
Juvenile Hall Average Daily Population

The average daily population of Juvenile Hall also reveals racial disparities in detention. Average daily population figures provide a breakdown of the detention during “an average day” during the year. In 2016, the average daily population was made up of six White youth, eight Black youth, 65 Latino youth, two Asian/PI and two Other youth. The average daily population in 2016 was 83 youth, a 48 percent reduction from 2012.

Petitions

There is an overrepresentation of Latino, Black, and Other youth petitioned in Santa Clara County compared to their representation in the youth population. In contrast, White youth account for 27 percent of the population, but 10 percent of petitions. Similarly, Asian/PI youth account for 34 percent of the population and six percent of petitions. Black youth represent only three percent of the population, but six percent of filed petitions. Latino youth represent 35 percent of the youth population, but 68 percent of filed petitions. Ten percent of petitions were classified as Other youth.

In 2016, for every 1,000 White youth in the population, two were petitioned. In comparison, for every 1,000 Black youth, 14 were petitioned and for every 1,000 Latino youth, 12 were petitioned. For every 1,000 Asian/PI youth, one was petitioned. Black youth were seven times more likely than White youth to be petitioned, and Latino youth were six times more likely than White youth.

Figure 23: Average Daily Population Trend 2012-2016

Figure 24: Santa Clara County Petitions in 2016

Figure 25: Rate of Petition for 2016 (per 1,000 youth in population)
All racial and ethnic groups experienced a decrease in the number of petitions filed between 2012 and 2016, except for Asian/PI youth, who have seen an overall increase in petitions during that period (Table 11). Between 2012 and 2016, Black youth had the greatest decrease in petitions filed (56 percent), followed by White youth (36 percent). Despite this trend, Black and Latino youth continue to be more likely to have a petition filed than White youth.

### Table 10: Numbers and Rate of Petitions 2016

<table>
<thead>
<tr>
<th>Numbers and Rate of Petitions 2016</th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian/PI</th>
<th>All Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Youth Population (10-17)</td>
<td>52,185</td>
<td>5,266</td>
<td>67,161</td>
<td>65,545</td>
<td>573</td>
<td>190,730</td>
</tr>
<tr>
<td>Petitions</td>
<td>121</td>
<td>74</td>
<td>812</td>
<td>68</td>
<td>126</td>
<td>1,201</td>
</tr>
<tr>
<td>Youth Population Percent</td>
<td>27%</td>
<td>3%</td>
<td>35%</td>
<td>34%</td>
<td>0%</td>
<td>100%</td>
</tr>
<tr>
<td>Petition Percent</td>
<td>10%</td>
<td>6%</td>
<td>68%</td>
<td>6%</td>
<td>10%</td>
<td>100%</td>
</tr>
<tr>
<td>Rate of Petition (per 1,000 youth)</td>
<td>2</td>
<td>14</td>
<td>12</td>
<td>1</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>Petition Disparity Gap</td>
<td>1</td>
<td>7</td>
<td>6</td>
<td>0.5</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In reviewing the decreases, it should be noted that the number of Other youth petitioned dropped slightly in 2016, but overall it has increased significantly. The Other category can include youth of mixed race or youth whose race is unknown. If their race/ethnicity were identified, this could increase the number of youth petitioned for each racial/ethnic category.

### Table 11: Petition Numbers 2012-2016

<table>
<thead>
<tr>
<th>Petition Numbers 2012-2016</th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian/PI</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>190</td>
<td>167</td>
<td>1,160</td>
<td>45</td>
<td>69</td>
<td>1,631</td>
</tr>
<tr>
<td>2013</td>
<td>153</td>
<td>171</td>
<td>1,337</td>
<td>76</td>
<td>17</td>
<td>1,754</td>
</tr>
<tr>
<td>2014</td>
<td>154</td>
<td>138</td>
<td>1,063</td>
<td>62</td>
<td>143</td>
<td>1,560</td>
</tr>
<tr>
<td>2015</td>
<td>149</td>
<td>104</td>
<td>939</td>
<td>82</td>
<td>140</td>
<td>1,414</td>
</tr>
<tr>
<td>2016</td>
<td>121</td>
<td>74</td>
<td>812</td>
<td>68</td>
<td>126</td>
<td>1,201</td>
</tr>
<tr>
<td>Percent Change 2015-2016</td>
<td>-19%</td>
<td>-29%</td>
<td>-14%</td>
<td>-17%</td>
<td>-10%</td>
<td>-15%</td>
</tr>
<tr>
<td>Percent Change 2012-2016</td>
<td>-36%</td>
<td>-56%</td>
<td>-30%</td>
<td>51%</td>
<td>83%</td>
<td>-26%</td>
</tr>
</tbody>
</table>

The table below shows the rates of petitions per 1,000 youth in the population have decreased for Black youth since 2012 and for Latino youth since 2013. The rates decreased for Black youth by 56 percent, while the rates decreased for White and Latino youth by 44 and 31 percent, respectively. However, the overall rate of petition filed for both Black and Latino youth has remained consistently higher than White youth.
Table 12: Petition Rates per 1,000 youth

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian/PI</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>4</td>
<td>32</td>
<td>17</td>
<td>1</td>
</tr>
<tr>
<td>2013</td>
<td>3</td>
<td>33</td>
<td>20</td>
<td>1</td>
</tr>
<tr>
<td>2014</td>
<td>3</td>
<td>27</td>
<td>16</td>
<td>1</td>
</tr>
<tr>
<td>2015</td>
<td>3</td>
<td>20</td>
<td>14</td>
<td>1</td>
</tr>
<tr>
<td>2016</td>
<td>2</td>
<td>14</td>
<td>12</td>
<td>1</td>
</tr>
<tr>
<td>Percent Change 2015-2016</td>
<td>-33%</td>
<td>-30%</td>
<td>-14%</td>
<td>0%</td>
</tr>
<tr>
<td>Percent Change 2012-2016</td>
<td>-44%</td>
<td>-56%</td>
<td>-31%</td>
<td>38%</td>
</tr>
</tbody>
</table>

Addressing Disproportionality in Deferred Entry of Judgment (DEJ) Cases

Since 2013, the Case Systems & Processes’ (CSP) DEJ Subcommittee has been reviewing DEJ success rates quarterly. Upon reviewing the data, the subcommittee learned that Black and Latino youth consistently had lower DEJ success rates than White youth. An analysis of two years of data uncovered that Black youth success rates averaged 35 percent, the lowest success rate of all youth in the program. After an extensive case file review, the department determined that of the Black youth who failed DEJ, 63 percent failed due to behavior or technical reasons and only 37 percent failed for new law violations. The Probation Department and DEJ subcommittee felt that a culturally-specific intervention was needed for Black youth and began a pilot partnership with Fresh Lifelines for Youth (FLY) to provide enhanced mentoring and case management services for Black youth on DEJ, called the Court Appointed Friend and Advocate Program (CAFA) in 2015 and 2016. The CAFA program included a court advocacy and support aspect like the Court Appointed Special Advocates (CASA) in the dependency court.

Outcomes for all CAFA youth were tracked between FLY and the Probation Department with an intended outcome of decreasing unsuccessful DEJ terminations. In 2016 all Black youth on DEJ were referred to the CAFA program. While the number of participants was low, only 11 youth, every Black youth exited DEJ successfully and had their felony cases dismissed, compared to only 60 percent of the ten participants in 2015. This is one example of how a targeted intervention, aimed at reducing disproportionality at a specific decision point, can have a profound impact for youth of color.
Figure 26: DEJ Annual Success Rate by Race 2013-2016

Total 2013: 62%
Total 2014: 69%
Total 2015: 70%
Total 2016: 80%
White 2013: 81%
White 2014: 76%
White 2015: 85%
White 2016: 80%
Black 2013: 39%
Black 2014: 31%
Black 2015: 60%
Black 2016: 100%
Latino 2013: 56%
Latino 2014: 67%
Latino 2015: 65%
Latino 2016: 75%
Asian 2013: 83%
Asian 2014: 90%
Asian 2015: 87%
Asian 2016: 92%
LEVELS OF INTERVENTION FOR YOUTH AND FAMILIES

ALTERNATIVES TO DETENTION

Electronic Monitoring Program (EMP) / Community Release Program (CRP)

The Probation Department continues to strive to keep youth safely in the community and in their homes with appropriate services. In 2016, 451 youth were involved in alternatives to detention. The Electronic Monitoring Program (EMP) allows youth to be monitored while remaining in the community by wearing an electronic monitoring ankle bracelet. The population served by EMP is primarily Latino (78 percent) and between the ages of 14 and 17 (98 percent). In addition, 86 percent of youth on EMP were male and 14 percent were female.

