

A Report of the 2004-05 Civil Grand Jury
For the City and County of San Francisco

**A New Chief of the Juvenile Probation Department:
An Opportunity for Reform**

Released May 10, 2005

Pursuant to State law, reports of the Civil Grand Jury do not identify the names or identifying information about individuals who provided information to the Civil Grand Jury.

Departments and agencies identified in the report must respond to the Presiding Judge of the Superior Court within the number of days specified, with a copy sent to the Board of the Supervisors. As to each finding of the Grand Jury, the response must either (1) agree with the finding, or (2) disagree with it, wholly or partially, and explain why. Further as to each recommendation made by the Grand Jury, the responding party must report either (1) that the recommendation has been implemented, with a summary explanation of how it was; (2) the recommendation has not been implemented, but will be implemented in the future, with a timeframe for implementation; (3) the recommendation requires further analysis, with an explanation of the scope of that analysis and a timeframe for the officer or agency head to be prepared to discuss it (less than six months from the release of this Report); or (4) the recommendation will not be implemented because it is not warranted or reasonable, with an explanation of why that is. (Cal. Penal Code, sec. 933, 933.05)

Summary of Recommendations

The Juvenile Probation Department (JPD) must develop and enforce policies and procedures that support the goal of reducing the population of youth in secure detention that are unnecessarily detained. For example, supervisors of probation officers (POs) must approve all overrides of the Risk Assessment Instrument as required by policy.

The new chief of the JPD should make the supervision and management of JPD staff, particularly the POs, a top priority for his administration. For example, all POs must be evaluated routinely with respect to their adherence to Department policies and procedures.

The new chief of the JPD should engage all stakeholders within the context of the Juvenile Detention Alternative Initiative in a reconsideration of the Risk Assessment Instrument (RAI) with the goal of strict adherence to the use of the RAI by POs.

The Community Assessment Referral Center (CARC) should be open 24 hours per day, 7 days per week and staffed by POs. This will accomplish the original intention for it to be the single screening point of entry into the juvenile justice system.

CARC should be moved closer to the Youth Guidance Center (YGC) to facilitate activities with YGC and to make transportation of arrested youth more convenient for transporting police officers. The School of the Arts directly across the street from YGC should be surveyed as a possible site for CARC.

Procedures requiring arresting officers to make initial contact with CARC rather than YGC should be incorporated into the SFPD's General Orders in order to reinforce compliance with this requirement.

Standards for evaluating the effectiveness of community-based organizations (CBOs) should be improved to provide the necessary balance between competing interests. Management performance audits of CBOs should be periodically conducted by the Controller's Office.

CBOs that are most likely to reduce rates of detention should be given top priority for funding in the future. Towards this end, CBOs serving youth now in the juvenile justice system should have a higher funding priority than those that do not.

Appointees to the Juvenile Probation Commission should be knowledgeable about the issues that confront youth at-risk of detention and the organizations that serve them. They should devote the time and be willing to inform themselves of juvenile justice issues. Commissioners should not have any direct relationship with a CBO that may receive funding from the juvenile justice system. Commissioners should be evaluated according to these criteria and replaced when their terms expire if necessary.

Glossary

CARC – Community Assessment Referral Center: The screening point of entry into the juvenile justice system.

CBO – Community-Based Organization: Private organization providing services to youth, usually through contracts or grants with the City.

Detention – Detention results when arrested youth are held in a secure facility such as YGC. Youth arrested for misdemeanors must be given a hearing by the Court within 24 hours to be detained longer. Youth arrested for felonies must be given a hearing by the Court within 72 hours to be detained longer.¹

JDAI – Juvenile Detention Alternative Initiative: The program that encourages that arrested youth be provided alternatives to secure detention.

JP Commission – Juvenile Probation Commission: The Commission that is responsible for oversight of the Juvenile Probation Department.

JPD – Juvenile Probation Department: The City department that is responsible for supervising youth in the juvenile justice system.

JR – Jefferson Report: “Creating a New Agenda for the Care and Treatment of San Francisco’s Youthful Offenders”, prepared for the San Francisco Juvenile Court by Jefferson Associates and Community Research Associates, April 1987

NCCD – National Council on Crime and Delinquency

PO – Juvenile probation officer in the context of this report.

Referrals – Citation issued to youth to appear before a probation officer or youth taken to Juvenile Hall by arresting police officers for allegedly committing a criminal act. Other law enforcement agencies and the courts also make referrals.²

RAI – Risk Assessment Instrument: A questionnaire used by POs to evaluate whether or not youth are a danger to themselves or to others or are a flight risk and therefore should be detained in a secure facility.

YGC – Youth Guidance Center, commonly known as Juvenile Hall. YGC contains a secure facility for detaining youth.

Introduction

The Civil Grand Jury initiated its investigation of the juvenile justice system in response to press reports suggesting serious issues in the San Francisco Juvenile Probation Department (JPD). Allegations by employees of misconduct led to the resignation of the chief of the JPD in the summer of 2004.³ In the fall of 2004, allegations of dangerous conditions at the Log Cabin Ranch, the JPD’s secure residential facility for boys, led to the appointment of a Blue Ribbon Task Force by the mayor.⁴ Our interest in the welfare of children prompted us to study the underlying issues.

The recent appointment of a new chief of the JPD, William Siffermann,⁵ also represents an opportunity to focus the City’s attention on the problems that confront our juvenile justice

¹ JPD Annual Report, 1999

² Ibid.

³ “Probe of juvenile probation. Shredder seized, official locked out of her SF office,” Ilene Lelchuk, SF Chronicle, August 4, 2004.

⁴ “Outrage at state of boys camp; DA tours center for troubled youth, demands changes,” SF Chronicle, December 14, 2004

⁵ “New chief of juvenile probation from Chicago,” SF Chronicle, February 23, 2005

system. He will need the strong support of the Juvenile Probation (JP) Commission and the mayor, as well as the staff of the JPD, to address these problems. We hope that our report will give the new chief a tool with which to justify the difficult and sometimes unpopular decisions we believe will be necessary to improve conditions at the JPD.

From inception, we were overwhelmed by the complexity of the juvenile justice system. Many City departments as well as community-based organizations (CBOs) are involved in providing services to youth. The police, the court, probation department, mental health, education, child welfare, district attorney, public defender, and social services are all involved in providing service to youth at-risk of detention. They must cooperate with one another to provide the most effective service. Although they all seem to share the same objective of helping youth to escape the confines of the juvenile justice system, they don't always agree about the means of achieving that objective. Furthermore, the large number of participants in the system diffuses authority, making it difficult to determine and enforce accountability.

Given our limited time and resources, we have focused on only a few of the many issues that are presently preventing the juvenile justice system from being as successful as it can be. The focus of our report is on the considerable efforts that the City has made to reduce the rate of detention of youth in secure facilities and the lack of success of these efforts. We acknowledge that our report is not comprehensive.

