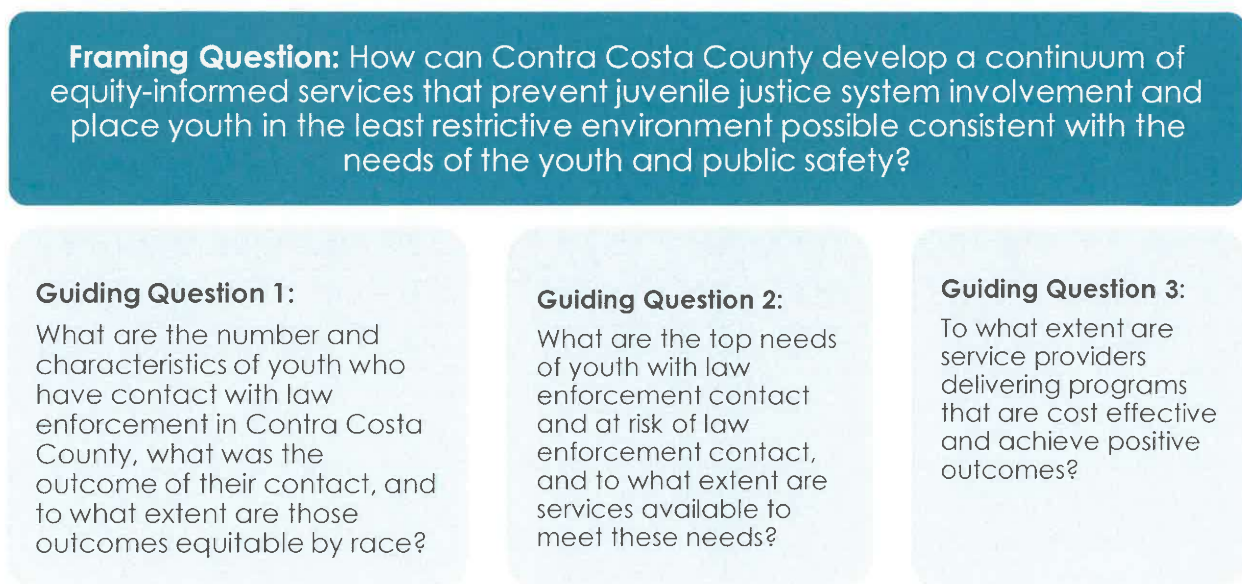


Executive Summary

Background

The 2021 Report on Juvenile Justice Programs and Services is the first of its kind to be developed by the Contra Costa County (CCC) Probation Department and provides valuable information on 1) youth juvenile justice system involvement, 2) youth needs, and 3) the utilization and effectiveness of current programs and services available for youths and their families. One of the goals of the report is to identify strengths, gaps, and opportunities to ensure a continuum of equity-informed, healing-centered services is in place to prevent juvenile justice system involvement and support youth who are already system involved. Another goal is to provide information that the CCC Probation Department and its stakeholders can use to make data-driven decisions to improve this continuum of programs and services.

Figure A. 2021 Report Framing and Guiding Questions



Resource Development Associates (RDA) used a mixed-methods approach—using both quantitative and qualitative data collection and analysis—to triangulate findings across data sources for each of the guiding questions and to provide multiple perspectives on the complex, multi-dimensional issues that are explored in this report. Quantitative data included publicly available data as well as aggregate data collected from county agencies (e.g., Probation, District Attorney’s Office, Public Defender’s Office, County Behavioral Health Services, County Office of Education) and JJCPA- or YOBG-funded agencies. Qualitative data included interviews and focus groups with staff from juvenile justice system-serving agencies, service providers, and youths with and without juvenile justice system involvement. In total, 68 individuals participated in the interviews and focus groups.

As with any evaluation process, limitations should be considered as results are explored. Considerations for this evaluation include data limitations described in greater detail in the *Methodology* section and the impacts of the COVID-19 pandemic on juvenile justice system practices and service delivery in CCC. Results should be viewed through these lenses and CCC should monitor the extent to which decreases in the juvenile justice population that are identified in this report are maintained, or whether increases are observed over time as the COVID-19 pandemic evolves.

