

# Arrest, Detention, and Beyond Juvenile Probation Overview



Alameda County Probation Department Juvenile Field Services Division  
Report From: Judge Trina Thompson – September 2016

# Alameda County Juvenile Justice Center



# Objectives

- ☞ To provide an understanding of the Juvenile Justice System and overview of the adjudication process in Alameda County.
- ☞ To provide a description and understanding of the functions of each unit in the Juvenile Field Services Division.
- ☞ To provide and explanation of special projects and initiatives in the Juvenile Division.

# How an Arrest Happens

∞ A juvenile arrests occurs when:

- A police officer views a violation of law, the youth is arrested and brought to the Juvenile Justice Center.
- A police officer views a violation of law or is summoned by the community for a violation of law and the minor is given a Notice to Appear and released to a responsible adult or brought to the Juvenile Justice Center (JJC).



# In — Custody Arrest

- ☞ The youth is arrested and brought to the Juvenile Justice Center and is detained pending charges filed by the DA.
- ☞ If the DA declines to file charges, the youth is released to the parent(s) or guardian.
- ☞ If the DA does file charges, the youth goes to court for a detention hearing and must appear before a judge within 48 hours for a misdemeanor or 72 hours for a felony.
- ☞ At detention, the youth is informed of the charges alleged against him/her and a recommendation is made by the probation department for release or continued detention pending the adjudication of the charges.

# Out of Custody Arrest

- ✎ Youth arrested are released to a parent or guardian and then referred to the Probation Department.
  - The DPO may reprimand the minor and close the case with no further action;
  - Divert the minor to a community based organization for services;
  - Place the minor on informal probation for up to 6 months;
  - Or refer the case to the District Attorney for filing of a petition.

# Intake Unit

## In-Custody Intake

When a minor is arrested for a law violation and delivered to Juvenile Hall, a risk assessment is done to determine whether or not the minor will remain in custody. Depending on the charge, the matter may be handled informally or referred to the District Attorney for filing of a petition. If a petition is filed, the Probation Officer will interview the minor and parents and submit a report to the Court for the detention hearing.

## Non-Custody Intake

When police refer a minor to the Probation Department after releasing the minor to a parent or guardian, the probation officer may reprimand the minor and close the case with no further action, divert the minor to a community based organization for services, place the minor on informal probation for up to 6 months, or refer the case to the District Attorney for filing of a petition.

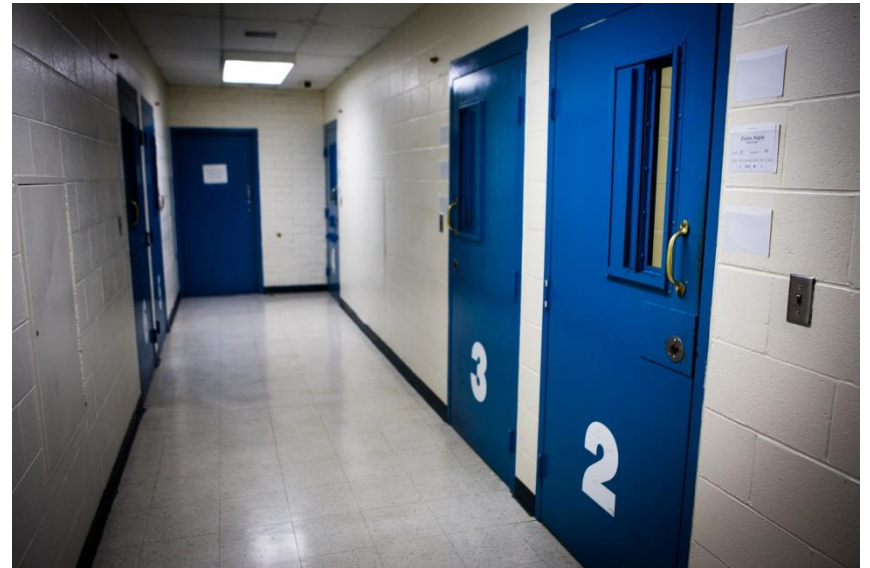
# Detention Alternatives

## Home Supervision

Home Supervision is an alternative to detention in Juvenile Hall pending a minor's Court hearings. A minor placed on Home Supervision by the Court is required to sign a written contract that he/she understands and will observe the specific conditions of the program. The conditions may include curfew, school attendance, requirements related to the protection of the minor or the person or property of another, or to the minor's appearance at Court hearings. The Home Supervision program serves 75 to 90 youth.



