

# Juvenile Justice Realignment

## Limited Information Prevents a Meaningful Assessment of Realignment's Effectiveness

### REPORT NUMBER 2011-129, ISSUED SEPTEMBER 2012

This report concludes that limited information and a lack of clear goals prevent a meaningful assessment of the outcomes of juvenile justice realignment. In particular, as part of the realignment law, the Board of State and Community Corrections (board) is required to issue annual reports regarding counties' use of block grant funds. Although not specifically required by state law, we would expect the reports to allow the Legislature to make assessments regarding the outcomes of realignment. However, the board's reports are based on a flawed methodology and, therefore, should not be used for this purpose. Moreover, the board's reports could mislead decision makers about the effectiveness of realignment by making it appear that realignment has not been effective when this may not be the case. Because of the problems we identified with the board's reports, we did not use them to assess the outcomes of realignment. Instead, we attempted to use juvenile justice data from the counties as well as from the Department of Justice (Justice) and the California Department of Corrections and Rehabilitation (Corrections); however, we discovered limitations to these data that further impeded our ability to draw conclusions about realignment.

Furthermore, the realignment law did not clearly specify the goals or intended outcomes of realignment. Without clear goals, measuring whether realignment has been successful is challenging. Nonetheless, the chief probation officers of the four counties we visited all believe that realignment has been effective based on various indicators, such as a reduction in juvenile crime, new and enhanced services, and reduced state costs. In support of these assertions, we found evidence suggesting that realignment may have had positive outcomes for many juvenile offenders and thus for the State. Although these indicators are encouraging, the limited—and potentially misleading—juvenile justice data that are currently available makes any measurement of realignment outcomes arbitrary and may not fully represent the impact realignment has had on juvenile offenders and the State as a whole.

In the report, the California State Auditor (state auditor) made the following recommendations to the board, Justice, and Corrections. The state auditor's determination regarding the current status of recommendations is based on the responses from the board, Justice, and Corrections to the state auditor as of November 2012.

#### **Recommendation 1.1—See pages 22—28 of the audit report for information on the related finding.**

To ensure that it has the information necessary to meaningfully assess the outcomes of juvenile justice realignment, the Legislature should consider amending state law to require counties to collect and report countywide performance outcomes and expenditures related to juvenile justice as a condition of receiving Youthful Offender Block Grant (block grant) funds. In addition, the Legislature should require the board to collect and report these data in its annual reports, rather than outcomes and expenditures solely for the block grant.

#### ***Legislative Action: Unknown.***

The state auditor is not aware of any action taken by the Legislature as of December 18, 2012.

#### **Recommendation 1.2.a—See pages 22—26 of the audit report for information on the related finding.**

To improve the usefulness of its reports so that they can be used to assess the outcomes of realignment, the board should work with counties and relevant stakeholders, such as the committee that established performance outcome measures for the block grant, to determine the data that counties should report. To minimize the potential for creating a state mandate, the board should take into consideration the information that counties already collect to satisfy requirements for other grants.

***Board's Action: No action taken.***

➔ The board did not specifically address this recommendation in its response.

**Recommendation 1.2.b—See pages 22—24 of the audit report for information on the related finding.**

To improve the usefulness of its reports so that they can be used to assess the outcomes of realignment, if the Legislature chooses not to change the law as suggested, or if the counties are unable to report countywide statistics, the board should discontinue comparing outcomes for juveniles who receive block grant services to those who do not in its reports

***Board's Action: Pending.***

The board asserted that it will consider whether there are alternative approaches to present county outcome data when preparing its 2013 annual report.

**Recommendation 1.3.a—See pages 28 and 29 of the audit report for information on the related finding.**

To maximize the usefulness of the information it makes available to stakeholders and to increase accountability, the board should create policies and procedures that include clear, comprehensive guidance to counties about all aspects of performance outcome and expenditure reporting. At a minimum, such guidance should include specifying how counties should define when a juvenile has received a service and whether certain services, such as training, should qualify as serving juveniles.

***Board's Action: Pending.***

According to the board, it has begun reviewing its existing directions and forms provided to counties. Based on the outcome of this review, the board will make the needed adjustments to the guidelines prior to the counties' next reporting date in October 2013.

**Recommendation 1.3.b—See pages 26—28 of the audit report for information on the related finding.**

To maximize the usefulness of the information it makes available to stakeholders and to increase accountability, the board should publish performance outcome and expenditure data for each county on its Web site and in its annual reports.

***Board's Action: Pending.***

The board stated that county expenditures will be posted on its Web site once all county reports have been reviewed and approved. In addition, the board indicated that it will review county performance outcomes reports and explore options for reporting data for each county prior to issuing its 2013 annual report to the Legislature, but states that it does not plan to report county expenditure information in its annual reports.