Contra Costa County's Juvenile Justice System

Process

The juvenile justice system case processing flow for Contra Costa County is contained in Figures 2 and 3 in the body of the full report (see pages 18 and 19). Youth justice system contact starts when a youth has an interaction with a law enforcement officer. Law enforcement officers have discretion in how they can handle each youth's case with some cases having a citation developed. Misdemeanor citations are sent to the Probation Department and felony referrals are sent to the District Attorney (DA) for consideration. Both the Probation Department and DA staff have discretion in how to best handle the citation or referral that range from simply closing the case, closing the case and referring to community resources, placing the youth in a diversion program, placing the youth on informal probation, or filing a misdemeanor or felony petition with the court. Once a petition is filed with the court, the court process begins and the petition can be dismissed, deferred, or sustained. For deferred adjudication, case processing results in either the youth being placed on informal probation or having a deferred entry of judgement. If the petition is sustained, the judge has three options—non-wardship probation, formal probation, or Department of Juvenile Justice (DJJ) commitment (i.e., state commitment). For cases where formal probation is ordered by the court, youths are either placed on community supervision with the Probation Department, placed in foster care, or committed to an institutional program.

Key Findings

GUIDING QUESTION 1

What are the number and characteristics of youth who have contact with law enforcement in Contra Costa County, what was the outcome of their contact, and to what extent are those outcomes equitable by race?

The juvenile justice system population is declining over time.

- The number of youths referred to Probation has declined over time, from 2,084 in 2014 to 795 in 2020 (1,526 youths were referred to Probation in 2019, the year prior to the COVID-19 pandemic); as a result, the number of youths under probation supervision has also declined during this time.
- The number of youths detained in Juvenile Hall prior to adjudication (as measured by a point-in-time or 'PIT' count each year) declined each year from 2018 (n=61) to 2021 (n=17).
- Fewer youths had petitions filed with the court each year from 2018 (n=955) to 2020 (n=353); among youths who did have petitions filed, a smaller proportion were adjudicated to wardship probation each year (76% in 2018 compared to 63% in 2020) or committed to a confined setting (18% and 19% in 2018 and 2019 compared to 15% in 2020).

Despite declines in the number of youths making juvenile justice system contact, racial disparities exist among youth referred to Probation and those who have petitions filed. Disparities at these decision points increased in 2020.

- In 2020, Black youths were approximately 14 times more likely than White youths to be arrested in CCC, 15 times more likely to be referred to Probation, and 1.6 times more likely to have petitions filed (among youth referred to Probation). As a result of racial disparities at the front end of the juvenile justice system, Black youths are drastically overrepresented on juvenile probation and in confined settings in the county—despite sentencing practices that appeared to reduce disparities among youths placed on probation and/or in confined settings in 2020.¹
- Positive interactions between youth and law enforcement are rare, especially at an early age. Increasing positive interactions with police officers and youth of color in non-crisis situations could help build better relationships, resulting in safer communities and schools, and fewer disparities.

The average length of probation supervision in the community may be longer than best practice suggests, which is three to six months for informal probation and six to 12 months for formal probation.

- Data on the average length of probation is not available with Probation's current data system. As estimated by Probation, youths who are on informal probation are supervised for approximately six months and youths on formal probation are supervised for approximately

¹ This report does not examine the specific offenses (beyond categorizing probation violation, misdemeanor, and felony offenses) for which youth are referred to Probation or have petitions filed. If Black youth are referred to Probation and/or have petitions filed for less serious offenses than White youth, sentencing practices may result in a lower proportion of Black youth who had petitions filed placed under wardship probation, as well as a lower proportion of Black youth on wardship probation placed in confined settings. This should be examined in the future.

12 to 18 months. Best practices suggest that length of supervision, meaning how long youths are monitored in the community, should be a maximum of three to six months for informal probation and six to twelve months for formal probation.

GUIDING QUESTION 2

What are the top needs of youth with law enforcement contact and at risk of law enforcement contact, and to what extent are services available to meet these needs?

Not all youths sentenced to juvenile probation complete an OYAS risk assessment. Among youths who completed OYAS assessments from November 2019 through August 2021, most were assessed as low risk to recidivate.