Background

We begin the troubled history of the Juvenile Probation Department in 1987, with the report of Jefferson Associates and Community Research Associates,⁶ known as the Jefferson report (JR), although evidence of difficulties precedes this comprehensive report by decades. The JR informs us that “twelve different studies that produced limited results”⁷ were published in the preceding decade. The JR was commissioned by the San Francisco Superior Court (which was responsible for the management of the JPD at the time), the JPD, and the mayor to “build a new agenda for the Youth Guidance Center.”⁸ The description of some of the problems, which this study was designed to address, could have been written today:

- “...the deteriorated lines of vertical and horizontal communication which severely cripples the Department”
- “An unnecessary and often counterproductive overreliance on secure confinement exists at the Youth Guidance Center”
- “The staff at the Youth Guidance Center are...frustrated and often demoralized.”
- “The range of [community] services available and the community’s continued willingness to work in partnership with the Department is [sic] critical to the implementation of this plan.”⁹

The JR projected that the population of youth in secure detention could be reduced by as much as 70%, using criteria developed by the American Bar Association and the National Advisory

⁶ “Creating a New Agenda for the Care and Treatment of San Francisco’s Youthful Offenders,” prepared for the San Francisco Juvenile Court by Jefferson Associates and Community Research Associates, April 1987.

⁷ Ibid., page 1.

⁸ Ibid.

⁹ Ibid., page iv-v.

Committee for Juvenile Justice and Delinquency Prevention: “Two hundred and sixty-eight of the original 383 juveniles [detained by the JPD] would not be eligible for secure detention and would instead be candidates for release to parents...or to other community-based secure alternatives.”¹⁰ The JR recommended that objective criteria such as those used by American Bar Association and the National Advisory Committee for Juvenile Justice be developed by the JPD to make the decision to detain youth in a secure facility.

The JR was therefore responsible for the development of the Risk Assessment Instrument (RAI), which established criteria for detaining arrested youth with the intention of reducing the population in secure detention. This goal was—and continues to be—based on a belief that the community, including youth in the juvenile justice system, is best served by providing alternatives to detention.

The JR speculated that the lack of available alternatives to detention was one of the reasons why youth were being unnecessarily detained. Since the number of community-based programs has increased substantially since 1987, one might expect to see some reduction in the rate of detention. Based on the small sample available in the JR, that does not appear to be the case. Of the 1,102 youth referred to YGC during a 45-day period, about 35% were detained in a secure facility at the time of the JR in 1987.¹¹ Detentions have been consistently 62% of referrals to YGC in the past 5 years (see Table 2). In other words, the rate of detention has apparently increased since the JR was written.

San Francisco voters approved Proposition L in 1989, which amended the City Charter to shift the management of the Juvenile Probation Department from the Superior Court to a seven-member Juvenile Probation Commission appointed by the mayor. The mayor as well as the entire Board of Supervisors supported this measure. The passage of Proposition L was a response to the demand for greater community involvement in the juvenile justice system. The Court was not perceived as accessible to the community. San Francisco was the first county in California to engineer such a change and only two other counties have made a similar change since. Issues related to the JP Commission will be discussed later in the report.

The chief probation officer is appointed by the mayor (based on recommendations from the Commission) to lead the Department. There has been extraordinary turnover in the chief probation officer position in the past 11 years. There have been 9 chief probation officers during that period. Such turnover in leadership is rare in other City departments in a comparable time frame and is symptomatic of deep-seated problems within the juvenile justice system.

San Francisco has also seen its fair share of change when it comes to juvenile justice reform. The mayoral administration of Willie Brown made a tremendous investment of resources to reduce the number of youth in detention by creating alternatives for eligible youth. One such program, the Community Assessment and Referral Center (CARC) was created in 1998 under the auspices of the JPD as part of the mayor’s Local Action Plan for Juvenile Justice reform.¹² According to the 2001 National Council on Crime and Delinquency (NCCD) report on CARC,

¹⁰ *Ibid.*, page 78.

¹¹ *Ibid.*, page 42

¹² Community Assessment Referral Center Annual Report, 2002-03

the center sought to provide intensive services to arrested youth to prevent further involvement in the juvenile justice system:

“The purpose of CARC is to provide a single point of entry for assessment, service integration, referral, booking [detention], crisis intervention, and mentoring for youth 12 to 17 taken into custody by police in San Francisco.”¹³

CARC is administrated by Huckleberry Youth Programs, a community organization serving at-risk youth. Under contract¹⁴ to the City, CARC provides services in collaboration with the JPD, the Sheriff’s Department, Special Programs for Youth of the San Francisco Health Department, the Public Defender’s office, the District Attorney’s office, as well as other community-based organizations.¹⁵

The Juvenile Detention Alternatives Initiative (JDAI) was also introduced to San Francisco to support efforts to reduce the detention of youth. In the early 90s, the Annie E. Casey Foundation, which focuses on issues that affect at-risk families and young people, funded JDAI. Several cities in the US were awarded funds, technical support, and expert trainers to improve their juvenile justice systems. JDAI’s goals are to reduce the unnecessary use of secure detention, minimize delinquent behavior, provide alternatives to detention rather than more secure facilities, and improve conditions in secure detention facilities.¹⁶

JDAI came to San Francisco in late 2001, early 2002. In San Francisco, JDAI is not so much a program as a system of reform, which facilitates collaboration of all stakeholders. As a result of JDAI, many workgroups have been established, coordinating the efforts of the various stakeholders of the juvenile justice community. JDAI was instrumental in the comprehensive revision of the RAI that is presently used to determine the eligibility of youth for alternatives to detention.

While external fund sources for the development of alternatives to detention have increased, the funding of the JPD by the City’s general fund has decreased from \$30.6 million in FY 2000-01 to \$26.4 million in FY 2004-05. This loss of funding required a substantial reduction in staff of the JPD paid from general funds from 321.3 FTE’s in FY 2000-01 to 226.64 FTE’s in FY 2003-04.¹⁷ The reduction of financial support of the JPD while funding of community-based programs has increased has contributed to the competitive and confrontational relationship between the JPD and those who advocate for alternatives to detention. Several representatives of the JPD also informed us that the staff reductions have reduced supervisory staff and have contributed to the inadequate leadership of the POs that we will describe in our report.

Evaluating Alternatives to Detention

The Juvenile Probation Commission and the mayor (through the Mayor’s Office of Criminal Justice) are responsible for the management of the JPD through the chief PO. Both the

¹³ “Evaluation of the Community Assessment and Referral Center, San Francisco,” National Council on Crime and Delinquency, 2001, page 1.

¹⁴ A grant mechanism is actually used to purchase these services. The grant functions like a contract.

¹⁵ *Ibid.*, page 21.

