



Ventura County Probation Agency

Calvin C. Remington
Director/Chief Probation Officer

August 30, 2002

The Honorable Bruce A. Clark
Presiding Judge of the Superior Court
Ventura County Hall of Justice
800 S. Victoria Avenue
Ventura CA 93009

RE: Response to the 2001-2002 Ventura County Grand Jury reports entitled *Truancy Problems and Solutions in Ventura County*, *Lack of Facilities and Programs for Juvenile 601 Offenders*, and *Safety and Security in Ventura County's High Schools*.

Dear Judge Clark,

As required by California Penal Code §933.05, this letter is a response to the findings and recommendations of the 2001-2002 Ventura County Grand Jury. Presented below are the recommendations of the Grand Jury that apply to the Ventura County Probation Agency and our response to the three reports listed above.

The first set of responses is to the Grand Jury report titled *Truancy Problems and Solutions in Ventura County*. This document was completed on May 29, 2002.

Recommendation No. 1

The County must incarcerate § 601 contemptors in our Juvenile Justice Center when it opens in 2003 and there is room to separate the § 601s from the § 602s.

This recommendation relates to the Grand Jury's conclusion that "it is necessary to ensure that students face firm sanctions for truancy. It is imperative that the County incarcerate status § 601 offenders who are in contempt of court when these youth can be separated from § 602s in the new Juvenile Justice Center in 2003."

Response:

I understand the concern of the Grand Jury regarding this important issue. However, both research and experience strongly support methodologies other than incarceration to deal with this problem. Incarceration is very expensive and does not achieve positive outcomes.

In California prior to juvenile law changes in 1977, status offenders were routinely incarcerated for truancy as well as other status offenses. When a minor did not

respond positively to the court's direction, the failure to follow the orders of the court became a §602 offense. On the average, over 50 percent of the population of local detention centers was made up of these offenders and many were eventually committed to the California Youth Authority. As an example, in 1977 the California Youth Authority had two large institutions dedicated to female offenders. Following the change in the law, the female population dropped significantly and, as a result, one of the institutions (Los Guilicos) was closed and the other institution (Ventura School in Camarillo) became a co-ed facility and to this date continues to house both male and female youthful offenders.

The law regarding incarcerating status offenders is much more restrictive today; however, is allowable if the court finds the minor to be in contempt of previous court orders. The legislature purposely made these laws restrictive due to California's previous experience with incarcerating status offenders. Although there is more interest in this subject today, the fact remains—this approach is expensive, it is very difficult to separate the status offenders from §602 offenders while in custody as required by law; and there is no research or evidence to indicate the efficacy of this approach.

It is important to note that the Ventura County Probation Agency believes school attendance is important; and understands that minors who are successful in school generally are less likely to become involved in delinquent behavior. Early failure in the school system increases the minor's risk of becoming involved in delinquent behavior. Efforts should be made, particularly in elementary schools, to deal with problems when they first arise. For those minors who are under our supervision as §602 offenders, school attendance is a term and condition of their probation. For those placed in our juvenile institutions, school is a high priority and a key ingredient to every minor's institutional stay. Having said that, the crucial question remains, and that is whether or not youth should be incarcerated for non-criminal/delinquent behavior. Research, as well as experience, tells us that there are better and more cost effective approaches to this problem for those youth who have not committed delinquent acts.

Recommendation No. 3

Parenting and counseling classes should be provided for parents of truant children and an accessible mental health system should be created to provide services to truant youth.

Response

I agree with the Grand Jury's recommendation and findings on this issue. As stated by the Grand Jury, the Probation Agency requires truants and their parents to attend a class on teen responsibilities regarding status offenders. The program covers the laws and responsibilities and consequences regarding truancy, curfew, and runaway. Minors are also required to perform eight hours of community service or make a contribution to a charity of their choice. I also believe that parenting and

counseling classes should be provided for parents of truant children at a very early age. These problems generally begin in elementary school and worsen as the child ages. Teachers and school counselors have the ability to identify these at-risk youth at a very early age and it is at that point that parenting and counseling classes would be most effective. Research has shown that children who are truant at an early age are generally in need of social services regarding the entire family. When problems are resolved at an early age, adjustment to school becomes much more positive.

Recommendation No. 4

A "boot camp" type program like VIDA needs to be established countywide to reach at risk youth before incarceration becomes necessary.

Response

The VIDA program was started last year by the Los Angeles County Sheriff's Department with funds from the Juvenile Justice Crime Prevention Act (JJCPA). The program is designed to deal with at-risk youth who come in contact with the Sheriff's Department but have not been involved in serious delinquent behavior. The program is voluntary and the primary components include the following:

- Counseling services to participants and family members.
- Community service for each participant is required, and each youth must perform 160 hours of service to the community.
- Physical training. Each participant is required to perform various physical training tasks.
- Behavior modification. According to the program description, this program is designed to "shock" the participant's conscience and awaken them to the realities of prison life. These sessions are conducted by volunteer ex-cons and facilitated by law enforcement personnel.
- Career guidance. The program uses a community-based organization to assist all participants through a self-help concept to learn job skills, job interviews, and job placement.