Table 13: Number of Youth in Alternatives to Custody 2016

<table>
<thead>
<tr>
<th>Number of Youth in Alternatives 2016</th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian/PI</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post-Disposition EMP</td>
<td>30</td>
<td>16</td>
<td>223</td>
<td>7</td>
<td>9</td>
<td>285</td>
</tr>
<tr>
<td>Post-Disposition CRP</td>
<td>14</td>
<td>9</td>
<td>87</td>
<td>6</td>
<td>6</td>
<td>122</td>
</tr>
<tr>
<td>EDGE/PEAK</td>
<td>2</td>
<td>4</td>
<td>46</td>
<td>1</td>
<td>0</td>
<td>53</td>
</tr>
<tr>
<td>Total Youth in Alternatives</td>
<td>46</td>
<td>28</td>
<td>348</td>
<td>14</td>
<td>15</td>
<td>451</td>
</tr>
</tbody>
</table>

Latino youth (71 percent) also made up the largest portion of the 122 youth on the Community Release Program (CRP). This program allows youth to remain in the community while completing their terms of probation. White youth represented 11 percent, seven percent were Black, and five percent were Asian/PI/Other. Reflecting the typical gender composition at other points within the system, eighty percent were male and 20 percent were female. The age distribution for youth on CRP was like those on EMP.

In 2016, 53 youth participated in the Encouraging Diversity, Growth, and Education / Providing Education Alternatives and Knowledge (EDGE & PEAK) programs, Probation’s alternative school programs. Of those, 87 percent were Latino, eight percent were Black, four percent were White, and two percent were Asian/PI. Twenty-five percent were 14 to 15 years old, 75 percent were 16 to 18 years old. Eighty-nine percent were male and eleven percent were female.

Deferred Entry of Judgment (DEJ)

Youth charged with a non-707(b) Welfare & Institutions Code felony who are 14 years of age or older may be eligible for Deferred Entry of Judgment (DEJ). By fulfilling the terms of a contract with the Court to complete the program successfully the judge will dismiss the case and the Court records will be sealed. In most cases the youth can present themselves as never having been involved with Juvenile Justice Court.
The District Attorney is required to review the charges considering statutory eligibility criteria and notice the Court as to whether the youth is eligible for DEJ. To be eligible the youth must (1) not have been a ward of the Court for a felony, (2) not have committed any of the felonies listed in Section 707(b) of the Welfare and Institutions Code, (3) not have been committed to the Division of Juvenile Justice, (4) not have failed probation in the past, (5) never had probation revoked without completing the terms of probation, and (6) be at least 14 years of age.

The Probation Officer will prepare a report, evaluating five statutory criteria, and make a recommendation to the Court concerning suitability for DEJ. All parties can provide information and argument on the issue, and the Court determines whether the youth should be granted DEJ. Although the youth admits to the charges and signs a contract, the Court does not take jurisdiction over the youth.

In 2016, 147 youth participated in DEJ. Of those youth, 118 youth successfully completed DEJ, a success rate of 80 percent. The number of youth who participated in DEJ decreased by 27 in 2016 compared to 2015. The reduction of youth participating in DEJ may be attributed to several factors including Proposition 47, a measure that reduced penalties from a felony to a misdemeanor for certain youth adjudicated of some non-serious and nonviolent property and drug crimes. This is likely to reduce the utilization of DEJ in future years.

Latino youth made up most DEJ participants and successful completions. The overall successful completion rate for DEJ was 80 percent, with Black youth (100%) and Other youth (100%) being the most successful followed by Asian/PI youth (93%). A larger proportion of White youth (80%) successfully completed DEJ than Latino youth (75%). Females made up only 9 percent (12 youth) of the DEJ population and their success rate was 58 percent.
Successful completions have increased by 30 percent overall and for every ethnic group since 2012. The most dramatic increase in successful completions was experienced by Black youth at 144 percent, Latino youth at 31 percent, and Asian/PI youth at 38 percent. Successful completions for White youth decreased by 2 percent during the same period.

Figure 29: DEJ Success Rates 2012-2016 Trends
INTERMEDIATE INTERVENTIONS

**Support Enhancement Services**

The Support and Enhancement Services (SES) program targets minors throughout the county. The service population includes post-dispositional youth in two custody alternatives: Community Release Program (CRP) and Electronic Monitoring Program (EMP), as well as youth under general Probation supervision. SES is designed to link youth and their families to services that target and address the specific needs of the participant and their family through intensive case management.

**Pro-GRIP (GANG)**

The Probation Gang Resistance and Intervention Program (Pro-GRIP) is a collaborative effort to provide intensive case management services with integrated vocational and educational services, counseling, and support services to gang-related Juvenile Justice involved youth. The objective of Pro-Grip is to assist gang-involved youth in becoming aware of their behavior, being responsible for their actions, and providing opportunities to develop pro-social competency skills, empathy, and resiliency through familial relationships with attention upon increasing school and community involvement. All participants receive intensive case management services which may include mental health case management services, stemming from an individualized Transformational Care Plan addressing the identified needs of the participant. Services are provided within Pro-GRIP or in collaboration with other agencies.

A female client in SES was having a difficult time attending school, using large amounts of marijuana, and had a strained relationship with her mother. After having a few sessions with her therapist, the client could process how she felt about her mother and began to work on ways to build a better relationship with her. She took steps toward independence, like getting her identification card and a bank account. The client also cut back on marijuana use by learning different ways to help control her worry and ways to communicate how she felt with the people around her. Client could successfully complete the program soon after finding a job and feeling comfortable in having the tools she needed to be independent.
Dually Involved Youth Unit

The DIY Unit was created in June 2014 to provide a coordinated systems approach between the Department of Family and Child Services (DFCS) and the Juvenile Probation Division (JPD). This approach allows for the co-location of social workers, probation officers, and youth advocates to implement a united case management approach. The DIY Unit staff have created an environment that is collaborative, innovative, and truly cross-systems. The DIY Unit began with two teams each staffed by a social worker and probation officer, teamed with a youth advocate and has grown to five teams. Youth in the DIY Unit continue to rely on the support from their team. At times, working with youth who are in the DIY Unit can be challenging given their complexity. These youth tend to present with significant trauma histories and a higher need for services. They often experience challenges remaining in community based placements, and frequently exhibit risky and potentially self-injurious behaviors including substance use and abuse and risky sexual activity. The DIY Unit continues evolving as a specialized cross-system unit delivering best practices for dually-involved youth and their families in Santa Clara County.

Figure 30: Integrated Approach to DIY

There were 30 Dually-Involved Youth (DIY) served in DIY Unit in 2016. Latino youth represented 67 percent of those served (n = 20) and males represented 60 percent (n = 18). The average age for youth at the start of services in the DIY Unit was 16 years old. There were 22 cases (73 percent) with prior child welfare history at the time a probation referral was made and eight cases (27 percent) with current probation involvement at the time a child welfare referral was made. About half of the youth in the DIY Unit

Recently one of the youth in the DIY Unit successfully completed Probation while continuing therapeutic services through DFCS. Despite facing many challenges, this youth could follow the case plan developed by the youth and team. Currently, the youth’s grandparents are working towards reunification with the youth to provide a warm and nurturing home. This youth has been attending school regularly and has an updated Individualized Education Program (IEP) evaluation.
participated in a pro-social activity such as mentoring, after-school program, arts, sports, employment, and/or a faith-based activity at one point in their journey through the DIY Unit. A Youth and Family Team Meeting (YFTM) brings the youth, family, service providers and other significant people in the youth’s life together to identify strengths and needs and to develop an innovative plan to address those needs. About half of the youth in the DIY Unit had a YFTM.