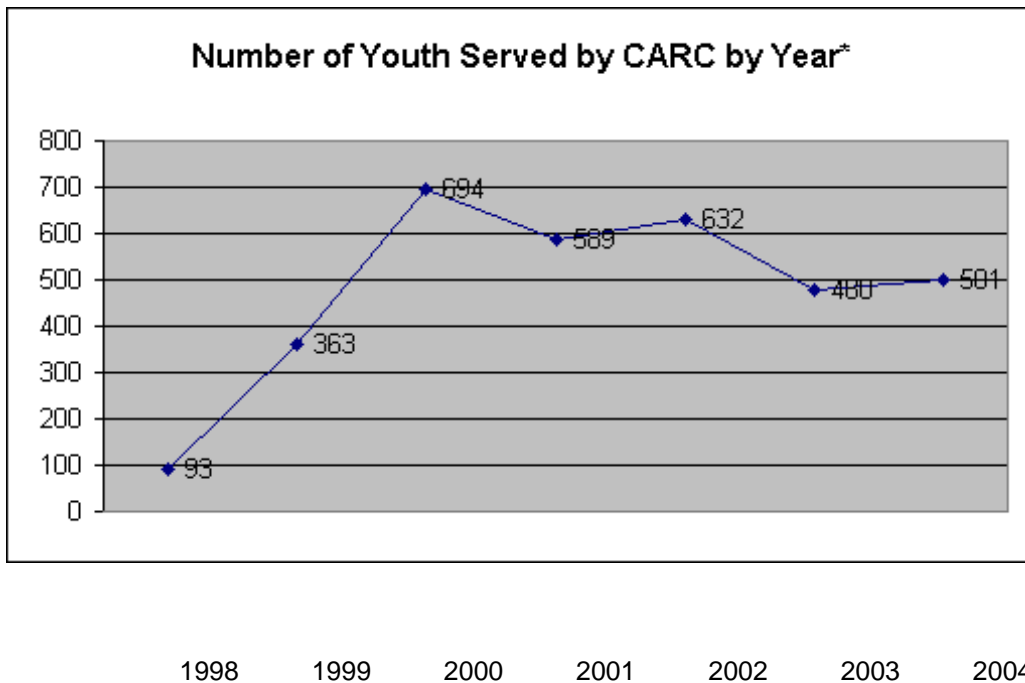
¹⁶ “Consider the Alternatives; Planning and Implementing Detention Alternatives,” Paul DeMuro, *Pathways* 1999:7

¹⁷ Source: Juvenile Probation Department

Commission and the mayor are committed to providing alternatives to detention for as many youth in the juvenile justice system as possible. The primary mechanisms for achieving this goal are the Community Assessment Referral Center (CARC), the Juvenile Detention Alternative Initiative (JDAI), and the many community-based organizations (CBOs) which provide an array of services to youth at-risk of entering the juvenile justice system.

We evaluated the success of these efforts. By definition, youth that are eligible for services provided by CARC staff are not detained in a secure facility. They are released to their parent or guardian and staff provides case management with the objective of keeping them in their own homes and out of the juvenile justice system in the future. The number of youth served by CARC reached a high of 694 in 2000 and declined to 501 in 2004. The hours of operation of CARC were reduced in July 2004 from Monday through Saturday 10 am to 2 am to Monday through Friday 9 am to midnight as a result of budget cuts. This may be one reason why the number of youth served has decreased. Theoretically youth who are eligible for CARC services are referred back to CARC if they are taken to YGC when CARC is closed. In practice, this does not happen uniformly.

Chart 1



*Source NCCD Evaluation, May 1998 – March 2000

CARC, April 2000, November 2004; December 2004 extrapolated from July-June 2003 data

Note: Hours of operation expanded in March 1999 from M-F noon to 9 pm to M-Sat 10 am to 2 am

Hours of operation reduced in July 2004 to M-F 9 am to midnight

However, the percentage of arrested youth who are served by CARC has been stable during the last three fiscal years (See Table 2), indicating that the **declining number of arrests is also reducing the number of youth served by CARC**. We assume that the declining number of arrests is explained by the declining population of children in San Francisco, which is well-

documented. According to arrest data available to CARC¹⁸, it is serving approximately 22% of all arrested youth. (Note that the periods of time in Tables 1 and 2 are different; Table 1 reports fiscal years, from July to June, and Table 2 reports calendar years.)

Table 1
Disposition of Arrested Youth*

	FY 01-02	Percent of Total	FY 02-03	Percent of Total	FY 03-04	Percent of Total
Brought to CARC	566	21.47%	595	22.41%	513	22.64%
Not Brought to CARC						
CARC closed	511	19.39%	481	18.12%	418	18.45%
Out of County	398	15.10%	276	10.30%	196	8.60%
Ineligible charge	589	22.30%	714	26.70%	622	27.40%
CARC denied by PO	177	6.71%	306	11.53%	229	10.11%
Station Release	207	7.85%	70	2.64%	57	2.52%
CARC not contacted	98	3.72%	153	5.76%	180	7.94%
No Guardian Available	52	1.97%	33	1.24%	24	1.06%
Other	38	1.40%	27	1.00%	27	1.20%
Total Arrested	2636	100%	2655	100%	2266	100%

*Source: CARC

The effectiveness of CARC can be measured in many ways, but we first considered the question of whether or not CARC has achieved one of its primary goals, which is to reduce the number of youth who are detained. According to data provided by the JPD, **the percentage of arrested youth who are detained has not changed since CARC was established in May 1998.**

Table 2
Juvenile Probation Department
Summary Statistics*

	1998	2004	Percent Change
Total Referrals	5222	3026	-42.05%
Referrals Detained by YGC	3285	1880	-42.77%
Percent Detained	62.91%	62.13%	-1.24%
Average Length of Stay	13	19.18	47.54%
Average Daily Population	120	94	-21.67%

*Source: JPD annual and monthly reports

These data indicate that:

- Detentions are consistently 62% of all referrals from 1998 to 2004.

¹⁸ The number of arrests reported by CARC are lower than the number of referrals reported by JPD. This is consistent with the broader definition of referrals (see Glossary).

- Both referrals and detentions have decreased by 42% from 1998 to 2004.
- The average length of detention has increased during this period by 48%
- It follows that the average daily population of detained youth has declined by only 22%, about half the decline in the number of arrests.

We conclude that although CARC service remains stable at about 22% of arrested youth, **CARC service to arrested youth has not resulted in a decrease in the rate of detention.**

Since youth who are arrested for serious crimes are not eligible for CARC services, one explanation for increased rates of detention could be that although the number of arrests is declining, the seriousness of the crimes for which youth are arrested is increasing. Therefore, we analyzed the crimes for which youth are arrested to determine if there is any increase in the seriousness of crimes. (see Appendix B) We determined that:

- The percentage of referrals to the JPD for misdemeanors remains stable at roughly 50% of total referrals from 1998 to 2003 (the latest period for which such data are available).
- The percentage of youth referred to the JPD for misdemeanors who are subsequently detained at YGC has increased from 60% to 63%.