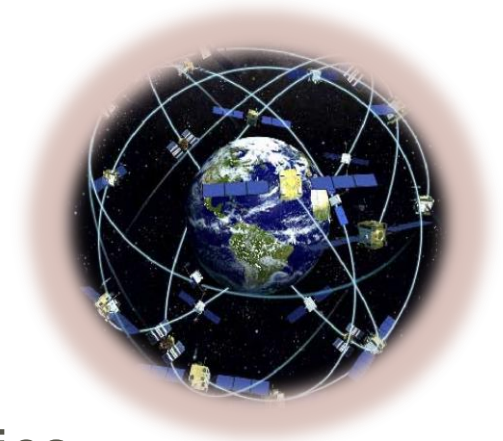




# Detention Alternatives, Cont'd.

## ∞ GPS

Global Positioning Satellite (GPS) is an alternatives to detention. A minor signs a written contract with the JIO, and is only allowed to leave home for approved activities, such as school. There are currently 61 youth on GPS.



GPS Information:

(510) 667-7634 or 667-7691

# Pretrial Hearing

- ⌘ A pretrial hearing is a hearing where the youth admits or denies the charges against him/her. They are supported by an attorney ( private attorney or the public defender).
- ⌘ If the youth denies the charges, the process moves to a jurisdictional hearing which is equivalent to a trial. The youth enjoys all the protections as adult do in adult court such as refusing to testify against themselves, and bringing and questioning witnesses.
- ⌘ If the youth admits the charges, a finding is made and the next court date is the Dispositional hearing.

# Juvenile Justice Center



# Investigations

When the District Attorney has filed a petition with the Court and the Court has found the minor responsible for committing a violation of the law, a Probation Officer is assigned to investigate the circumstances of the case and make a recommendation to the Court as to the appropriate disposition.

The Investigation Unit looks into the minor's background and takes into account family life, academic history, and community participation, in an effort to make the best possible recommendation to the Court.



# Dispositional Hearing

∞ A dispositional hearing is a hearing to hear evidence on the question of the proper disposal of the case for the minor. Evidence includes:

- The social study
- Oral and written statements made by the victim
- Other relevant information
- Recommendations from the Probation Department

# Dispositional Options

- ☞ Informal Probation – W & I 654.2
- ☞ Probation without Wardship W & I 727
- ☞ Formal Probation W & I 602
  - General Supervision
  - Community Probation
  - Family Preservation Unit
  - Placement
  - Juvenile Intensive Services (YOBG)
  
- ☞ California Department of Corrections and Rehabilitation;  
Division of Juvenile Justice (DJJ)





# Juvenile Fees Repealed



The Alameda County Board of Supervisors repealed the juvenile fees in June 2016. These fees are not longer collected.

# Housing Units

## Juvenile Hall



Chronicle / Mike Kepka

## Camp Sweeney



# General Supervision

Youth who do not meet the criteria for Community Probation and informal supervision cases are assigned to the General Supervision units in Oakland and Hayward. Caseloads in General Supervision are higher than in the grant-funded Community Probation program and focus on the completion of Court conditions including restitution/fine payment and stabilization in school and/or employment. Information supervision cases are also supervised in this unit.