**Specialty Courts**

All the youth appearing on specialty court calendars are referred to services that are specialized to address their needs. Within the Santa Clara County Juvenile Justice Court there are currently four specialty courts, each focused on addressing potential root causes of offending. The Dually Involved Youth (DIY) Court focuses on youth who have both child welfare and juvenile justice involvement. The Family/Domestic Violence (FV/DV) court handles cases where the charges or concerns regarding the youth are primarily related to family or intimate partner violence. Lastly, the Progress Achieved Through Hope and Holistic Services (PATH²S) Court (previously Juvenile Treatment Court) focuses on youth with co-occurring substance use and mental health disorders.

**241.1 WIC Court Dually Involved Youth**

The Dually Involved Youth Court (DIY) focuses on youth who have both child welfare and juvenile justice involvement. Youth involved in the DIY Court are:

1. Dependent youth for whom a juvenile justice petition has been filed; OR
2. Youth currently under the jurisdiction of the Juvenile Justice Court or with a pending petition, for whom there is a current dependency or a reason to believe the youth is at risk of abuse or neglect.

A Welfare and Institutions Code Section 241.1 Hearing is held to determine which system (juvenile justice or dependency) or combination of systems would best serve the youth while protecting the community. Section 241.1 of the California Welfare and Institutions Code allows for a jointly developed written protocol to determine which status (dependency or wardship) will serve the best interests of both the youth and public safety.

For cases in which a report was completed by the DIY Unit, families had the opportunity to participate in a Youth and Family Team Meeting. This meeting engaged the family, probation officer, social worker and youth advocate in joint decision making for an appropriate recommendation, most often relating to placement.

In 2016, those cases not handled by the DIY Unit were assigned to social workers and probation officers outside the DIY Unit. For those social workers and probation officers, the DFCS JPD Liaison serves a vital function of facilitating communication, collaboration and completion of the 241.1 WIC assessment and report. Because this report determines which system (dependency or delinquency), or both systems is better equipped to provide service to the youth and family, this pivotal decision-making point has a
profound and lasting impact on youth and families. Therefore expertise and consistency are critical in this process, especially when youth are involved in multiple court systems.

**Figure 31: 241.1 Hearing Outcomes 2012-2016**

While there was an overall decrease in the number of 241.1 WIC Hearings ordered in 2016, the percentage of dual outcomes increased. In 2016, there were 54 Jurisdictional Hearings held (Figure 31). Of these 54 judicial decisions, 12 youth moved into or remained solely served by the juvenile justice system (602 WIC status), nine youth moved into or remained solely served by the Dependency system (300 WIC status), 30 youth received joint services from the Juvenile Justice system and the Dependency system and three youth had an Other outcome. Figure 31 compares 241.1 Hearing outcomes for the last five years and shows most 241.1 cases in the past two years have been served by the DIY Unit as joint cases.

In 2016, Latino youth comprised 56 percent of initial 241.1 WIC orders for Santa Clara County youth despite only accounting for 35 percent of the population. Similarly, in 2016, Black youth comprised 24 percent youth referred for 241.1 WIC Hearings, but Black youth only comprised three percent of the youth population. Female youth accounted for 30 percent of all the 241.1 Hearings in 2016.

**Figure 32: Initial 241.1 Hearing Orders (2012-2016)**
Family Violence / Domestic Violence

Family Violence/Domestic Violence Court (FV/DV) is the only court where youth are referred based on their charges, and all youth referred are enrolled. In 2016 there were 41 youth who utilized the FV/DV court. Latino youth continue to make up the largest group of participants in FV/DV (71 percent). White youth, with 6 participants, made up 15 percent of participants. Males represented 83 percent of participants and 68 percent of youth who participated in the program were 14 to 15 years old at the start of the program. One youth was 13 years old at the beginning of the program.

PATH²S

In 2014, Juvenile Treatment Court (JTC) was expanded through a Substance Abuse and Mental Health Services Administration (SAMHSA) grant to implement a coordinated approach to serving youth in the system who have co-occurring disorders. A new diversionary treatment program was created, Progress Achieved Through Hope and Holistic Services (PATH²S), and began screening youth for eligibility in January of 2015. In 2016, a total of 49 youth were screened and 32 were accepted (three of whom did not enroll in the program). Of all youth enrolled in 2016 (including youth previously enrolled), 67 percent were male, and the majority (74 percent) were Latino, followed by White (19 percent). The average length of time spent in the program was 6.7 months. Of the youth active in 2016, 30 percent successfully graduated, 16 percent received a certificate of participation (demonstrated progress in the program but did not meet all the criteria for graduation), and 21 percent were unsuccessfully terminated.

In 2016, Legal Advocates for Children and Youth (LACY) reported 49 percent of PATH²S participants achieved at least one educational goal and 19 percent achieved more than one educational goal. These goals included finding an appropriate placement, obtaining AB 167 eligibility, successful update of IEPs, and improved school attendance.

The increased usage of specialty court services continues, though the number of youth utilizing these services on an annual basis remains small. PATH²S data included interviews with youth at the entry, mid-year, and discharge stages. Interviews conducted by research assistants from San Jose State University show a 133 percent increase (25 percent at intake to 58 percent at discharge) in youth reporting
abstinence from alcohol and/or illegal drugs. Most youth reported feeling socially connected by the time they exited the program, a 37.5 percent increase from program entrance. There was no change in youth reporting stability in housing (83 percent reported housing stability at intake, and the same number at discharge), and an eight percent decrease in youth reporting improved mental health functioning, related to their substance use.

In addition, The La Cultura Cura Fellowship established itself as a partnership between the National Compadres Network and the Path2Service juvenile court that started in June 2016 with five youth who were hired on as Fellows. Youth Fellows engaged in conversations around healthy relationships, anger management, reproductive health, personal and familial values, trauma, etc. Upon graduating from the Joven Noble program themselves, the Fellows now assist in preparing and assisting in implementing a Joven Noble circle at ConXion to Community that consists of youth from Path2Service, past participants, and other referrals. So far, eight Fellows have participated in the program.

**Victim Services**

The Victim Services Unit of the Probation Department’s Juvenile Division provides court advocacy and support services to members of the community who are victims of youth crime. These services include assisting with restitution documents and impact statements, attending court with the victim, facilitating communication with Probation Officers, providing resources and referrals to services, providing a supportive and safe court waiting area, and making Victim Offender conferencing available.

**Figure 35: Victim Contacts and Victim Awareness Participants**

There was a slight decrease in the number of victim contacts in 2016 compared to 2015 (695 to 550). Of the 550 victim-assistance contacts tracked, 450 were for court support. There were 267 unduplicated victims served in 2016. Of the 267, 56 percent were Latino, 20 percent were White, nine percent were Asian/PI, two percent were Black, and 12 percent were unknown race. The victims were 58 percent female and 41 percent male.
The unit also organizes, hires, and trains members of the community contracted to provide Victim Awareness classes throughout the County for youth referred to the Probation Department. In 2016, 294 individual youth were served through the Victim Awareness classes. Of these, 78 percent were male, and 22 percent were female. Of the participants, 60 percent were Latino, ten percent were Black, 19 percent were White, seven percent were API, and four percent were identified as Other. Three percent were aged 13 & under, 25 percent were 14-15 and 72 percent were 16 or older. Prior to 2014, youth were counted by the number of sessions they attended versus individual youth served.