Available data indicate that the **crimes for which youth are arrested in San Francisco are not becoming more serious.**

Given that CARC has not been successful in reducing the percentage of arrested youth who are detained by the Youth Guidance Center (YGC), we must consider if the existence of CARC has “widened the net”. This phrase is commonly used to describe one of the dangers of establishing a referral center such as CARC. “Net widening” occurs when youths are brought into the juvenile justice system that would not otherwise be brought into the system. Rather than reducing the population of youth in the juvenile justice system, the population is increased by “net widening”.¹⁹

The Center on Juvenile and Criminal Justice in San Francisco reported such a result to the Board of Supervisors:

“The Brown administration’s juvenile justice initiatives have not resulted in system reforms. Instead, to maintain a stable number of youth, it appears a wider pool of lower-risk youth were simply absorbed into the system in order to keep the juvenile hall and the rolls of the new programs filled. Such a process is known in corrections, as net widening. Net widening is the process in which lower-risk youths are processed into the juvenile justice system who would not have been processed previously.”²⁰

This is not to say that youth served by CARC do not benefit from those services. Youth who have been arrested, but would not have been detained in the past may be prevented from further

¹⁹ “Evaluation of the Community Assessment and Referral Center, San Francisco,” National Council on Crime and Delinquency, 2001, page 10

²⁰ “An Analysis of San Francisco Juvenile Justice Reforms During the Brown Administration. A Report to the San Francisco Board of Supervisors,” Center on Juvenile & Criminal Justice.

involvement in the juvenile justice system as a result of their experiences with CARC, thereby ultimately narrowing the net. The National Council on Crime and Delinquency (NCCD) performed a comprehensive evaluation of CARC in 2001, to determine its benefits. It concluded that,

“...there are some helpful indicators that CARC is helping youths in San Francisco access services and alleviate some risk factors. Those who participated in the CARC program had fewer out of home placements, completed probation at a higher rate, and decreased their percentage of suspensions and expulsions [from school] from prior to program entry to the follow-up periods. In addition those who successfully completed the intervention had significantly fewer arrests during the intervention and in the follow-up periods.”²¹

Case management by CARC staff account for some of these accomplishments. In addition, CARC staff refers the youth they serve to a wide array of community-based organizations (CBOs). The NCCD evaluation found that youth served (a random sample of 199 cases) by CARC were referred to 113 such organizations.²² To the extent that these services reduce the risk factors for subsequent arrest and detention, they are successful preventive measures. We will discuss the effectiveness of CBOs later in this report.

However, the NCCD evaluation also found no significant differences between the youth served by CARC and the control group used for comparison by the study in recidivism, restitution and community service requirements that were hypothesized by the study.²³ NCCD concluded that the NCCD “experimental design was flawed.” In particular, they believed that the non-random and historical sample used for the comparison group was not comparable to the group treated by CARC.²⁴

The cost of CARC must be taken into consideration. The budget for CARC in the current fiscal year is about \$750,000.²⁵ This excludes the cost of the probation officer, the deputy sheriff, and the public health employee, as well as the cost of the CBOs to which youth are referred by CARC. Recall that CARC’s hours of operation were reduced in July 2004. If the number of youth served per month during the first half of this fiscal year FY 04-05 is approximately the same in the second half of this fiscal year, about 400 youth will be served. In that case, the cost of CARC per youth served will be approximately \$1,875 in the current fiscal year, FY 04-05.

The cost of CARC compares favorably to the cost of detention at YGC. The JPD estimates that the direct cost of detention at YGC was \$257.94 per day in FY 03-04. The average length of stay for a youth in detention at YGC was 19.18 days in 2004 (Table 2). Therefore, the average cost of a typical detention at YGC is approximately \$4,947 or 2.6 times the cost of youth served by CARC.

²¹ “Evaluation of the Community Assessment and Referral Center, San Francisco,” National Council on Crime and Delinquency, 2001, page 79.

²² *Ibid.*, page 51. We were unable to confirm if NCCD meant to say “113 referrals to such organizations” as opposed to 113 organizations. We have therefore quoted the report, although we question its accuracy.

²³ *Ibid.*, page 79.

²⁴ *Ibid.*, Chapter 6, page 2

²⁵ Source: CARC

Absent clear evidence that CARC has provided a rehabilitative alternative to youth who would otherwise have been detained or that those served by CARC are less likely to be arrested in the future, one might conclude that CARC has not been successful. We have, however, not reached this conclusion because we believe there are many factors outside CARC's control that have prevented it from achieving these objectives. We will now attempt to identify some of those barriers and suggest means of overcoming them.

Barriers to Success of Alternatives to Detention – Risk Assessment Instrument

One of the chief barriers to CARC's success is the PO's misuse or the lack of use of the instrument used to decide when youth should be detained at Juvenile Hall or referred to CARC for case management. This instrument is called the Risk Assessment Instrument (RAI). (See Appendix C) It was created after the Jefferson report was issued in 1987 as a means of establishing policies (and monitoring adherence to those policies) regarding the decision to detain or release arrested youth. JPD policies require that youth be detained if they are considered a danger to themselves or to others or if they are considered a flight risk. The RAI was designed to predict these risk factors. To the extent that the RAI is employed, it ensures that detention decisions are made equitably and it documents that important decision.

When the Juvenile Detention Alternatives Initiative (JDAI) came to the JPD, they discovered that although the JPD was using the RAI, POs were overriding it more often than they were following it. JDAI therefore initiated a comprehensive evaluation of the RAI with the objective of increasing its acceptance by the POs who are responsible for using it. JDAI philosophy requires the collaboration of all participants in the juvenile justice system in the development of such policies. Collaboration theoretically facilitates consensus and ultimately cooperation of participants in the process. Therefore, the working group that revised the RAI was composed of representatives of several organizations, including probation officers, CARC staff, public defenders, and deputy district attorneys.

Despite the fact that POs were involved in the revision of the RAI, their adherence to it remains inadequate to meet the objective of reducing the population of youth detained at YGC. The following table is based on data collected by JDAI for a year starting just a few months after all stakeholders agreed to a revision of the RAI. There were 602 overrides of the RAI during this one-year period. There were 480 youth served by CARC in lieu of detention in 2003 (a period of time closely corresponding to the time period of the reported data regarding overrides). Therefore, of the total number of youth eligible for services of CARC (according to the RAI) in lieu of detention, more were detained (602) than were served by CARC (480). In other words, the number of youth who are detained even though the RAI indicates that they are eligible for release is greater than the number of youth who are released to CARC for case management.

POs continue to override the RAI more often they observe it.

The following table reports the types of arrests that are theoretically eligible for CARC services that are being detained by POs as a result of overrides of the RAI.