# Community Probation

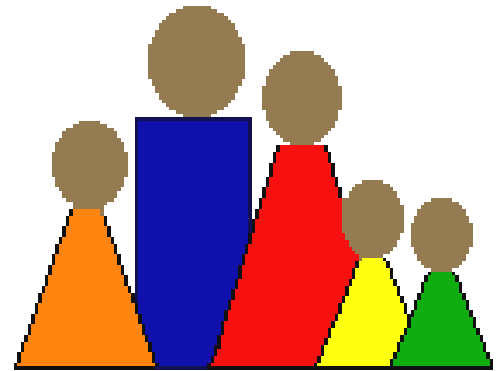
Community Probation is a grant funded program through the Juvenile Justice Crime Prevention Act. Youth that are 17 years 11 months or younger at the time of adjudication and are placed on formal probation in the home of their parents/guardian are referred to Community Probation. The Community Probation program offers enhanced services for boys and girls which integrate the work of Probation Officers, community police officers, and other youth services agencies such as schools, recreation departments, and community-based organizations. Caseload size is approximately 40 – 50 youth. Program goals including the following:

# Family Preservation Unit

## Family Preservation Unit

The Family Preservation Program is a 90-120 day intensive supervision

program that can help families avoid out-of-home placement of their son/daughter or help reunite families of teens who have successfully completed a placement program. These youth tend to have greater family functioning and mental health needs and fewer family coping skills and resources.



# Placement

## Placement

Out-of-home placement has two fundamental goals for minors:

**Rehabilitation:** Provide youth with a safe environment that will allow them to develop socially acceptable behavior patterns, continue their education, and receive appropriate interventions to address medical and psychological needs.

**Reunification/Emancipation:** Probation Officers work with families from the beginning of the placement process through regular contacts and conferences with the youth, providers, and parents aimed at reunification, emancipation, or an alternative long-term living arrangement.

# Camp Wilmont Sweeney

Camp Wilmont Sweeney is a 24-hour residential program for boys ranging in age from 15 through 18. Individualized treatment plans are developed for each resident with goals related to specific behavioral and educational needs.

Special programs and services include:

- Cognitive Behavioral Interventions that promote self-assessment.
- Peer mediation/conflict resolution training, anger management and violence prevention.
- Drug and alcohol education programs.
- Mentoring and tutorial programs.
- Structured in-camp work program.
- Tailored education through an on-site accredited school.



The overall goal is to return each young man to his community as a positive and productive citizen. Camp Wilmont Sweeney probation officers provide supervision services to all Camp residents as well as aftercare services to camp graduates.





# Camp Sweeney



# DJJ

- ∞ The Division of Juvenile Justice provides education and treatment to California's youthful offenders up to the age of 25 who have the most serious criminal backgrounds and most intense treatment needs.
- ∞ DJJ provides academic and vocational education, treatment programs that address violent and criminogenic behavior, sex offender behavior, and substance abuse and mental health problems, and medical care, while maintaining a safe and secure environment conducive to learning.

# Transition Center

The Transition Center is a collaborative project between the Probation Department, Health Care Services and Public Health in conjunction with the Oakland Unite Grant. This center provides services for youth transitioning from detention back into the community. Services include:

- ∞ School placement and enrollment assistance
- ∞ Health education and referrals to health services
- ∞ Probation related referrals i.e counseling, substance abuse treatment, employment referrals and other rehabilitative opportunities

# Juvenile Justice Center Lobby



# Special Populations

- ☞ Gender Specific
- ☞ Crossover Youth
- ☞ DJJ Returnees
- ☞ Youthful Offenders
- ☞ Non Minor Dependents (TAY)
- ☞ Mental Health Populations
- ☞ Commercially Sexually Exploited Children (CSEC)



# CrossOver Youth Profile 2013

## Crossover Youth in Alameda County Fact Sheet

Crossover youth are youth that have had involvement with both Children & Family Services and Probation

**2013 Alameda County Youth Population (ages 10-17) 149,857 youth**

- About half male, half female
- 51% male & 49% female
  - Half ages 10-13, half ages 14-17
- Racially/Ethnically Diverse:
- 32% Latino
  - 26% Asian/Pacific Islander
  - 22% White
  - 13% Black
  - 7% "other"



Nearly 1 in 10 youth ages 10-20 involved with Alameda County Probation in 2013 was a crossover youth.

### Probation

- 1 in 50 youth in Alameda County is involved with Probation
- 1 in 89 White youth in Alameda County is involved with Probation compared to 1 in 13 African-American youth.