Ventura County has a Juvenile Justice Coordinating Council that is responsible for making recommendations each year to the Board of Supervisors for the funding of JJCPA programs. The Coordinating Council is aware of the VIDA program and will follow its progress. It is now beginning its second year and by the end of this year will have statistics regarding the effectiveness of the program. It should be noted that there is a lawsuit pending against the program from the parents of a minor who was allegedly physically abused by program staff. The Board of Supervisors have approved Ventura County JJCPA programs for this year; but at the end of this fiscal year will again go through the process of identifying which programs are considered to be most effective. It should also be noted that to create a similar program in Ventura County, the Sheriff's Department would have to take the lead in developing such a proposal. A member of that department sits on the Coordinating Council.

Recommendation No. 5

The STOP Program, TRPP, THRIVE and SARBs should be supported and additional personnel, energy and resources should be devoted to the programs.

Response

This recommendation is also one that will be shared with Ventura County's Juvenile Justice Coordinating Council. That Council recommended to the Board of Supervisors that the THRIVE program be funded. As a part of JJCPA, it is also being evaluated along with all other JJCPA programs. This evaluation will provide additional information regarding the program effectiveness before decisions are made regarding next year's funding. If the results of the program prove to be positive, the Coordinating Council has the ability to increase funds for these or similar type programs.

Next, I will respond to the June 4, 2002, Grand Jury report entitled *Lack of Facilities and Programs for Juvenile 601 Offenders*

Recommendation No. 1

§601 incarceration should be used sparingly and with the utmost sensitivity; however in a worst-case scenario and as a deterrent, the new Juvenile Justice Complex must be available to incarcerate contempt §601 minors as required.

Response

I agree with the Grand Jury that if the court chooses to use incarceration on §601 offenders, it should only be with the "worst-case scenario." Once the Juvenile Justice Complex is open, it will be possible to separate these §601 offenders from §602 offenders as required by law. It would, however, be expensive and, as stated previously by me, research and experience indicate that this is not a cost-effective approach. At the present time, our existing Juvenile Hall does not have the capacity to separate these minors as required.

Recommendation No. 2

The Probation Agency needs to assign more personnel to deal with §601 juveniles.

Response

In the past five years, the Probation Agency has increased its personnel assigned to the "front end" of the Juvenile Justice System. Based on research, our primary efforts are focused on early intervention. The goal of this approach is to identify those youth who are most likely to become serious habitual offenders if they are not provided with intensive intervention. This intervention includes involvement of the

family. This approach has proven to be effective. The Probation Agency receives over 10,000 referrals per year, the majority of which are §602 offenses. We have the ability to divert approximately 79 percent of these cases from the Juvenile Court. A variety of programs exist to deal with these youth with the focus again being on those that have the highest risk factors. Through the County's JJCPA funds, the Juvenile Justice system has also been able to bring more services to all juveniles in our system, including §601 offenders. A large part of this approach has been to involve community-based organizations in assisting Probation to deal with youth who have not yet become seriously entrenched in the system. The Ventura County Probation Agency supports placing additional resources into prevention/early intervention; however it should be noted that we spend more money today on those efforts than ever before. It is also important to note the Probation Agency supervises over 13,000 adult offenders in the community and must always balance its resources to insure that our responsibility to public safety is also on the forefront. In addition to our responsibilities to the Juvenile Justice System, we must also insure that we are providing an adequate level of supervision to serious felons, sex offenders, serious substance abusers, domestic violence perpetrators, and others who pose serious threats to our community.

Recommendation No. 3

The Behavioral Health Department and the Probation Agency must cooperate to solve the mental health aspects for at-risk youth.

Response

I agree completely with this recommendation. For over two years, the relationship between Probation and Behavioral Health was strained and at times quite contentious. These problems have been resolved and since May of this year, the relationship has improved significantly. The two organizations are working collaboratively and have formed a strong partnership. The interim Director of Behavioral Health has made every effort to involve both the Probation Agency and the Juvenile Court in planning for and delivering services. I am also committed to cooperating with that Department at every level. I am convinced that this change will result in not only a better working relationship but much more importantly, improve services to at-risk youth.

Recommendation No. 6

Continue the Teen Court program as an early intervention program.

Response

I support the continuation of the Teen Court program and feel that it is an effective response to low-level delinquency that is school related. Probation has been involved in this program since its inception. Based on the findings of the Grand

Jury, we will evaluate our relationship to Teen Court and determine if it is possible to provide more referrals.

Next, I will respond to the April 18, 2002, Grand Jury report entitled *Safety and Security in Ventura County's High Schools*.

Recommendation No. 8

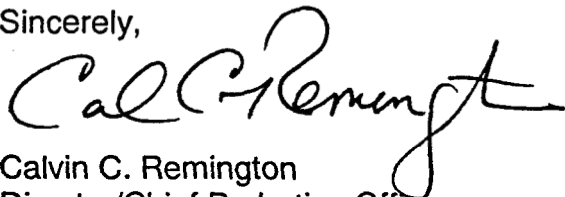
All districts with high schools should implement the "Teen Court or Peer Court" program in at least one of the high schools.

Response

I agree with the Grand Jury that the Teen Court program is an effective way of dealing with low-level offenses or school-related violations. In addition to resolving problems at the lowest level, this approach also provides students with the opportunity to become educated and familiar with the justice system. High schools in the Oxnard, Camarillo and East County areas hold Teen Court. The Probation Youth Services Unit collaborates by making referrals to Teen Court. It is a worthwhile alternative for youth who agree to participate.

If you have any questions regarding the above responses, please feel free to contact me at (805) 654-2100.

Sincerely,



Calvin C. Remington
Director/Chief Probation Officer

CCR:mhv

c: Grand Jury
County Clerk & Recorder (2)
County Executive Office