Table 3
Detained Youth - Overrides of Risk Assessment Instrument*
2/15/03 - 2/15/04

Charge	Penal Code Section	Percent Arrests	Percent RAI overrides
Violation of home detention	628.1	5.0%	16.3%
Violation of probation	777A2	5.0%	14.3%
Drug related	11350	9.0%	13.8%
Battery	242	4.0%	6.1%
Prostitution	647, 653.22	3.0%	6.0%
Shoplifting	484	3.0%	5.8%
Burglary	459	5.0%	5.3%
707 ²⁶ arrests under 14 are considered eligible for CARC as an exception	707 (under 14)	1.4%	5.0%
Car theft	10851	4.0%	4.8%
PO wants a youth in his/her caseload to be detained	PO602	2.0%	4.8%
Threats, e.g., terrorist	422	2.0%	3.5%
False information to arresting officers	148	2.0%	1.8%
Other	RAI score less than 10	13.0%	12.5%
Total		58.4%	100.0%

*Source: JDAI

The RAIs most likely to be overridden by POs were for violation of home detention and violation of probation. These violations of court orders account for over 30% of all overrides of the RAI. These non-violent charges are one of the chief targets of the JDAI. If these youth are not considered a danger to themselves or others, advocates for alternatives to detention maintain that they should not be detained just because they violated the terms of their probation. Advocates for alternatives to detention consider the detention for such non-violent violations unnecessarily punitive. One high-level court official that orders the terms of probation expressed the opinion during an interview that assignments to evening reporting centers may be more appropriate than detention for such violations.

There are other Departmental obstacles to the optimal use of the RAI to provide alternatives to detention. JPD policy²⁷ requires the signature of a supervisor for all overrides of the RAI by a PO. Every PO with whom we spoke, agreed that supervisors rarely approve overrides, in violation of that policy. In contrast, we understand that the chief probation officer in Santa Cruz County reviews all overrides of their risk assessment instrument within 24 hours. Alternatives to

²⁶ 707 is a penal code for a type of serious crime considered violent and therefore usually requiring secure detention.

²⁷ Section IV, Intake Services, Policy 8.01, Probation Services Division Policy and Procedures, January 5, 2004.

detention are aggressively pursued in Santa Cruz County. This is one of many symptoms of the lack of management control at the JPD in San Francisco.

The PO at CARC makes the detention decisions for youth brought to CARC. We were informed that the RAI is not completed at CARC. The CARC PO decides whether or not to detain youth without such documentation of the basis for his decision, in violation of JPD policy that requires the completion of the RAI. This is another indicator of the lack of management control at the JPD.

The fact that some POs are not completing the RAI and that most overrides are not being approved by supervisors, as theoretically required by JPD policies,²⁸ should be a matter of some concern to the JPD and to the Courts. How can the public be assured that all arrested youth are being treated equitably? How can the JPD document equitable treatment of arrested youth? How can the JPD respond to accusations—which abound—that decisions made by JPD POs are arbitrary, subjective and violate the spirit and intent of the RAI policy?

The POs with whom we spoke were uniformly committed to their right and obligation to override the RAI without supervisory approval in order to detain arrested youth when they believe that their judgment is superior to the results of the RAI. The NCCD evaluation of 2001, also observed this attitude:

“Even in the second year of the CARC implementation, probation officers were skeptical of CARC’s services, effectiveness and its role in the juvenile justice system. Much of the complaints arose from concerns that CARC was not holding youth accountable for their offenses, that CARC staff were not trained to evaluate the circumstances surrounding the offense or determine the appropriate course of action for the youths... Probation officers at YGC did not seem to recognize that the probation officer at CARC had sole authority for accepting or rejecting referrals to CARC, within the eligibility guidelines... The CARC probation officers had access to the same database as the probation officers stationed at YGC via a networked computer terminal in their offices at the CARC offices.”²⁹

We have more recent evidence that the skeptical attitude of POs toward detention alternatives persists. Minutes of the JP Commission meeting of November 5, 2004, quote the President of the Probation Officer’s Association (POA):

“Rich Perino expressed the concerns of the POA for some of the principles and/or processes of the JDAI, saying it was taking up precious scarce resources in the Dept and asked for the opportunity to present their case to the Commission.”

Mr. Perino was the founder of the POA and has been re-elected the president several times. We therefore assume that his opinion of JDAI is typical of POs. In our interviews, we found that many POs felt invulnerable. One said, “I’m a Civil Service Employee. I’d have to rob a bank to

²⁸ Section IV, Intake Services, Policy 8.01, Probation Services Division Policy and Procedures, January 5, 2004.

²⁹ “Evaluation of the Community Assessment and Referral Center, San Francisco,” National Council on Crime and Delinquency, 2001, page 55-56.

be fired.” This display of bravado, however, belies the unspoken fear of potential layoffs if the City were successful in reducing the population of youth in secure detention.

We hope the new chief will provide the strong leadership needed to move the JPD forward in the same direction and that he will have the support of the mayor and the Commission to do so. Even those POs who freely admit that they aren’t following JPD policies, expressed a desire for the new chief to bring order to what many describe as chaos. One PO spoke of a need for the new chief to institute a “military model” of discipline. Several POs expressed a desire for the new chief to reinstate the “chain of command.” As do the youth they serve, the POs feel the need for order.

POs are presently lobbying to revise the RAI to lower the score required to detain youth who would otherwise be eligible for the alternatives provided by CARC. Their objective is to reduce the number of overrides without reducing the number of youth in detention. **The arrival of a new chief probation officer provides a timely opportunity to reconsider the RAI for possible revision.**

There are probably several reasons why many POs are not committed to reducing the population of detained youth. A sincere desire to serve at-risk youth as well as to protect the public is undoubtedly one of the reasons. However, the dwindling number of arrested youth with the potential for a resulting reduction in the caseloads of the POs is surely another likely explanation. The JPD reported that the average caseload of POs in December 2004 was 25.³⁰ Several people we interviewed told us that the typical caseload of POs in other local jurisdictions is considerably larger. If caseloads of POs continue to decrease and current external sources of support of PO’s salaries expire and are not replaced, POs will be vulnerable to layoff.

POs believe that their positions are secure because their salaries are heavily subsidized by a federal fund source (Title IVE). Approximately two-thirds of the salaries and benefits of the POs are paid by this fund source. We were informed that the purpose of this funding is to support children in foster care. Reports of the time POs devote to this specific population of children in foster care (or potentially in foster care) are used to determine the amount of the subsidy. If the population of foster children is stable, the amount of time spent serving that population should not necessarily decrease as the number of POs decreases. This implies that the number of POs could decrease without decreasing the amount of funding available from this source. Conversely, hiring more POs will not necessarily increase the amount of the salary subsidy, contrary to the stated beliefs of some of the POs we interviewed. If the caseload of the POs dwindles, POs would be wise to understand that their positions are not invulnerable because of the subsidy of their salaries.

POs could ensure their employment by actively engaging in the rehabilitative future of the juvenile justice system. There are opportunities for POs to participate in CARC, but so far they have been unwilling to do so. There is presently only one PO who is willing to serve at CARC full time. Coverage by a PO at CARC is therefore inadequate to cover all hours of operation.³¹ CARC staff must call the on-duty PO at YGC to make the detention decision for arrested youth

³⁰ JPD, Monthly Report, December 2004, page 5

³¹ The CARC PO is available only 40 hours per week of the 75 hours per week of operation of CARC.

when there is not a PO on duty at CARC. When the PO at CARC is on leave, a substitute is assigned by YGC. However, the substitutes often take a few hours to arrive and they are not always familiar with CARC's procedures. We hope that the new chief of the JPD will address these management issues.

