

# Juvenile Court and Probation Statistical System

## **Data Set Overview and History**

The Department of Justice (DOJ) Criminal Justice Statistics Center (CJSC) collects information on the juvenile court and probation system. The Juvenile Court and Probation Statistical System (JCPSS) data are reported monthly to DOJ by county probation offices. The JCPSS tracks juvenile referrals through disposition (the system does not track individuals through the system).

## **Statutory Authority**

The DOJ has statutory authority to collect JCPSS data pursuant to Welfare and Institution Code section 285 and Penal Code sections 13010, 13010.5, 13012, and 13012.5.

## **Data Characteristics and Known Limitations**

1. Each year there is a difference between the number of referrals to probation via the JCPSS and the number of juvenile arrests reported by law enforcement agencies as “referred to juvenile court and probation” via the Monthly Arrest and Citation Register (MACR). The difference is due, in part, to the various programs and definitions used by law enforcement agencies and probation departments for submitting data to the DOJ. However, there are two primary reasons for the difference:
  - a. Probation departments report caseload information, while law enforcement agencies report information on individual arrests.
  - b. The JCPSS counts only those juveniles who have a final disposition reported to the DOJ. Many probation departments divert juveniles out of the system into other “community based” programs. As a result, many juveniles who are diverted after being referred by law enforcement agencies are not reported on the JCPSS.
2. All juvenile referrals for law violations and status offenses are reported in the JCPSS.
3. In 2003, the JCPSS was modified to accept up to five offenses per referral or petition. Previously, the JCPSS would only accept the most serious offense per referral or petition. However, the most serious offense is still identified using a hierarchy system and only the most serious offense is for publications and reporting.
4. In November of 2016, California voters passed Proposition 57, which ended the process of juvenile being transferred directly (direct filed) to adult court by county prosecutors. The new law was effective immediately, making 2016 the final year, and a partial year, where direct file data would need to be tracked as part of the Juvenile justice in California publication. Proposition 57 did leave in place the process of juveniles being transferred to adult court by a juvenile court judge via fitness hearing.

5. Agency Specific Notes:

- a. Del Norte County Probation did not contribute data 2007-2010 and 2012-2016.
- b. Lassen County Probation indicated the numbers provided to the DOJ in 2014 and 2015 were low due to an unforeseen technology issue. The DOJ used all records provided. Lassen County Probation did not contribute data 2016-2018.
- c. Nevada County Probation was unable to report in 2015 due to a technology issue.
- d. San Benito County Probation did not contribute data in 2016.
- e. Sierra County Probation does not participate.

6. The subjectivity of the classification and labeling process must be considered in the analysis of race/ethnic group data. As commonly used, race refers to large populations that share certain physical characteristics, such as skin color. Because these physical characteristics can vary greatly within groups, as well as between groups, determination of race is frequently, by necessity, subjective. Ethnicity refers to cultural heritage and can cross racial lines. For example, the ethnic designation “Hispanic” includes persons of any race. Most commonly, self-identification of race/ ethnicity is used in the classification and labeling process.

**Definition of Terms**

**Caseload** – the number of juveniles under the supervision/jurisdiction of a probation department, excluding courtesy supervision, but including juveniles on diversion, informal probation (654 or 654.2 W&I), non-ward probation (725(a) W&I), deferred entry of judgment (790 W&I), and those who are wards of the juvenile court.

**Closed at Intake** – the referral is closed at intake by the probation department following an investigation of the juvenile’s circumstances and nature of the alleged offense when no further action is taken.

**Deferred Entry of Judgment** – a treatment program for first-time felony offenders aged 14 to 17 (pursuant to 790 WI).

**Deferred Entry of Judgment Failure** – a felony offender who fails the treatment program (pursuant to 793 WI).

**Detention** – the status of the juvenile immediately after arrest and prior to any court action.

**Direct File in Adult Court** – the filing of a juvenile case in a court of criminal jurisdiction (adult court) pursuant to Welfare and Institutions Code section 602(b) or Welfare and Institutions Code section 707(d).

**Dismissed** – the petition is dismissed by the juvenile court. No further action is taken.

**Disposition** – an action taken by the probation officer or juvenile court as the result of a referral.

**Diversion** – any delivery or referral, by the probation department, of a minor to a public or private agency with which the city or county has an agreement to provide diversion services. Diversion services must meet the following criteria:

- i. The probation department must have referred the minor and continued to be responsible and maintained responsibility for the minor’s progress.
- ii. Placement and monitoring of the minor must have a beginning and ending date.

**Diversion Dismissed** – the successful completion of a diversion program.

**Fitness Hearing (707 (b) WI)** – a hearing to determine whether the juvenile is a fit and proper subject to be dealt with under the juvenile court law. If the juvenile is found fit, adjudication remains in the juvenile court. If the juvenile is found unfit, adjudication is transferred to the adult court.

**Informal Probation (654.2 W&I)** – supervision of a minor, in lieu of declaring the minor a ward of the court, for a period not to exceed six months. The supervision is based on a contractual agreement between the court and the minor’s parents or guardian. The period of supervision may be extended.

**Non-Secure Facility** – a facility where the juvenile is not physically deterred from leaving.

**Non-Ward Probation (725a W&I)** – probation grant without wardship from juvenile court for a specific time not to exceed six months.

**Petition** – the formal presentation to juvenile court of information surrounding the alleged offense by a juvenile (similar to a criminal complaint for an adult).