- Most youths under probation supervision who were assessed using the OYAS Disposition (OYAS-DIS) tool from November 2019 through August 2021 (n=303) were assessed to be low risk for recidivism (78.5%); approximately 20.1% were assessed to be moderate risk, and only 1.3% were assessed to be high risk. Juvenile Justice System stakeholders estimated that approximately half of the youths during this period did not have an assessment completed so the risk profile may not accurately represent all youths under probation supervision in the county.
- Two concerns with OYAS implementation in CCC exist. First, when the tool was initially rolled out, defense attorneys sat in on the youth interviews, which is not best practice and may have impacted youths' responses. While this is no longer occurring, it was during the reporting period. Second, defense attorneys advise some youths to refuse to participate in the OYAS assessment process. If higher risk youths are less likely to participate in the OYAS, the assessment results to date may be artificially lower as a result. Taken together, these two issues may be resulting in an inaccurate risk profile for youth under probation supervision in CCC. For example, in the original OYAS validation report from Ohio,² approximately 43% of youths were categorized as low risk, 43% as moderate risk, and 13% as high risk.

The top needs for youth include behavioral health, education, and family services.

- Based on OYAS-DIS assessments completed between November 2019 and August 2021, "Substance Abuse, Mental Health, and Personality" and "Prosocial Skills" are the two areas of greatest need among youths on probation. Other areas of need are "Peers and Social Support Network," "Family and Living Arrangements," and "Education and Employment."

² Edward Latessa, Brian Lovins, & Kristen Ostrowski (2009). The Ohio Youth Assessment System: Final Report. Cincinnati, OH: Center for Criminal Justice Research, University of Cincinnati.

- Interview and focus group participants highlighted mental health and substance use services, provided by trauma informed and culturally responsive staff, as a top need for youth in the community.
- Interview and focus group participants also suggested a need for more educational services, including tutoring and after school programs, and employment services including non-college career pathway programs. Family services focusing on in-home stability were identified as a top need to support youth in the community as well.

Four school districts had higher rates of suspension, expulsion, and chronic absenteeism and lower graduation rates than other school districts in the county; these school districts also accounted for over three-quarter of youths detained and enrolled in school in secure settings in the county.

- Antioch, West Contra Costa, John Swett, Liberty Union, Pittsburg, and Mt. Diablo Unified School Districts had less successful educational outcomes compared to county averages for suspension, expulsion, chronic absenteeism, and graduation rates. While four of six of these school districts account for approximately 47% of high school age youth enrolled in school in the county, they also account for nearly 80% of youths who enrolled in school at Juvenile Hall or Orin Allen Youth Rehabilitation Facility (OAYRF).

GUIDING QUESTION 3

To what extent are service providers delivering programs that are cost effective and achieve positive outcomes?

While the needs of youth in CCC are documented, data on the number of youths referred to and receiving services, as well as their program outcomes, are not available from the Probation Department or most funded service providers.

- Measures that are important for understanding the county's juvenile justice population and service delivery (e.g., average daily populations, service referrals, dosage, completion status, recidivism) are not collected by Probation or most JJCPA- and YOBG-funded service providers in the county. As a result, RDA was unable to assess the effectiveness of these services at the time of this report.
- The Probation Department does not have the ability to track service provision or youth outcomes with their current data system and have contracted for a comprehensive case management system to assist with ongoing data collection, monitoring, and evaluation. A "go-live" delivery date is set for May 2023. This system should allow the Probation Department to track all referral services and outcomes, whether funded by Probation or not.

- Future Probation Department contracts with funded providers will include reporting requirements to ensure it is possible to track the service delivery and effectiveness of JJCPA- and YOBG-funded programs.

Services are concentrated in historically high population areas and service locations have not kept pace with county population shifts.

- It has been noted for many years that there is a large resource gap in East County. Interview and focus group respondents continued to suggest that addressing these service gaps is a major need in CCC.

There is concern from funded service providers that additional youth could be referred and served in programming. However, there is a lack of data reported back to probation concerning the services youths receive in the community.

- Staff in the Probation Department work diligently to communicate with funded service providers. However, service providers are not required to provide key individual level youth data to Probation concerning the youths they serve. Interviews and discussions with funded program staff suggested that Probation does not make enough referrals to these programs and that youth needs may be going unmet.

Recommendations

Recommendations were organized into three categories: 1) Youth Law Enforcement Contact and Juvenile Justice System Involvement; 2) Youth Risk, Needs, and Service Availability; 3) and Service Outcomes.