Other Barriers to Success

Police officers are the initial contact for all arrested youth. They are required by SFPD policy to contact CARC first when CARC is open. (see Appendix D) This policy was issued to police officers in the form of a "Department Bulletin" rather than being incorporated into the more official "General Orders". Although considerable progress has been made in implementing this policy, in practice police are still bringing youth to YGC when CARC is open. As reported in Table 1, **approximately 8% of arrested youth were transported directly to YGC without contacting CARC (while CARC was open) in FY 03-04, an increase from previous fiscal years.**

There are probably many factors in the reluctance of police to contact CARC before taking youth to YGC. We have identified a few of those factors. The fact that CARC is not open 24 hours per day, 7 days per week is probably the chief obstacle to uniform compliance. If CARC is always open, exceptions to its use are more difficult to justify. To illustrate this principle, we offer this example of a legitimate exception that exists presently. Although CARC is theoretically open until midnight on weekdays, the CARC staff is apparently unwilling to accept youth toward the end of their shift because it takes approximately 2 hours to complete the intake process. Youth cannot be kept overnight at CARC because there are no secure facilities.

The Tenderloin location of CARC is probably another factor in reducing compliance of police officers because it is near the north end of the City, far from YGC at the south end. A more centralized location might increase the willingness of police to contact CARC. If CARC were more centrally located, police officers would be able to spend time on the streets that they now spend transporting a juvenile to CARC. There are other potential benefits to relocating CARC. If it were closer to YGC, communication and therefore collaboration with POs might also improve.

The JP Commission is very supportive of CARC and other means of providing alternatives to detention. They recently asked CARC staff to explain why they were not able to provide services to more youth. We draw upon CARC's response³² to this question to identify other barriers to achieving its goals:

- Virtually all youth on probation are detained at YGC at the discretion of the supervising PO, regardless of the RAI score.
- CARC will not release arrested youth unless a parent or guardian will accept custody.
- Arrested youth are automatically detained if there is an outstanding warrant for their arrest.
- RAI scores are overridden by POs out of expressed concern for potential victims.
- Police officers consider arrested youth "out of control" which is a prerequisite to detention regardless of the reason for arrest.

³² Letter from Denise Coleman, CARC Program Director, to JP Commission, September 2, 2004

- POs are under the mistaken impression that they have some liability if they release youth who are a danger to themselves or others.³³
- Youth who are wards of the court are sometimes detained because the group home or foster parent refuses custody. Because there is an insufficient number of alternative placements, these youth are sometimes “housed” at YGC even though they may not be considered dangerous. Shelter provided by the Department of Human Services may be a more appropriate placement than YGC in these cases.

Most of these practices and concerns could and should be addressed by JPD policies and procedures, in collaboration with other City departments as needed. Once clear-cut policies are in place, JPD management must monitor adherence to those policies. For example, **a supervisor who has made a commitment to the objective of reducing the population of youth in secure detention must approve all overrides of the RAI recommended by POs. Annual performance reviews of POs should be conducted, which include reports on adherence to all policies such as this.** We understand that such reviews are not presently being conducted. They should be a top priority for the new chief of the JPD.

Community-Based Organizations

The number of CBOs that are funded by grants³⁴ administered by the JPD has proliferated since 1996:

- FY 95-96: The JPD estimates that approximately 10 CBOs received about \$1.3 million.
- FY 04-05: The JPD is presently awarding grants to approximately 41 CBOs costing about \$3.7 million.³⁵

POs, in all likelihood aware of the flow of substantial amounts of money to CBOs, are predictably critical of the value of the services provided by the CBOs. We assume that perceived competition for scarce resources is the primary basis of their criticism. Given the substantial reductions in the budget of the JPD reported earlier, one should expect such a reaction.

However, we were less prepared for the criticism of CBOs from high-level Court officials. These officials expressed their opinion that the CBOs are serving primarily low-risk youth at the expense of high-risk youth. While funding of CBOs has increased, funding of the JPD has decreased, contributing to management problems at the JPD. The Chronicle corroborated this view in reporting the testimony of Judge Patrick Mahoney, one of the judges assigned to the Juvenile Delinquency Court at YGC, at a public hearing of the Board of Supervisors on March 2, 2005:

“Superior Court Judge Patrick Mahoney sent a statement that he, as a principal decision maker, has been keeping more juveniles locked up before their court appearances. He

³³ The City Attorney has assured JPD POs that they have no personal liability for following JPD policies and procedures. This assurance is attached to the last page of the RAI (see Appendix C).

³⁴ We are reporting only those grants that are administered by the JPD. There are many grants, as well as contracts, that provide services to youth in San Francisco through other City departments, such as Children, Youth, and Families, Human Services, etc. We have not included these sources of funding of services to children in our report because they serve many youth outside the juvenile justice system.

³⁵ Source: JPD

said he and other judges “lack sufficient confidence” about the quality of supervision in many community-based programs to release high-risk youth to them.”³⁶

All critics of CBOs were uniform in their perception that support for CBOs has a strong political component. That is, CBOs are perceived to have been the political base of the former mayor, Willie Brown. Providing funding to CBOs was apparently considered a means of serving the former mayor’s community of interests.

However, we believe that it is the external fund sources used to purchase the services of the CBOs that are primarily responsible for the growth of the number of CBOs and the types of services that they provide. Federal and state grants have funded most of the grants awarded to CBOs. According to the Juvenile Justice Local Action Plan, “2005 Update”, most of these fund sources were intended to be used to prevent youth from entering the juvenile justice system as well as to serve those that are already in it.³⁷ (see Appendix E) While the operations of the JPD are funded primarily from the City’s General Fund, the CBOs are funded primarily by outside sources, which dictate how the funds must be spent.

The fund sources that support the CBOs require that the funding decisions be made by the Juvenile Justice Coordinating Council (JJCC).³⁸ This Council includes representatives from every City department that provides services to youth in San Francisco, as well as representatives from CBOs. The Council recently made its recommendations for the forthcoming fiscal year in its “2005 Update”. The six meetings of the Council that resulted in this report were open to all stakeholders. The report lists the participation of over 120 stakeholders (including Council members) representing many different organizations, including the JPD. This document suggests that the CBOs were evaluated in a public forum in which all stakeholders had an opportunity to participate.

The Council reported in its “Update” that substantial reductions in available funding are anticipated next fiscal year and future fiscal years. (see Appendix E)

- Funding from the State Juvenile Justice Crime Prevention Act (JJCPA) is anticipated to be \$2,187,092 in FY 05-06. In the following fiscal year, FY 06-07, the Governor has proposed a 75% reduction.
- Funding from the Federal Juvenile Accountability Block Grant (JABG) is \$386,423 in the current fiscal year and is expected to be reduced by 70% to \$116,941 in the following fiscal year, 05-06. The president has proposed that this program be eliminated completely in the following fiscal year, 06-07.