The District Attorney’s Office also provides services to victims. A bilingual (English and Spanish) Victim Advocate from the District Attorney’s Office Victim Services Unit is assigned to assist victims whose cases are heard in juvenile court. This advocate provides comprehensive services including crisis intervention, emergency services, resource and referral assistance, orientation to the criminal justice process, court support and escort, and assistance with the California Victim Compensation Program. In addition, the Claim Specialists in the D.A.’s Victim Services Unit work directly with victims to pay for certain types or crime-related costs such as medical and mental health expenses. Finally, to further limit the financial impact of crime on victims, the District Attorney’s Office purchases parking vouchers for our victims and their families. These vouchers are distributed by deputy district attorneys and victim advocates and help to limit the financial burdens for victims of crime.

**Parking Vouchers for Parents/Caregivers**

The Juvenile Justice Commission (JJC) at the request of the Presiding Judge of Juvenile Justice Court conducted a research study on the effectiveness of and satisfaction with the juvenile justice court process. During this two-year project, the JJC focused on five groups - youth in and out of custody, parents, community based organizations and victims. Based on the responses received in questionnaires and focus groups, the JJC published a report and recommendations. One of the findings from this study was the difficulties parents have in coming to court. In particular, parking is difficult and can be expensive, especially with parking tickets. In addition, many of the parents must leave court to ‘feed the meter’ or change parking locations.

To ameliorate this experience, the JJC recommended the creation of a parking policy that assists the parents. In response to this recommendation, the working committee of system partners formed to review the recommendations and requested the County provide parking validations for the public parking structure located on Hedding Street. This request was approved as a pilot in 2016. The Court expected fewer failures to appear resulting in bench warrants, more parents attending court hearings, validation that the parent is part of the team intervention, a welcoming environment, less rancor between the child and the parents due to the cost to the parents and improved communication between the parents and the probation officers. While data has not been collected to verify the expected outcomes, the Court reports that more parents are attending the hearings and courtrooms run more smoothly because parents are not leaving the building to tend to parking meters.
Victim Offender Mediation Program (VOMP)

Through the County of Santa Clara Office of Human Relations, the Victim Offender Mediation Program provides juvenile offenders and the victims of their offenses the option to meet in a safe and structured setting with neutral mediators to address what happened, its impact, and how the damage can best be repaired. Mediators help the victim have their questions answered and, if appropriate, create an agreement regarding restitution (financial or otherwise). Mediators help the offender acknowledge responsibility and have a voice in how to make things as right as possible. The program is based on the principles of Restorative Justice and transformative mediation, taking into consideration everyone affected by the crime, including the victim, offender, parents, and the community.

Benefits for victims include the opportunity to ask questions only the offender can answer (such as how and why the crime happened and whether it might happen again), tell the offender first-hand the impact of his/her actions, have a voice in how the damage is repaired, understand the offender by hearing his/her story, and to move towards repair and closure by becoming whole, emotionally and financially.

Benefits for offenders include the opportunity to allow the victim to be heard and have his/her questions answered, see the victim as a person, hear and take responsibility for the impact of his/her actions, have a voice in how the damage is repaired and restitution is made, and experience the power of doing the right thing for others.

Benefits for the community include repairing damage caused by crimes, moving young people towards becoming responsible citizens, and improving public safety by reducing the chances the offender will commit future crimes.

Mediation is free, voluntary, and confidential (but if all parties agree, the mediated agreement may be shared with third parties, such as the Court, Probation, District Attorney, and defense counsel). In 2016, 163 juvenile offenders and 202 victims were referred to VOMP. A total of 112 pre-mediation restorative justice meetings and conversations were held with offenders and victims.

Pro-Social Activities

In 2014, the Probation Department entered into an agreement with ConXion to Community (CTC) to provide pro-social activities and mentoring services, through Southwest Keys, to youth who have been
referred to the Probation Department. Pro-social Activities are those that improve a youth’s ability to redirect their energy and time towards developing pro-social skills with activities such as organized sports, art or music lessons, community activism or social justice, and other events and activities that youth cannot currently access or engage in for a variety of reasons. Its staff is particularly adept at identifying community resources to facilitate the engagement and retention of youth in positive, pro-social activities and in assisting youth and their families access and participate in these activities. Pro-Social activities may last three to six months. The Probation Officer refers their client to the program and is kept informed regarding the types of activities in which the youth will be engaged. In 2016, services were extended to youth living in the Neighborhood Safety Unit area of Valley Palms in the 95122 ZIP code. Youth participate in programs such as boxing, mixed martial arts, football (yearlong camps), music production and piano, art, basketball, photography, skateboarding, horseback riding and dog training. These youth benefit from meeting other youth in community activities, gaining new skills and fill their time with productive programs.

**Out of Custody: Health and Wellness**

In 2016, the Department of Behavioral Health Services, Family and Children’s Services Division (F&C) of continued to serve children, adolescents, young adults and their families, ages 0-25 who are experiencing social-emotional and behavioral concerns. Services are provided at five County-operated sites and by 20 contract agency programs located throughout Santa Clara County. F&C provides outpatient care and programs specific to the unique needs of children and their families. Services that are provided respect cultural values and the natural support systems of youth and families and address children and family behavioral health problems in the least restrictive, most family-like context possible. These services are offered within a continuum of care ranging in intensity and duration based on the needs of the individual child/youth.

The Children, Family and Community Services Division (CFCS) serves youth and young adults up to age 21 who are experiencing substance use issues. Individuals with substance use issues have the right to consent to their own treatment, and families are included in treatment based on client consent. Youth Substance Use Treatment Services (SUTS) are offered at 23 outpatient school and clinic sites located throughout Santa Clara County.

In addition to behavioral health services available while the youth is in custody, there is also a continuum of services available to youth involved in the juvenile justice system who are living at home or in the community. These services range from Outpatient Mental Health treatment (which includes Intensive Outpatient Services, Integrated Treatment and Therapeutic Behavioral Services), Aftercare (behavioral health services that are made available to youth as they exit Juvenile Hall) and Wraparound. These services range in intensity and duration to

![Figure 36: Behavioral Health Resource Center Referrals 2016](image-url)
address the individualized needs of the youth. Out of Custody youth receive individualized substance use treatment in the least restrictive environment with the level of intensity of outpatient services based on a thorough assessment.

During 2016, Probation officers made 609 referrals through the Universal Referral Form (URF) to BHRC. Staff triaged and processed all referrals to one or more appropriate community based organizations. Referrals were made for mental health services, substance use treatment services, in-custody assessments for substance use treatment services and to PATH²S.

In 2016, 569 probation involved youth received a mental health service, and 234 received Substance Use Treatment Services within the County system of care. Youth can also access Behavioral Health services through the Behavioral Health Call Center.

The data that follows reflects only the Medi-Cal/uninsured youth who received a mental health service through BHSD. These Medi-Cal and uninsured juvenile justice youth were served most often in the following Mental Health service programs: Outpatient/Intensive Outpatient (275), Wraparound (118), Aftercare (76), Support Enhancement Services (35), Mobile Crisis/Crisis Stabilization Unit (20), and Full-Service Partnership (19).

During 2016, 78 percent of the population served in the Mental Health System of Care were males, 21 percent were females, and 0.5 percent were unknown. Of the 246 juvenile justice involved youth who received services in the Substance Use System of Care, 81 percent were male and 19 percent were female.

The largest age group served during 2016 receiving County Mental Health services was the 16 and older age group (79 percent), followed by 14 to 15 year olds (18 percent) and 13 and under (three percent). For each of these age groups, there are specific programs designed to address their behavioral health issues by using age appropriate assessment and evidence-based practices. County Substance Use Treatment Services (SUTS) served 190 youth who were 16 to 18 years old, comprising 77 percent of the total population of youth receiving substance use treatment. This was followed by 52 youth 14 to 15 years old,
or 21 percent of the population. The remaining two percent, or four youth in treatment, were thirteen years old or younger.