### Child Welfare

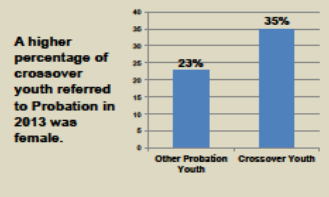
- 1 in 109 youth in Alameda County is involved with Child Welfare.
- 1 in 130 White youth in Alameda County is involved with Child Welfare compared to 1 in 25 African-American youth.

### Probation & Child Welfare Combined

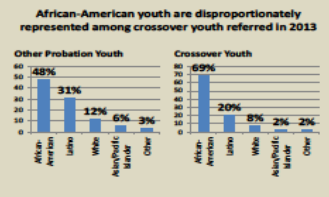
- Combined, nearly 1 in 35 youth in Alameda County is involved with *either* Probation or Children & Family Services.
- 1 in 54 White youth is involved compared to 1 in 9 African-American youth.

Data Source: Positive Youth Justice Initiative (PYJI) Data & Systems Capacity Workgroup (DSC)

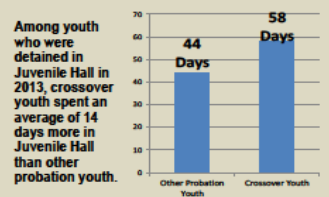
DSC Co-Chair: Jen Ulicko-SSA [judick@acsoy.org](mailto:judick@acsoy.org) and Cerise Peppers-Probation [cpeters@acsoy.org](mailto:cpeters@acsoy.org)



- Crossover youth in 2013 became involved with Probation at younger ages than other Probation youth
- On average, crossover youth had more admissions to Juvenile Hall in 2013 than other Probation youth.



- On average, crossover youth had more admissions to Juvenile Hall in 2013 than other Probation youth.



# Specialty Courts/Calendars

- ☞ Girls Court Dept. 401
- ☞ Collaborative Court Dept. 402
- ☞ Truancy Court Dept. 401
- ☞ 241.1 Calendar Dept. 401
- ☞ AB 12 Calendar Dept. 401



# Administrative Functions

- ☞ Monthly Case Load Stats – Every DPO submits a monthly statistical form to their unit supervisor of the number of cases in each caseload and new cases received. Some forms may be tailored to specific units.
- ☞ Month Referral Stats – Every DPO submits a monthly statistical form to their unit supervisor of the referrals made to CBOs made during the month.
- ☞ Title IV-E Moments- Certain units report on their work activities for Title IV-E funding purposes.



# Administrative Functions Cont'.d

- ∞ Data Collection Activities – Data collection is a form used to track data on outcomes reported to the state.
  - Community Probation Unit
  - Juvenile Intensive Supervision Unit
  
- ∞ CWS/CMS Entry – The state requires that all placement visits and note be placed in a statewide database.
  - Placement Unit, FPU



# Grants and Initiatives

- ☞ JJCPA-Juvenile Justice Crime Prevention Act
- ☞ YOBG-Youth Offender Block Grant
- ☞ Title IV-E- Social Security Act provides funding for administrative activities related to foster care
- ☞ JPAF – Juvenile Probation Activities Fund
  
- ☞ RED – Racial Ethnic Disparities
- ☞ CYPM – Crossover Youth Practice Model



# Current Initiatives and Leadership

Current Presiding Judge,  
Juvenile – Judge Charles  
Smiley.

- ∞ Our youth in out-of-home placement are about 67 - an all time low for the department. With the impending elimination of lower level group homes because of Congregate Care Reform that is effective January 1,2017, this number will drop even more. This reform will eliminate placement facilities levels 1-10 and place youth with foster families called resource families. This will affect Social Services and probation departments in California.
  
- ∞ We are activity working on the following initiatives:
  - Crossover Youth Practice Model – collaboration with SSA to develop protocols to address needs of youth with an active 300 case that is arrested.
  - RED – Racial Ethnic Disparities – formerly known as DMC – Disproportionate Minority Contact – we are currently addressing outstanding warrants and reinstated the warrant control date as a way to eliminate outstanding warrants for youth over 21. We are looking at diversions options for youth of color.
  - PYEP – Probation Youth Employment Program – This is new for us. We are contracting with CBOS to provide our youth with jobs, job training and education.