Youth Law Enforcement Contact and Juvenile Justice System Involvement

1. The CCC Probation Department should examine whether any recent internal or partner practices (i.e., the start of the R.E.S.T.O.R. diversion program and a policy change in the DA's Office of not filing petitions on certain types of misdemeanor offenses) that have been implemented—including those implemented as a result of COVID-19—have helped reduce juvenile justice system contact and penetration among youth, and ensure these practices remain intact.
2. County leadership should explore possibilities with juvenile court administration and judges to reduce the reach of Probation. First, when statutorily allowed, the County should consider increasing the use of informal supervision and formal non-wardship probation in lieu of wardship probation.³ Second, the length of supervision should be monitored and tracked to

³ Probation without wardship, known as WIC 725, allows for youths to be on probation for a maximum of six months. If the juvenile successfully completes this probation, their record is sealed by the Court.

ensure they are in line with evidence-based guidelines of three to six months for informal and non-wardship probation and six to twelve months for formal probation.

3. Local police agencies that serve large numbers of youths of color (e.g., Antioch, Richmond, Pittsburg, and Concord) should partner with county stakeholders and Probation to identify strategies to reduce racial disparities, including restorative justice and diversion programs.
4. The Probation Department should continue to consider additional approaches to reduce probation violations filed with the court. This will likely involve working with court actors to increase the discretion that Deputy Probation Officers (DPOs) have so they can utilize the full range of alternative responses to technical violations that allow youth to remain in the community and do not further penetrate the system when they are already under probation supervision.

Youth Risk, Needs, and Service Availability

5. All youths under probation supervision should have an OYAS-DIS completed within the author recommended timeframe. This would allow the Probation Department the ability to validate the OYAS locally to ensure the tool accurately predicts risk among youth in CCC.
6. The Probation Department should continue to supervise fewer youths overall, and the use of diversion and informal probation for lower-risk youth should be expanded.
7. The County should continue to invest resources in prevention and intervention services to address service gaps that exist.
8. The JJCC should work with Probation and other stakeholders to map areas of need to ensure there are enough programs in the county to meet the needs of youth on probation.
9. The Probation Department should continue to work collaboratively with the Prevention Intervention and Community Engagement subcommittee (PICE) and with county agencies that have existing service resource guides available to develop a service resource guide so probation officers and other referring agencies (e.g., schools) have information to make consistent and timely referrals to services so that youths can realize the success that they, their families, and system partners envision.⁴

⁴ The Contra Costa County Interagency Agreement 2022–2027 that is currently under development may also aid in this endeavor. This is being composed in collaboration with Contra Costa County Superintendent of Schools, Foster Youth Services Coordinating Program, Contra Costa County Employment and Human Services, Contra Costa County Local Education Agencies (LEAs), Contra Costa County Superintendent of Schools, Court and Community Schools, Superior Court of California, County of Contra Costa, Contra Costa County Probation Department, Contra Costa County Office of the Public Defender, and CASA of Contra Costa County and should be completed in September of 2022.

10. The County should prioritize access to housing services and affordable housing, especially targeted towards TAY to help reduce juvenile and criminal justice system involvement among this group.
11. Efforts to ensure that youth across the geographically diverse county have equal access to all service types should be made by youth-serving agencies and the Probation Department.
12. Service providers should continue to provide virtual services as an option to reach more youths and their families while also prioritizing in-person interactions.
13. To help to address key metric differences, CCCOE and other county stakeholders should work with schools (and the youths and their families) in districts with higher than average suspensions, expulsions, chronic absenteeism, and graduation rates by adding appropriate programming at or near schools in these districts where higher needs are identified.
14. The CCCOE and Probation Department should coordinate to ensure that each youth in confinement has a case manager who is responsible for supporting re-enrollment in school immediately upon the youth returning to the community. This work should begin early in a youth's length of stay in a confined setting.

Service Outcomes

15. The Probation Department should conduct planning for the implementation of the case management system so that the Department can reach its go-live date of May 2023 and support officers in its use so that data-driven decisions can be made.
16. The Probation Department and the Office of Reentry and Justice (ORJ) should finalize the reporting requirements for JJCPA- and YOBG-funded service providers and actively support these service providers through workshops and one-on-one consultations to ensure they are able to report on the identified metrics.