The Council responded to these anticipated budget reductions by recommending a 12% decrease in the funding of all current CBOs:

“Based on the JJCC Work Group review of juvenile justice system priorities, funding streams, and currently funded programs, it was recommended that the current JJCPA

³⁶ “Supes eye overcrowding,” SF Examiner, March 7, 2005.

³⁷ “Juvenile Justice Action Plan, 2005 Update,” San Francisco Juvenile Justice Coordinating Council, March 2005, page 5.

³⁸ Ibid., page 3

and JABG programs continue to receive funding for FY 05-06, and that the funding level for all programs be cut by approximately 12%. This recommendation were [sic] approved by the full JJCC.”³⁹

This is an apparent contradiction to observations made earlier in the same report that some CBOs are not providing service to youth now in the juvenile justice system. The report concludes that services to youth in the juvenile justice system should be the highest priority for available funding.

- “However, only 11% of Beacon clients [one of the CBOs] were currently on probation and only 48% had...past contact with the juvenile justice system...as the JJCPA and JABG juvenile justice funding streams are diminishing and will be more focused in coming years on programs that work exclusively with juvenile justice youth.”⁴⁰
- “In allocating juvenile justice funding streams in funding years, strong priority will be given to programs that exclusively or primarily service youth in the juvenile justice system.”⁴¹

It seems that the Council has identified the problem of funding prevention at the expense of youth already in the juvenile justice system. Hence the observations of court officials that CBOs are serving low-risk youth at the expense of higher-risk youth. Although it set priorities for the future, it did not face this issue in its “2005 Update”.

In addition to the public evaluation of CBOs by the Juvenile Justice Coordinating Council, a comprehensive analysis of CBOs is posted to the JPD’s website. An outside consulting firm was employed by the City to evaluate CBOs. “Fresh Directions” is the result of their evaluation. The significance of this document is difficult to assess because many of the CBOs did not complete the evaluation tool.⁴²

However, the participation of POs in this evaluation of the CBOs is revealing. After persistent efforts to obtain feedback from POs, the authors of “Fresh Directions” were successful in obtaining evaluations of CBOs from 45% of POs. POs evaluated 38 CBOs to which they had referred youth. Their satisfaction with the services provided by the CBOs ranged from a low of 60% to a high of 100%. The percentage of POs reporting that they would refer youth to these CBOs in the future ranged from a low of 0% to a high of 100%.⁴³ (See Appendix F) The “Fresh Directions” evaluation identifies another indication of the independence and lack of supervision of POs:

“On average, Probation Officers made referrals to 13 of the 40 community-based programs that are funded by the SFJPD/CPD⁴⁴. Some Probation Officers referred youth to nearly all of the funded programs and others had referred youth to only one (range 1

³⁹ *Ibid.*, page 20

⁴⁰ “Juvenile Justice Action Plan, 2005 Update,” San Francisco Juvenile Justice Coordinating Council, March 2005, page 17.

⁴¹ *Ibid.*, page 21

⁴² The document explains that threats of budget cuts reduced participation of CBOs in the study.

⁴³ The numbers of POs evaluating the effectiveness of individual CBOs is low and may not be predictive.

⁴⁴ SFJPD/CPD = San Francisco Juvenile Probation Department/Community Programs Division.

to 38 programs). Similarly, some probation officers had referred a lot of youth to these programs and others had not referred any (range: zero to 111 individuals). On average, since July 2003, Probation Officers referred a total of 23 individuals to programs that are funded by SFJPD/CPD.”⁴⁵

Apparently, POs were free to refer youth under their supervision to CBOs as they wished during the period being surveyed. Some chose not to use these services at all. This seems to be another indication of inadequate management of POs. However, in March 2004, the JPD formulated a policy that requires POs to “...work in collaboration with public, private and community based organization youth service agencies” and to “...refer male and female youth to appropriate departmental programs and activities...”⁴⁶ **The JPD should hold POs accountable for following this policy and adherence to the policy should be monitored and evaluated in annual performance reviews.** We hope that the new chief of the JPD will address this important issue.

This is another example of how POs could ensure their employment future as the juvenile justice system evolves to a rehabilitative, from a punitive approach. There are many opportunities for POs to actively collaborate with the CBOs that provide services to youth on probation. Clearly, POs are not currently making optimal use of the resources that are available to them and their clients.

It is some consolation to know that this dilemma is not unique to San Francisco. The Annie E. Casey Foundation, the creators of JDAI, makes the following observation in its comprehensive report on alternatives to detention:⁴⁷

“Perhaps the most important management issue is whether a specific detention alternative should be run directly by the public sector or be contracted to a community-based agency. As with other areas of governmental services, the decision is complicated and sometimes controversial. Each method has advantages.”⁴⁸

This report goes on to describe the trade-offs. The advantage of using community-based organizations to provide alternatives to detention is that they are often rooted in the neighborhood of the youth that they serve which puts them in a better position to empathize and supervise. Furthermore, they are usually cheaper and more flexible than government alternatives.

On the other hand, comparable services provided by governmental agencies are perceived to provide more immediate control over their operations. More importantly, the reaction of San Francisco’s POs to the proliferation of CBOs is predicted by the JDAI report:

⁴⁵ “Fresh Directions: Community Programs Supported by the San Francisco Juvenile Probation Department,” La France Associates, 2004, page 12.

⁴⁶ “Collaboration with Service Providers,” Policy 10.11, Probation Services Division Policies and Procedures, March 1, 2004.

⁴⁷ “Pathways to Juvenile Detention Reform: Consider the Alternatives,” Paul De Mura, A Project of the Annie E. Casey Foundation, 1999

⁴⁸ *Ibid.*, page 38.

“...probation officers and other law enforcement staff, to say nothing of unions, may more readily accept an alternative that is run directly by a public bureaucracy. Cook County’s home confinement program, for example, was more readily accepted by the court and the state’s attorney because it was staffed by a special probation unit. In contrast, when Multnomah [Portland, Oregon] contracted with a non-profit provider for its community detention program, probation staff were suspicious and distrusting. It took almost two years for these concerns to be alleviated, and **more probation staff still see the contract agency as a threat to their jobs.**”⁴⁹ (emphasis added)

This prophecy has been fulfilled in San Francisco.

The Center on Juvenile and Criminal Justice has expressed its opinion to the Board of Supervisors⁵⁰ that the CBOs presently used by the JPD are not serving the youth most at-risk of detention. It advocates for an alternate program called Detention Diversion Advocacy Project (DDAP) that draws youth into a community-based program directly from detention facilities.⁵¹ This program removes youth from detention facilities and returns them to their homes, where DDAP provides intensive case management. The goal of DDAP is to keep youth in their homes and out of detention facilities and foster care. DDAP reports high rates of success with their pilot projects.