**Private Facility** – a facility operated by a private individual or group.

**Public Facility** – a facility operated by a governmental agency other than probation.

**Race/Ethnic Groups:**

**Asian/Pacific Islander** – a person whose ancestry can be identified as Asian Indian, Cambodian, Chinese, Filipino, Japanese, Korean, Laotian, Vietnamese, other Asian, Pacific Islander, Samoan, Guamanian, or Hawaiian.

**Black** – a person whose ancestry is any of the black racial groups of Africa.

**Hispanic** – a person of Mexico, Puerto Rico, Cuba, Central and South America or other Spanish culture or origin regardless of race.

**Other** – a person who cannot be linked to any of the general or specific racial/ethnic groups listed.

**White** – a person whose ancestry is any of the original peoples of Europe, North Africa, or the Middle East.

**Referral** – a juvenile who is brought to the attention of the probation department for alleged behavior under Welfare and Institutions Code Sections 601 and 602.

**Remand to Adult Court** – a disposition resulting from a fitness hearing that finds a juvenile unfit for the juvenile system and transfers a juvenile to the adult system.

**Secure Facility** – a facility where the juvenile is held behind a locked door, gate, or fence, or in which some person is responsible for physically preventing the juvenile’s escape or departure from the facility.

**Status Offenses** – acts that would not be classified as crimes, if committed by adults.

**Traffic Court** – a disposition indicating the case was transferred to the traffic court for processing.

**Transfer** – a disposition that transfers the juvenile to another county juvenile court or probation department.

**Ward** – Wardship is more than court-ordered supervision. The court actually takes custody and control (not necessarily physical custody) of the minor.

**Ward Probation** – a probation grant in which the minor is declared a ward of the juvenile court and placed on formal probation.

**WI** – Welfare and Institutions Code.

**Data Element and Values Defined**

## Data Layout and Codes

<b>Position</b>	<b>Element</b>	<b>Definition</b>	<b>Codes</b>
A	REPORT YEAR	The year in which the referral was submitted.	Four digit numeric YYYY
B	GENDER DESC	The gender of the juvenile associated with the referral.	Male Female
C	RACE DESC	The race of the juvenile being referred.	Asian/Pacific Islander Black Hispanic Other White
D	AGE GROUP	The age group the juvenile falls into.	13 and Under 14-15 16-17 18 and Over
E	ACTION TYPE DESC	The type of action the user is performing in the system.	Referral Court
F	REFERRAL TYPE	Value describes the type of referral added to the system.	New Subsequent
G	REFERRAL SOURCE DESC	Describes how the juvenile was brought to the attention of the probation department.	Law Enforcement Agency School Other Public Agency or Individual Parent or Guardian Private Agency or Individual Transfer from Other County or State Other
H	DETENTION DESC	Describes the detention of the juvenile before trial, before adjudication.	Not Detained Detained - Non-Secure Facility Detained - Secure Facility Detained - Home Supervision Unknown
I	DEFENSE REP DESC	Describes the representation of the juvenile for this Referral.	None Private Counsel Court Appointed Counsel Public Defender

			Other Unknown
J	FITNESS HEARING ORDERED	Identifies if the juvenile was ordered to undergo a Fitness Hearing pursuant to WI section 707(b).	Y – Yes, a fitness hearing was ordered N – No, a fitness hearing was not ordered X or blank – Not ordered
K	FITNESS HEARING OUT DESC	Describes the outcome of the Fitness Hearing pursuant to WI section 707(b).	Fit – fit for Juvenile Court Unfit – unfit for Juvenile Court Unavail or blank – not applicable
L	OFFENSE LEVEL	The level of the referral offense.	Felony Misdemeanor Other Status Offense (blank)
M	GROUP OFFENSE LEVEL	The broad category type offenses are grouped into.	Annoying Children Arson Assault Assault and Battery Burglary Checks/Access Cards City/County Ordinance Curfew Dangerous Drugs Disturbing the Peace Drive Under the Influence Drunk Forgery/Checks/Access Card Hit and Run Homicide Incorrigible Joy Riding Kidnapping Lewd or Lascivious Liquor Laws Malicious Mischief Manslaughter-Vehicle Manslaughter N/Veh Marijuana Motor Vehicle Theft Narcotics Other

			<p>Other Drug Violations                  Other Felonies                  Other Misdemeanor                  Other Sex                  Other Status Offenses                  Other Theft                  Petty Theft                  Prostitution                  Rape                  Robbery                  Runaway                  Theft                  Trespassing                  Truancy                  Vandalism                  Weapons                  (blank)</p>
N	DISPOSITION DESC	Describes the disposition associated with the referral or petition (court).	<p><b><u>For Use with Action Type = Referral:</u></b>                  Closed                  Deported                  Direct File - Adult Court                  Dismissed                  Diversion                  Informal Probation                  Traffic Court                  Transferred</p> <p><b><u>For Use with Action Type = Court:</u></b>                  Deferred Entry of Judgement                  Deported                  Dismissed                  Diversion                  Informal Probation (654.2 WI)                  Non-Ward Probation (725a WI)                  Remanded to Adult Court                  Transferred                  Wardship                  Wardship (Other)</p>
O	SUSTAINED OFFENSE LEVEL	The level associated with the sustained offense.	<p>Felony                  Misdemeanor                  Other</p>

DOJ CJSC JCPSS Context

			Status Offense (blank)
P	SUSTAINED GROUP OFFENSE LEVEL	The group offense level for the sustained charged.	See listing of values under GROUP OFFENSE LEVEL.
Q	MOST SERIOUS SUSTAINED	System generated value that flags the most serious charged sustained based upon the hierarchy rules.	*