The largest ethnic population served during 2016 in Mental Health was the Latino population (69 percent). Latino youth were followed by White (12 percent), Black (7 percent), Asian/PI (5 percent), Other (three percent), Unknown (two percent), and Native American (two percent).

A total of 246 justice-involved youth received substance use treatment in either residential or outpatient settings. Of these youth, 10 were White, nine were Black, 212 were Latino, five were Asian/PI, and eight designated their ethnicity as “Other.”

Among those youth identified as meeting the criteria for a mental health diagnosis, the three most prevalent diagnoses were substance abuse disorder (25 percent), depressive disorder (18 percent) and behavioral disorders (17 percent) which includes disruptive behavior. Other prevalent diagnoses were Post Traumatic Stress Disorder (10 percent), Adjustment Disorder (11 percent), Anxiety disorders (eight percent) and Attention Deficit Hyperactivity Disorder (four percent).

Many of the youth receiving mental health services had complex needs, 13 percent had one diagnosis while 87 percent had two or more diagnoses.
Project YEA

Project YEA (Youth Education Advocates) is a collaborative program between the Juvenile Services Division of the Santa Clara County Probation Department and Legal Advocates for Children and Youth (LACY) for the purpose of assisting with upholding the educational rights of youth involved with the juvenile justice system. The program is designed to assist parents, Probation Officers, and Court personnel who question if a justice involved youth is in need of Special Education Services which have been unaddressed. Project YEA also supports youth identified as requiring special education services who may need changes/modifications and/or updates to the existing Individualized Education Plan. At the core of Project YEA is training, support, advocacy, and promotion of an appropriate educational program for youth, parents, professionals, stakeholders, and systems throughout Santa Clara County.

INTENSIVE INTERVENTIONS

The Juvenile Probation Division considers and utilizes safe alternatives to removing youth from their homes and communities, when appropriate. Post dispositional services include programs that are intensive in nature and provide mental health services, drug and alcohol groups, behavior modification, and other services such as family-driven wraparound services.

EDGE / PEAK

The EDGE/PEAK Programs are Court Ordered programs which present youth with an opportunity to remain in their home and community while attending school and participating in individualized counseling programs as progress is made throughout their period of Probation supervision. The EDGE/PEAK Programs are designed to provide youth with the education and pro-social skills necessary to develop and foster healthy relationships with their families and communities. Individual and family growth is achieved through the development of pro-social skills, critical thinking and reasoning skills, independent living skills, self-control, self-management, structure, refusal, and family communication. Academic performance is increased by enhancing reading, writing, mathematics, health, and science skills. Programming designed to provide Anger Management/Conflict Resolution Skills, Gang Intervention, Drug/Alcohol and Relapse Prevention Counseling, life skills/communication/decision making skills and (Anti-Criminal thinking patterns) is also provided.

The goals of the EDGE/PEAK Programs are for each participant to learn the necessary skills for success while remaining within their homes and community, identifying core issues, strengthening family and community relationships, and avoiding further involvement in the juvenile justice system.
Wraparound Services

Since 2011, the Probation Department has made an intentional effort to serve youth in their homes and reduce the use of residential and foster care placements, in county, out of county, and out of state. This targeted effort focused on intensive services for youth and their families utilizing the Wraparound service delivery model. This service model uses targeted funding (combined with Early Periodic Screening, Diagnosis, and Treatment (EPSDT) funding) to create an interagency team comprised of Probation Officers and community based professionals to provide intensive family driven services. These services aim to keep youth at home with their families, rather than in group homes or other custodial settings. The interagency teams provide intensive case management/treatment utilizing field-based behavioral health services, substance abuse, counseling family support services, and probation supervision strategies to improve family and youth outcomes.

The Wraparound Service Delivery Model remains the primary intervention strategy for the Probation Department and is the mandated statewide intervention model for probation in the Title IV-E Well-Being Project. Santa Clara County is providing wraparound services to the following target populations: (1) pre-adjudicated youth who are assessed as high need and moderate to high risk of escalating within the juvenile justice system; (2) 602 Welfare and Institutions Code (602 WIC) adjudicated wards of the court who are assessed as moderate to high risk to re-offend and are at imminent risk of removal to out of home care; and (3) 602 WIC adjudicated wards of the court who are within 60 days of graduating from the James Ranch Program, and are returning to reside with their parent/guardian/caregiver on a program of aftercare (i.e., Ranch Re-Entry youth).

The Title IV-E Well-Being Project allows child welfare and probation to utilize Federal foster care funds for children and families not otherwise eligible to receive Title IV-E support and provides funding for specified services not traditionally covered under Title IV-E guidelines. The overall number of referrals to probation has consistently decreased since 2011 and the total number of youth removed from their homes and placed in foster care has also decreased. Figure 42 shows a continued decrease in the overall number of youth removed from the care and custody of their parent(s) and the increase in the number of youth participating in wraparound services. The Probation Department continues to experience a reduction in the number of youth placed in out of home care prior to and after participation in the Well-Being Project (Title IV-E).

Efforts to keep youth at home safely and out of foster care placement include:

- **Pre-Adjudicated/Competency Development**: Pre-Adjudicated youth who are high risk, high need, low criminality, or pending competency proceedings.

- **Placement alternative**: Adjudicated youth with Court Orders for wraparound services while living at home instead of being placed in foster care placement or institutional care.

- **Step-down from foster care**: Youth returning home from out-of-home placement with wraparound services.
• **Reentry Services**: Intensive services for youth being released from institutional care (James Ranch Program) with wraparound support while preparing for reentry, then supporting their return home on aftercare.

In 2016, 194 unique youth (264 duplicated youth) participated in Wraparound Services. Excluding duplicated cases, 81 youth (42 percent) were served pre-adjudication. Additionally, 73 youth (38 percent) were adjudicated wards of the court participating in wraparound as a placement alternative and 40 youth (21 percent) participated through the Re-Entry Services Unit. Figure 41 shows that of the 194 unduplicated youth, 80 percent were Latino, eight percent White, and seven percent Black. Males comprised 75 percent of youth served, the average age was 16 years old at the time of Resource Intensive Service Committee (RISC) was approved, and four percent (n = 8) were 13 years older and under. Furthermore, 54 percent of youth were 16 years or older at time of RISC. As the average daily population at Juvenile Hall continues to decrease, referrals for wraparound services continue to increase commensurately.

![Figure 41: Wraparound Youth by Race/Ethnicity (unduplicated) 2016](image)

According to the National Council on Crime & Delinquency (NCCD), the Juvenile Assessment and Intervention System (JAIS) is a supervision strategy model that weaves together a risk assessment and strengths and needs assessment. The assessment is effectuated as a one-on-one interview with the youth, focusing on the underlying motivation for their behavior. This process places probation staff in a more proactive position in the relationship with the youth, builds rapport, and better equips the agency to leverage the limited resources of staff time and treatment programs. The completed assessment provides a risk level ranked as Low, Moderate, or High, indicating the likelihood that the youth will reoffend, and
includes one of the four types of supervision strategies: Selective Intervention (SI), Environmental Structure (ES), Limit Setting (LS), and Casework Control (CC). Please see the table below for more information about the supervision strategies.

The following data is based on youth who started receiving Wraparound services from January 1, 2016 through December 31, 2016. From the 139 unduplicated youth receiving services during the above reporting period, 87 youth received a JAIS assessment, which reported their level of risk, risk score, and supervision strategy. This sample illustrates the type of needs youth receiving Wraparound services face and provides information as to what services are most needed. Most youth were identified as Moderate Risk Level (56 percent, n = 49) and High Risk Level (41 percent, n = 36). Only two youth were identified as Low Risk Level (2 percent). The Supervision Strategy identified for the 87 youth who had a JAIS assessment were Selective Intervention (31 percent, n = 27), Casework/Control (30 percent, n = 26), Environmental Structure (22 percent, n = 19), and Limit Setting (17 percent, n = 15). This means that most youth needed engagement in pro-social activities, reengagement in education and support in obtaining positive achievements. The results also highlight the complexity of challenges youth face and the broad-range of services needed.