“...DDAP accepted youth, who conventional wisdom might dictate were a threat to public safety and who would have sat in detention for days or even weeks, had recidivism rates that were nearly 50 percent less than the comparison group. This supports the proposition that intensive supervision over an extended period of time, coupled with placement in community-based programs, enabled DDAP youth to lead relatively normal lives, while reducing the likelihood of further contact with the juvenile justice system.”⁵²

We use the DDAP project only as an example of a CBO that is most likely to reduce rates of detention. Several of the presently funded CBOs also address this need directly, such as the intensive home-based supervision programs and the evening reporting centers. We recommend that the JPD evaluate the relative effectiveness of the CBOs, which it is presently funding. Taxpayers are spending a great deal of money on CBOs. Stakeholders, including the community, do not universally consider the CBOs effective. **Therefore, we recommend that greater efforts be made to evaluate the services provided by CBOs. This evaluation would be best conducted by a disinterested entity, such as the management performance auditors employed by the Controller’s Office.**

The Juvenile Probation Commission

As reported earlier, the voters changed the responsibility for management of the JPD in 1989 from the Courts to the JP Commission, appointed by the mayor. We understand that the community believed that it would have greater access to and influence upon a Commission than

⁴⁹ *Ibid.*, page 39.

⁵⁰ “An Analysis of San Francisco Juvenile Justice Reforms During the Brown Administration. A Report to the San Francisco Board of Supervisors,” Center on Juvenile & Criminal Justice.

⁵¹ “Detention Diversion Advocacy: An Evaluation,” *Juvenile Justice Bulletin*, Randall G. Shelden, September 1999.

⁵² *Ibid.*, page 11.

it had upon the Courts. We understand that only two other counties in California have made a transition to a form of governance other than the courts. In both cases these counties elected to have their probation departments report to their board of supervisors.

We attempted to evaluate the effectiveness of management of the JPD by the JP Commission. We attended a Commission meeting, read the minutes of meetings of the Commission, interviewed representatives of the Commission, reviewed the resumes of commissioners, and asked all other stakeholders we interviewed to evaluate the performance of the Commission.

All information available to us indicates that the JP Commission is not presently in the best position to provide the necessary leadership to the JPD. Some commissioners appear to have vested interests in particular CBOs. Although the City's conflict of interest laws do not specifically identify these relationships as being illegal, stakeholders that we interviewed as well as the local press consider them inappropriate.⁵³ This contributes to the atmosphere of distrust and competition for resources.

Many stakeholders in the juvenile justice system do not consider commissioners sufficiently knowledgeable or engaged to provide effective leadership. Four of the seven commissioners have been appointed since March 2004. High-level observers report that they have never seen any commissioners at YGC during a business day. The "2005 Update" of the Juvenile Justice Local Action Plan reports the participation of only one commissioner amongst over 120 stakeholders. In contrast, the Court is actively engaged and physically present at YGC. Judges see the results of JPD policies and practices on a daily basis.

Unfortunately, these disadvantages of commission leadership of City departments are not considered unique. Commissioners in San Francisco are political appointees with all the potential advantages and disadvantages inherent in such appointments.

Although it is probably not politically feasible to recommend a return of the management function to the Courts, we make these observations. We hope this observation increases the awareness of the public in the issues. We also hope that it increases the motivation of appointing officials to **make appointments that are most likely to serve the interests of the youth of San Francisco.**

Findings and Recommendations

Findings

1. San Francisco has made large investments of resources in providing alternatives to detaining youth in secure facilities, such as the creation of CARC and the funding of CBOs.
2. These investments have not resulted in a decrease in the rate of detention of arrested youth.

⁵³ "Selling out kids. As Juvenile Probation Department melts down, ethical questions swirl," Bay Guardian, August 25, 2004.

3. Although, the Risk Assessment Instrument (RAI) indicates many times that youth need not be detained, probation officers (POs) often override the RAI in order to detain anyway. This is one of many indicators that the resistance of POs appears to be the chief obstacle to reducing the population of non-violent youth in secure detention, such as youth arrested for violating the terms of their probation.
4. Lack of management controls at the JPD appears to be a leading factor in persistent resistance of POs to alternatives to detention. For example, supervisors are not reviewing the PO's overrides of the RAI as required by JPD policy.
5. Reduced hours and inconvenient location of the Community Assessment Referral Center (CARC) is apparently a factor in preventing police from referring all arrested youth first to the CARC for assessment as required by SFPD policy.
6. Police have been instructed to make initial contact with CARC regarding arrested youth by a Police Department Bulletin. However, these instructions are not in the Department's General Orders, which is a higher level of authority that could increase compliance.
7. The role of community-based programs (CBOs) in preventing detention is not clear. Some CBOs may be more effective than others in preventing detention.
8. The Juvenile Probation Commission may not be providing the necessary leadership to achieve the objective of reducing detention.

Recommendations

1. The Juvenile Probation Department (JPD) must develop and enforce policies and procedures that support the goal of reducing the population of detained youth that are unnecessarily detained. For example, supervisors of probation officers (POs) must approve all overrides of the Risk Assessment Instrument, as required by policy.
2. The new chief of the JPD should make the supervision and management of JPD staff, particularly the POs, a top priority for his administration. For example, all POs must be evaluated routinely with respect to their adherence to Department policies and procedures.
3. The new chief of the JPD should engage all stakeholders within the context of the Juvenile Detention Alternative Initiative in a reconsideration of the Risk Assessment Instrument (RAI), with the goal of strict adherence to the use of the RAI by POs.
4. The Community Assessment Referral Center (CARC) should be open 24 hours per day, 7 days per week and staffed by POs. This will accomplish the original intention for it to be the single screening point of entry into the juvenile justice system.
5. CARC should be moved closer to the Youth Guidance Center (YGC) to facilitate activities with YGC and to make transportation of arrested youth more convenient for transporting police officers. The School of the Arts directly across the street from YGC should be surveyed as a possible site for CARC.

6. Procedures requiring arresting officers to make initial contact with CARC rather than YGC should be incorporated into the SFPD's General Orders in order to reinforce compliance with this requirement.
7. Standards for evaluating the effectiveness of community-based organizations (CBOs) should be improved to provide the necessary balance between competing interests. Management performance audits of CBOs should be conducted periodically by the Controller's Office.
8. CBOs that are most likely to reduce rates of detention should be given top priority for funding in the future. Towards this end, CBOs serving youth now in the juvenile justice should have a higher funding priority than those that do not.
9. Appointees to the Juvenile Probation Commission should be knowledgeable about the issues that confront youth at-risk of detention and the organizations that serve them. They should devote the time and be willing to inform themselves of juvenile justice issues. Commissioners should not have any direct relationship with a CBO that may receive funding from the juvenile justice system. Commissioners should be evaluated according to these criteria and replaced when their terms expire if necessary.

Required Responses (Please reply to those Findings and Recommendations that are within your jurisdiction.)

Board of Supervisors – 90 days
Juvenile Probation Commission – 60 days
Juvenile Probation Department – 60 days
Mayor – 60 days
Mayor's Office of Criminal Justice – 60 days
Office of the Controller – 60 days
Police Commission – 60 days
SFPD – 60 days