# Snapshot

- ∞ June 22, 2016 Snapshot of Youth in Juvenile Hall:
  - Camp 20 boys
  - JH 92 83 boys/9 girls
  - GPS 61 54 boys/9 girls
  - Home Supervision 80 59 boys/21 girls
  
- ∞ We have about 1500 youth on probation – a decrease of the last several years.
- ∞ The number of youth on probation are decreasing nationwide.
- ∞ Criminologists do not know precisely why this is happening, but there is a change in philosophy about how we deal with issues like detention, crossover youth, youth and family engagement in decision-making, and there is a move for juvenile justice reform – how departments approach their work with youth.
- ∞ Our average caseload is about 20 case per DPO. Most of our cases come from Oakland about 51%, another 25% come from Hayward, and the remaining referrals to probation are scattered throughout the county.

# Guarding Against Adverse Employment Outcomes based on Juvenile Justice History

## AB 1843 (Stone) “Ban the Box”

- ⌘ AB 1843 clarifies the Labor Code to provide that an employer may not ask a job applicant about juvenile justice history including arrests, diversion, or dispositions.
- ⌘ Limits application inquiries to adult convictions.
- ⌘ Health sector employers are allowed to ask applicants about murder, rape and other violent crimes for which they have been convicted in adult court = thus juvenile offenders do not get a “free pass” on job applications.

## AB 1843

- ⌘ Employment is the most significant factor in reducing recidivism.
- ⌘ The amendment also includes a five year “lookback” period for juvenile sex and drug offenses – the same sex and drug offenses they can ask adults about under the Labor Code.
- ⌘ Creating justice for our impoverished and minority communities by removing unnecessary barriers to creating healthy and vibrant communities.
- ⌘ Juveniles with no adult offense history should not face lifetime barriers to employment.

# Juvenile Justice Crime Prevention Act

## Community Probation

### ∞ Goals

- To marshal the resources of the client's family, school, and neighborhood
- To optimize preventive services
- To eliminate behaviors leading to chronic delinquency.

∞ Board of State and Communication Corrections grant (BSCC) SB: 736  
Juvenile Justice Crime Prevention Act..

# Youth Offender Block Grant

## Juvenile Realignment

- ☞ Welfare and Institutions Code 1951 authorizes allocations from the Youthful Offender Block Grant Fund
  - To be used to enhance the capacity of county probation, mental health, drug and alcohol, and other county departments
  - To provide appropriate rehabilitative and supervision services to youthful offenders.

This allocation support services in our Juvenile Intensive services unit that supervises DDJ returnees, juvenile offender with the highest capacity for recidivism, and aftercare services for youth returning from placement.



# Title IV-E



- Title IV E of the Social Security Act is a federal funding given to states to support children placed in out-of-home care (AFDC-FC)
- To provide services and activities which reduce or eliminate the need to remove a child from his/her home.
- To provide supports services and activities which reunify a child with their family or create a permanent plan for the child.

# New Initiative to Watch:

- ☞ SB 1174 – Medi-Cal: Children: Psychotropic Medications [**seeking to amend** Section 2220.05 B&P, and to add and repeal WIC 14028]
- ☞ SB 1291 – Medi-Cal: Mental health: minor and non-minor dependents.
- ☞ Proposition 57: Public Safety and Rehabilitation – require a judge, rather than a prosecutor to decide whether juveniles should be tried in adult court.
- ☞ Probation supervision and Evidence based rehabilitation for juveniles

# Thank you to the Alameda County Probation Department — Juvenile Division.

Thank you, Stacey Wooten  
Stacey Wooten  
Deputy Chief, Juvenile Services

Alameda County Probation Department  
1111 Jackson St.  
Oakland, CA 94604

- ∞ Manage Compliance, Provide Rehabilitation Services, Develop Knowledgeable Staff, Establish and Maintain Community & Government Partnerships, Implement and Sustain Effective and Efficient Operations
- ∞ Alameda County Probation Strategic Plan
  - Building prosperous communities...one piece at a time!

# Questions