SECURE CARE

After the Court has established jurisdiction, a youth has admitted to charges on a petition and is made a ward of the court, many dispositional options are available. The final disposition of a case is based on a variety of influencing factors including the Probation Department recommendation, agreements discussed by the attorneys and ultimately judicial discretion. These options could include: (1) home on probation with various services based on need, (2) participation in programs such as gang prevention/intervention services, (3) Support and Enhancement Services, (4) family driven, youth centered, wraparound services, (5) Full Service Partnership or placement in foster care residential programs located in and out of the state, (6) commitment to the enhanced ranch program (James Ranch Program), or (7) commitment to the Department of Juvenile Justice (DJJ).

Juvenile Hall

Juvenile Hall is a 390-bed facility which houses both boys and girls if they are detained while waiting for the Court to decide their cases. Youth can also be committed to Juvenile Hall following their dispositional hearing. Programs in custody include domestic violence/family violence, mental health and substance abuse services, life skills, cognitive behavioral therapy, religious services, gardening and pro-social activities. Youth can also be visited by family and caregivers while in the Hall. Typically a youth committed to Juvenile Hall will have their probation dismissed upon completion of services and development of a transition plan.
William F. James Ranch Program

The James Ranch is a rehabilitation and treatment facility with 96 beds where youth can be ordered by the Court to stay for between six and eight months. It serves youth up to age 18, offers cognitive behavioral treatment, education, substance abuse counseling, victim awareness, and trauma healing. Paid vocational training and links to local trade unions are also available.

Division of Juvenile Justice (DJJ)

The Division of Juvenile Justice (DJJ)\(^2\) provides education and treatment to California’s youthful offenders up to the age of 25 who have committed serious and/or violent felonies and have the most intense treatment needs.

Youth committed directly to the DJJ do not receive determinate sentences. A youth’s length of stay is determined by the severity of the committing offense and their progress toward parole readiness; however, the DJJ is authorized to house youths until age 21 or 25, depending upon their commitment offense. A youth’s readiness for return to the community is determined by the Juvenile Parole Board. It recommends supervision conditions to county courts which administer them. In the community, newly released youth are supervised by county probation departments.

The DJJ also provides housing for youths under the age of 18 who have been sentenced to state prison. Youths sentenced to state prison may remain at DJJ until age 18, or if the youth can complete his or her sentence prior to age 21, the DJJ may house him or her until released to parole.

Commitments & Placements

The overall number of out of home commitments and foster care placements decreased by 40 percent from 2015 to 2016. During the reporting period, significant changes were made to the placement screening process that contributed to the decrease in the number of instances where youth were detained in Juvenile Hall pending foster care placements. Commitments to foster care placements decreased by 40

\(^{12}\) Formerly known as the California Youth Authority (CYA), the organization was created by statute in 1941 and began operating in 1943.
percent and Ranch commitments decreased by 48 percent.

There were 153 commitments and placements in 2016. Of those 153, 78 commitments were to Juvenile Hall and 46 were to James Ranch. A total of 27 foster care placements (18 percent) were for youth utilizing out of home placement services. Only two youth were referred to DJJ, this reflects a continued commitment by the Probation Department to keep youth local and in their community, when appropriate.

**Figure 44: Youth in Commitments and Placements 2016**

Fifty-one percent of all commitments were to Juvenile Hall. James Ranch accounted for 30 percent of commitments, while Foster Care was 18 percent. In 2016, two youth were committed to DJJ, which reflects the Probation Department & Juvenile Justice Court utilizing alternative post-Disposition options when possible.

Male youth comprised 87 percent of out-of-home placements while 13 percent were female. Seventy-seven percent of youth in out-of-home placements were Latino, eight percent Black, eight percent White, four percent were Asian/PI and three percent Other.

**Figure 45: Percentage of Commitments and Placements 2016**

Within each commitment type, youth with the highest disproportionality appears to be in commitments to Juvenile Hall, with 86 percent being Latino youth. The largest disproportionality for Black youth was in out-of-home placement where they comprised 15 percent of the total population. The Probation Department continues to be concerned with disproportionality at key decision points throughout the juvenile justice system and is dedicated to reducing the overrepresentation of Latino and Black youth in out-of-home placements and commitments.
Table 14: Placement from Dispositions

<table>
<thead>
<tr>
<th>Placement from Dispositions</th>
<th>Male</th>
<th>Female</th>
<th>13 &amp; Under</th>
<th>14-15</th>
<th>16 &amp; Older</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Juvenile Hall Commitment</td>
<td>67</td>
<td>11</td>
<td>0</td>
<td>11</td>
<td>67</td>
<td>78</td>
</tr>
<tr>
<td>Ranch</td>
<td>41</td>
<td>5</td>
<td>0</td>
<td>7</td>
<td>39</td>
<td>46</td>
</tr>
<tr>
<td>DJJ</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Foster Care</td>
<td>23</td>
<td>4</td>
<td>0</td>
<td>9</td>
<td>18</td>
<td>27</td>
</tr>
<tr>
<td>Total Dispositions that led to Placement</td>
<td><strong>133</strong></td>
<td><strong>20</strong></td>
<td><strong>0</strong></td>
<td><strong>27</strong></td>
<td><strong>126</strong></td>
<td><strong>153</strong></td>
</tr>
</tbody>
</table>

The average length of stay at Juvenile Hall for pre-disposition youth in 2016 was 32 days, while post-disposition youth on average spent 53 days in custody. During 2016, 26 percent of the youth detained were courtesy holds for the Department of Correction, a 57 percent increase from 2012. The average length of stay for youth on courtesy holds was 357 days.

Table 15: Average Daily Population by Status 2012-2016 Trend

<table>
<thead>
<tr>
<th>Average Daily Population by Status (number of youth)</th>
<th>Pre-Disposition</th>
<th>Post-Disposition</th>
<th>Courtesy Hold for DOC (Direct File)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>103</td>
<td>43</td>
<td>14</td>
<td>160</td>
</tr>
<tr>
<td>2013</td>
<td>90</td>
<td>36</td>
<td>22</td>
<td>148</td>
</tr>
<tr>
<td>2014</td>
<td>69</td>
<td>25</td>
<td>34</td>
<td>128</td>
</tr>
<tr>
<td>2015</td>
<td>57</td>
<td>19</td>
<td>33</td>
<td>109</td>
</tr>
<tr>
<td>2016</td>
<td>50</td>
<td>11</td>
<td>22</td>
<td>83</td>
</tr>
<tr>
<td>Percentage change from 2012-2016</td>
<td>-51%</td>
<td>-74%</td>
<td>57%</td>
<td>-48%</td>
</tr>
</tbody>
</table>

SECURE CARE: HEALTH AND WELLNESS

Physical Health

Medical services provided to minors detained at Juvenile Hall and the William F. James Ranch consist of comprehensive health assessment screenings, treatment for diagnosed episodic and/or chronic health conditions, health prevention activities including immunizations, communicable disease screenings, control and age appropriate health education. All health services provided are comparable or superior to services the minors would receive or have received in their community.

A professional staff of physicians, a nurse practitioner, a physician’s assistant, registered nurses, licensed vocational nurses, pharmacists, dentists and dental assistants, provide health services. Pediatricians are on site at Juvenile Hall five days a week (M-F) and nursing staff is present seven days a week, twenty-four hours each day. Nursing staff is present at James Ranch eight to twelve hours a day, seven days a week. A pediatrician is on site one day per week at James Ranch. In addition, James
Ranch has a High Definition video link to Juvenile Hall allowing for Tele-Nursing and Tele-psychiatry, twenty-four hours a day, seven days a week.

Communicable diseases screenings occur upon minors’ arrival at Juvenile Hall police admission area. All STI screenings, updating immunizations and physical exams take place within 72 hours of admission.