**Recommendation 1.3.c—See pages 29—31 of the audit report for information on the related finding.**

To maximize the usefulness of the information it makes available to stakeholders and to increase accountability, the board should consider verifying the counties' data by conducting regular site visits on a rotating basis or by employing other procedures to verify data that counties submit.

***Board's Action: No action taken.***

The board indicated that it is exploring options to increase the staff resources available to administer the program; however, the board did not address whether it has explored options to verify counties' data that would not require an increase in staff resources.

**Recommendation 1.4—See pages 31—33 of the audit report for information on the related finding.**

To increase the amount of juvenile justice data the counties make available to the public, the board should work with counties on how best to report these data.

***Board's Action: No action taken.***

The board did not address this recommendation in its response.

**Recommendation 1.5—See pages 33—35 of the audit report for information on the related finding.**

To ensure the accuracy and completeness of the data the counties submit into the Juvenile Court and Probation Statistical System (JCPSS), Justice should follow its procedure to send annual summaries of the JCPSS data to the counties for review and to conduct occasional field audits of the counties' records.

***Justice's Action: Partially implemented.***

Justice indicated that it revised its JCPSS manual to include a description of the year-end process for assuring the accuracy of the information submitted by probation departments. The policy will require probation departments to provide written confirmation of receipt of the summary reports and to notify Justice if the probation departments detect any discrepancies. However, Justice also stated that it eliminated the requirement for it to conduct field audits on JCPSS data but provided no alternative procedure. By deleting this procedure, it is clear that Justice does not intend to take appropriate action to proactively address the issues we found with JCPSS data.

**Recommendation 1.6.a—See pages 35 and 36 of the audit report for information on the related finding.**

To ensure that its Automated Criminal History System (criminal history system) contains complete and accurate data related to juvenile offenders, Justice should implement a process to ensure that staff enter data correctly into the system.

***Justice's Action: Pending.***

Justice stated that staff has started the process of updating the reference manual to provide instructions on how to update the juvenile offender information in the criminal history system. In addition, Justice indicated that staff is working to ensure that no overlap occurs between adult and juvenile reporting.

**Recommendation 1.6.b—See pages 35 and 36 of the audit report for information on the related finding.**

To ensure that its criminal history system contains complete and accurate data related to juvenile offenders, Justice should implement a procedure similar to the one it employs for the JCPSS to verify the accuracy of information the counties submit.

***Justice's Action: No action taken.***

- ➔ According to Justice, counties are responsible for submitting accurate criminal history information. Justice indicated that staff contact counties when questions arise and more experienced staff verify the work of newer staff. However, Justice did not address whether it plans to implement any procedure to verify the accuracy of information the counties submit.

**Recommendation 1.7—See pages 36 and 37 of the audit report for information on the related finding.**

To increase the amount of information related to realignment and to allow stakeholders to identify the population of juvenile offenders sent directly to adult prison, Corrections should obtain complete offense dates from the courts, if possible.

***Corrections' Action: No action taken.***

- ➔ Although Corrections provided policies and procedures that require staff to request offense dates from the courts, none of them were created recently. Corrections' current policies are not adequate because the issue we identified occurred after Corrections' policies were already in place. Thus, Corrections needs to take additional steps, such as updating its policy manual or issuing a memo to staff, to ensure that it receives complete offense dates from the courts.

**Recommendation 2.1.a—See pages 42—51 of the audit report for information on the related finding.**

The Legislature should consider revising state law to specify the intended goals of juvenile justice realignment.

***Legislative Action: Unknown.***

The state auditor is not aware of any action taken by the Legislature as of December 18, 2012.

**Recommendation 2.1.b—See pages 42—51 of the audit report for information on the related finding.**

To assist the Legislature in its effort to revise state law to specify the intended goals of juvenile justice realignment, the board should work with stakeholders to propose performance outcome goals to use to measure the success of realignment.

***Board's Action: No action taken.***

- ➔ The board did not address this recommendation in its response.

**Recommendation 2.2—See pages 51—53 of the audit report for information on the related finding.**

To offset potential disincentives and provide counties with a more consistent level of funding from year to year, the Legislature should consider amending the block grant funding formula. For example, the formula could be adjusted to use the average number of felony dispositions over the past several fiscal years instead of using only annual data.

***Legislative Action: Unknown.***

The state auditor is not aware of any action taken by the Legislature as of December 18, 2012.

**Recommendation 2.3—See pages 51—53 of the audit report for information on the related finding.**

To ensure that counties do not maintain excessive balances of unexpended block grant funds, the board should develop procedures to monitor counties' unspent funds and follow up with them if the balances become unreasonable.

***Board's Action: No action taken.***

The board did not address this recommendation in its response.