The 2016 clinic activities summary (including data for 2015 for comparison) is below:

Table 16: Medical Clinic 2016

<table>
<thead>
<tr>
<th>Activity</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Admit Physical Exams</td>
<td>1228</td>
<td>1070</td>
</tr>
<tr>
<td>Clinic Visits</td>
<td>2200</td>
<td>1876</td>
</tr>
<tr>
<td>RN Sick Call Visits</td>
<td>3806</td>
<td>3153</td>
</tr>
<tr>
<td>Sexually Transmitted Disease Screenings</td>
<td>817</td>
<td>635</td>
</tr>
<tr>
<td>HIV Oral Quick Instant Test Screening</td>
<td>64</td>
<td>62</td>
</tr>
<tr>
<td>Other VMC Appointment</td>
<td>203</td>
<td>128</td>
</tr>
<tr>
<td>Flu Vaccine Administrations</td>
<td>243</td>
<td>247</td>
</tr>
<tr>
<td>Dental Clinic Visits</td>
<td>382</td>
<td>296</td>
</tr>
<tr>
<td>Eye Clinic Visits</td>
<td>34</td>
<td>26</td>
</tr>
</tbody>
</table>

Juvenile Hall Behavioral Health (Secure Care)

The Juvenile Hall Behavioral Health team includes 18 clinical positions and one Program Manager. The clinic is staffed Monday through Saturday from 8:00 am to 9:00 pm with on-call support available 24 hours per day, seven days per week including holidays. Nine of the 18 clinical positions are staffed with bilingual staff who speak Spanish, Vietnamese, Krio and Cambodian. Ten positions are held by licensed/credentialed Marriage and Family Counselors or Social Workers. A board-certified Child Psychiatrist is also available five days per week. The team also includes two clinical interns during the academic year (September through May). In addition, there is one part-time psychologist assigned to Juvenile Hall Behavioral Health who provides quality assurance for the forensic psychological evaluation program and also provides clinical supervision for three to four psychology interns during the academic year. Two of these interns are currently providing a psycho-educational group in the boys security units. These groups last eight to ten weeks with an average of four boys in each group. The psychology interns also help
lead a canine-assisted therapy group for the youth in the security units.

Behavioral Health staff screen all youth admitted into Juvenile Hall within the first 72 hours, and usually within the first 24 hours of admission. The screening includes an interview with the youth, a review of past behavioral health services received and administration of an evidence based screening evaluation called the Massachusetts Youth Screening Instrument (MAYSI-2). Approximately 80 percent of youth in Juvenile Hall are assigned a therapist who provide treatment about once per week, and up to once per day if the youth is on a safety watch. Probation and medical staff can also request behavioral health services for detained youth. Youth may also self-refer for behavioral health services.

In addition to providing screenings and on-going behavioral health services for the youth residing in Juvenile Hall, behavioral health staff also coordinate and attend multi-disciplinary team meetings aimed at collaboratively developing treatment and discharge planning with Probation staff. There is also one clinical resource position assigned to the Behavioral Health Resource Center (BHRC) who provides linkage to community agencies for all probation youth. While in custody in 2016, 1,181 youth received a behavioral health screening and 351 youth received on-going treatment.

Three clinicians are assigned to PATH²S to work with youth involved in this program. This Court works with youth and families who are experiencing co-occurring disorders (COD) for example, a mental health diagnosis co-occurring with a drug and/or alcohol problem. Juvenile Hall Behavioral health staff offer several Evidence Based Practices such as Cognitive Behavioral Therapy, Trauma Focused Cognitive Behavioral Therapy, Seven Challenges, Motivational Interviewing, and Seeking Safety.

Figure 46: Forensic Psychological Evaluations

<table>
<thead>
<tr>
<th>BHRC</th>
<th>PATH²S</th>
<th>Forensic Evaluations</th>
<th>General Clinic</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Triage URF</td>
<td>• Support youth with COD</td>
<td>• Quality Assurance for forensic psychological Evaluations</td>
<td>• Screen Youth</td>
</tr>
<tr>
<td>• Linkage to services</td>
<td>• Case management</td>
<td>• PhD Intern Supervision</td>
<td>• Supportive counseling</td>
</tr>
<tr>
<td></td>
<td>• Linkage</td>
<td></td>
<td>• Treatment</td>
</tr>
<tr>
<td></td>
<td>• Outreach</td>
<td></td>
<td>• Crisis Intervention</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• SUTS Assessments</td>
</tr>
</tbody>
</table>

**HealthLink**

In the interest of improving patient care and preparing for the future of healthcare, Juvenile Custody Health Services recognizes that current technology platforms require improvement and upgrade. The HealthLink electronic Medical Record went live November 7, 2016 throughout Juvenile Hall and James Ranch. This achievement exemplifies true sharing, information exchange and immediate delivery of patient data to improve the quality of care, patient safety and financial outcomes. The upgraded system allows clinic staff to provide improved services to clients through:
• Bar Code Medication Administration to ensure the five rights of medication administration.
• Single integrated medical record for all HHS users
• New all-in-one pill carts for scanned bar-coded medication administration
• Confidentiality measures implemented to secure patient legal privacy
• myHealth Online tracking for all Juvenile Custody Health patients enabled and workflows established for activating MHO accounts upon discharge.

Pharmacy Services
The utilization of the PYXIS Med-Station System to replace the after-hour medication room provides increased medication availability through decentralized medication management. It helps decrease the risk of drug diversion and increase medication safety. Each drug is specifically programmed and loaded in the CUBIE and will not be available unless a nurse enters his/her user ID, patient’s MRN, name, DOB, and the name of the medication(s) that he/she needs.

Dental
The Juvenile Hall dental clinic is open on Wednesdays from 8:00 am – 4:30 pm. Care is focused on treating patients with pain and other symptomatic dental problems, as well as treating asymptomatic dental diseases before they develop into such problems as toothaches and abscesses. The clinic primarily treats patients who are detained at Juvenile Hall, but also cares for patients from the ranch who developed dental problems or need to be seen for follow-up care. Additionally, the Dental Director, as well as the county’s Chief Dentist and a pediatrician, are available on-call each day for consultations regarding any significant dental problems which may arise during non-clinic hours, and the county hospital’s emergency department is also available as a resource.

Education

Figure 46: Court School Enrollments 2016-17

The Alternative Education Department (AED) for the Santa Clara County Office of Education is comprised of 9 educational programs at five school sites (Court Schools: Blue Ridge & Osborne; EDGE/PEAK; Community Schools: Odyssey, Snell, Sunol; Independent Study. The Department has a stable daily enrollment of approximately 280 students, while servicing over one thousand students a year due to high transiency rates. AED serves students from 21 diverse school
districts in the county, in grades 7 through 12+ who are adjudicated, expelled, or on a placement contract. The Department monitors student participation rates in our court schools by District of Residence. District Representatives review this data on a biannual basis. During the 2016-17 school year AED served 746 students within the court schools and 295 within our community schools.

**RE-ENTRY SERVICES**

The Re-entry Services team serves juvenile court wards exiting the James Ranch Program and returning to the community. Re-Entry/Aftercare is an innovative six-month program, which focuses upon the success of youth re-entering the community. This program utilizes a client centered and family focused approach which emphasizes the support of the youth and family for successful transition into the community from a custodial setting. Through a highly collaborative team oriented approach, transition plans for education, vocational training, mental health and/or substance abuse services are coordinated by probation and community based organizations at a Multi-Disciplinary Team Meeting (MDT) occurring between 60 and 30 days prior to the youth’s release from the James Ranch. This ensures a seamless transition when youth return to their families and communities.

The three primary program goals are to: (1) reintegrate youth into pro-social community life through independent living, (2) eliminate delinquency and self-defeating behaviors, and (3) promote pro-social self-sufficiency through healthy behaviors in employment, school, and social activities, etc. The Re-entry Services team seeks to prevent further escalation into the juvenile justice system, such as further placement in an out-of-state foster care program or DJJ.

**VIOLATIONS OF PROBATION**

Violations of Probation (VOP) occur when a youth has violated the terms of his or her probation status, has a technical violation, or has committed a new law violation. Probation terms and technical violations can include but are not limited to, attending school, refraining from affiliating with gang members, abiding by a curfew and refraining from using illicit substances.

**Type of VOPs**

In 2016, there were a total of 321 VOPs filed by Probation Officers with the Juvenile Justice Court. The chart below shows a breakdown of VOPs by type according to violation reason and race/ethnicity of the youth. Of the 321 VOPs filed by Probation, 79 percent (254 youth) were for Latino youth and six percent
(19 youth) were for Black youth. The gender breakdown of VOPS is 17 percent female and 83 percent male. Eighty percent of the VOPs were filed on clients who were over the age of 16, 20 percent were between the ages of 14 and 15 and none were filed on clients 13 or younger. In 2014, the Probation Department began requiring Probation Officers to indicate the primary reason for the violation of probation. Of the VOPs filed in 2016, 28 percent were for Absconding from Probation Supervision and 21 percent for Electronic Monitoring/Community Release Program (EMP/CRP) failures. However, it is common for Probation Officers to have multiple reasons for filing a single violation of probation petition and this report only reflects the primary or significant violation reasons.

Table 17: Violations of Probation by Primary Reason 2016

<table>
<thead>
<tr>
<th>Violations of Probation by Primary Reason</th>
<th>White</th>
<th>Black</th>
<th>Latino</th>
<th>Asian/PI</th>
<th>Other</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Absconded from Probation Supervision</td>
<td>7</td>
<td>7</td>
<td>69</td>
<td>4</td>
<td>2</td>
<td>89</td>
</tr>
<tr>
<td>EMP/CRP Failure</td>
<td>9</td>
<td>3</td>
<td>50</td>
<td>4</td>
<td>1</td>
<td>67</td>
</tr>
<tr>
<td>Gang Related</td>
<td>1</td>
<td>36</td>
<td>1</td>
<td>1</td>
<td></td>
<td>39</td>
</tr>
<tr>
<td>Substance Abuse</td>
<td>3</td>
<td>3</td>
<td>25</td>
<td>1</td>
<td></td>
<td>32</td>
</tr>
<tr>
<td>School Related</td>
<td>1</td>
<td>1</td>
<td>18</td>
<td>1</td>
<td></td>
<td>21</td>
</tr>
<tr>
<td>Ranch Failure</td>
<td>1</td>
<td>18</td>
<td>1</td>
<td></td>
<td></td>
<td>20</td>
</tr>
<tr>
<td>Failure to Participate/Complete Counseling Program</td>
<td>5</td>
<td>2</td>
<td>8</td>
<td>1</td>
<td></td>
<td>16</td>
</tr>
<tr>
<td>Technical - Curfew, Associating, etc.</td>
<td>1</td>
<td>13</td>
<td>1</td>
<td></td>
<td></td>
<td>15</td>
</tr>
<tr>
<td>EDGE/PEAK Failure</td>
<td>1</td>
<td>9</td>
<td>1</td>
<td></td>
<td></td>
<td>11</td>
</tr>
<tr>
<td>Placement Failure</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Weapons</td>
<td></td>
<td></td>
<td>3</td>
<td></td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Aftercare Failure</td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Total Violations of Probation</td>
<td>29</td>
<td>19</td>
<td>254</td>
<td>14</td>
<td>5</td>
<td>321</td>
</tr>
</tbody>
</table>

For White youth, the most common reason for Violations of Probation was EMP/CRP failure and absconding. Black youth were more commonly violated for absconding from probation supervision. Latino youth had violations in every category, but were most commonly violated for absconding from probation supervision and EMP/CRP failure. Asian/Pacific Islander youth were most commonly violated for absconding from probation supervision and EMP/CRP Failure.

A promising trend to highlight for probation violations is the reduction in violations filed overall, from 384 in 2015 to 321 in 2016, a 16 percent reduction. The largest changes from 2015 to 2016 were an 81 percent reduction in Placement Failures and a 56 percent reduction in Ranch Failure VOPs. These positive trends can be attributed in part to the implementation of evidence based practices within the Probation Department.

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13 This information is captured in our JASII case management database and will not always match the JRS data, which is the official record. The Probation Department was unable to cross reference the filed VOP with the reason in the JASII database and therefore a discrepancy in the number of VOPs filed reported in other public documents may exist.

14 For the 2016 annual report a new data set was pulled from JASII for VOPs filed, unfortunately it was discovered that the data previously used to report VOPs filed only captured entries month to month and did not refresh when processing delays occurred. The new report provides a more accurate account of VOPs filed by the Probation Department, but unfortunately only reflect calendar years 2015 and 2016.
Department and a policy review resulting in changes within the respective areas. Placement Unit staff hold a multi-disciplinary team meeting for youth struggling in out of home care to avoid re-admittance into Juvenile Hall and the filing of a new violation for program failures.

Figure 47: Violations of Probation Type 2015 & 2016

WHEN YOUTH LEAVE THE JUVENILE JUSTICE SYSTEM

For many youth, the period following involvement in the juvenile justice system can prove to be difficult. Sustaining positive change now is crucial, and links to education, employment and ongoing support can help to reduce the risk of recidivism. Depending on the individual needs and the type of involvement in the juvenile justice system, options exist to ensure that transitions are as successful as possible.

SERVICES AFTER YOUTH EXIT

Medical Outreach Program

The nursing Medical Outreach Program is intended to support youth who are juvenile justice system involved when care is no longer available via the clinic at Juvenile Hall. Under California Title 15 regulations, incarcerated youth are entitled to medical access and treatment. However, youth who received medical/mental health care in juvenile hall are no longer getting needed care once they leave the facility. This results in challenges in early diagnosis and early intervention. The lack of communication between judicial and health care systems complicates and halts the continuous care for youth. The
purpose of this pilot project is to implement an innovative medical outreach program in the court system to bridge the care gap for youth including outcome measurement.

Health care providers partner with the court system making psychiatric screening and medical assessment prior to court appearances to address unmet health needs of the youth. The target population is those youth who were cited and released from police admission without being screened by the juvenile hall medical clinic staff and youth who are released from juvenile facilities.

To ensure that youth are engaged in the program a Registered Nurse (RN) is stationed near the court waiting area and works 12 hours per week to provide free health services/counseling to the youth. The RN then provides triage, administers a nursing admission assessment tool and provides medical services and linkages.

The innovative program has a potential to make an effective health care delivery change by bringing evidence-based practices into the system. The court based free medical service may enhance the quality of care in the correctional health for justice involved youth. Mandating follow-up care for the justice involved youth in juvenile facilities may lower rates of recidivism and reduce costs future medical care costs.

**Ranch Re-Entry Behavioral Health Services**

In calendar year 2016, youth at James Ranch received both Mental Health and Substance Use Treatment Services. *Starlight Community Services*, a community-based organization provides comprehensive mental health screening, assessment and treatment. Substance use treatment is provided by Pathway Society who provided both individual and group treatment. Group treatment was provided by using the evidence-based Seven Challenges program which is designed to assist youth in taking responsibility for their use and help them set goals for recovery. Both Starlight and Pathway Society also provide Aftercare services, meeting with youth in the community after their release from the Ranch. There is also a Board-Certified Child Psychiatrist that provides medication evaluations and medication management for youth at the Ranch. The Child Psychiatrist is a Behavioral Health Services Department employee.

**FUTURE REPORTS**

As the annual report continues to evolve we will strive to include more context on the experiences of young people in Santa Clara County before, during, and after involvement with the juvenile justice system. By including more information on youth outcomes, a more detailed picture will emerge to complement the existing program descriptions and reporting of the number of young people accessing services.