

Juvenile Justice System Is Caught In The Middle

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At the state and local level, there are moves afoot to overhaul the juvenile justice system by imposing stiffer sentences, enforcing curfew laws and instituting truancy abatement programs.

The call for changes is coming from frustrated parents who feel they have no control over their children's behavior to state legislators who are responding to the public pressure for getting tough on crime.

Caught in the middle is the juvenile justice system — an amorphous network of agencies that encompasses everything from police to probation departments and counseling groups.

Bringing the issue of juvenile justice to a head in Santa Cruz is a group of parents calling themselves Toughlove. Local organizers Pat Scott and Carole DePalma emphasize the group is not a therapy vehicle, but rather a support mechanism for parents concerned with their children's behavior.

Scott says parents are frustrated by the "appalling lack of communication among agencies" involved in the criminal justice system for juveniles.

Demonstrating the push for stiffer penalties, just last week the state Senate passed a bill that would give 16 to 20-year-olds the same sentences as adults, if the juveniles were tried as adults and the crime were serious. The bill now goes to the Assembly, where passage is uncertain.

Toughlove advocates forgetting the velvet glove and returning to the iron fist. While the group is seeking the support of police and other agencies, many in the system have reservations.

Detractors — and there are many in police departments and other public agencies — say Toughlove parents have awakened too late to the problems they have with their kids.

"I'm sometimes disturbed about how parents go from being out of control of their kids to setting very strict conditions that their kids cannot accept," said Juvenile referee David Brick.

"It sets them (the children) up for failure," said Brick.

It's Brick's job, along with Superior Court Judge Donald May, to preside over detention hearings, trials and sentencing at "the hall," located on Graham Hill Road.

Technically, the language of the juvenile justice system prohibits using such terms as "trials," or "punishment," says Deputy Public Defender Steve LaBerge. Instead of punishment, a minor is given sanctions for rehabilitation.

In a typical year, the hall receives about 650 new cases and 249 subsequent filings involving kids already in the system, according to court clerk Dorothy Snavelly.

But these figures represent only a percentage — between a third and a fourth — of the number of cases that go to the real powerhouse in the system — the probation department.

Probation has earned high marks from other members of the juvenile justice system. But especially among police agencies, there is a clear understanding that

probation can't work miracles.

In Santa Cruz County, the first line of defense against juvenile crime comes from the police — especially in Santa Cruz, Scotts Valley and Watsonville, which each have their own juvenile officers.

Santa Cruz juvenile officers Tom Watson and Sean Upton have initiated an informal in-house probation for first-time offenders, which combines counseling, writing essays, working off sentences by doing community work, complying with laws and attending school. At the end of six months, if a youth has not misbehaved, the arrest is cleared from the record.

Scotts Valley's juvenile officer Donna Lind has run a similar program for the past three years. The success, she said, is in the number of repeaters — only 5 percent — who commit new offenses.

All these officers say the program works because of the cooperation of parents, schools, school counselors and the kids, themselves.

By word of mouth, Lind says the message has gotten out to youngsters in Scotts Valley that "if they don't make good on the second time around, it'll be tough going."

Youth Services is another first-line defense. Director Terry Moriarity said his 22 counselors and therapists work with 1,000 families a year.

Some of them seek long-term counseling — generally running about four months, he said. Then there's also the crisis management part, which counsels runaways and kids with substance abuse problems.

Moriarity said 26 percent of the felonies in the county are committed by minors and 13 percent of ALL crimes are committed by the same age group.

He lays the causes of juvenile crime on a number of factors, including lack of employment. "There's something deadly about not getting employment," he said, pointing to a 26 percent unemployment rate across the board, rising to 50 percent unemployment for non-whites. Other factors are the high dropout rate (22 percent rate statewide), substance abuse and family situations.

But he said that by working with the family as a whole unit, Youth Services has found the longest-lasting positive effects.

In the past few years he has seen a shift in the law from being parent-oriented to youth-oriented — a fact which many parents are upset about.

There is no one in the system who represents the side of the parent, said Probation officer Jim Reposa. But he adds that probation officers listen to the parents as they try to evaluate the chances of a child succeeding in home versus placing the kid in a 24-hour supervised home.

Minors who don't succeed on in-home supervision can find themselves in a number of alternate placements.

Reposa explained that as the offenses escalate in seriousness, the placements also escalate. Thus, a minor can move from spending a night or two at Juvenile Hall to being placed in a supervised home, going to one of four ranches (all of them out of county and for males only) or to the California Youth Authority (CYA), the equivalent of

youth prison).

Only 10 to 12 kids a year from Santa Cruz ever get sent to CYA, said Assistant District Attorney Dave Genochio.

For juvenile referee Brick, "one of the serious failings of the system is that it cannot provide the appropriate sanctions at all times to kids who are thumbing their noses at the system. Everyone says they're not going to re-offend, that they've learned their lesson."

He adds, "The system tends to give people more chances than adult court. Being a hard guy all the time gives you much less of a chance to rehabilitate."

What the juvenile justice system needs in Santa Cruz County are several things, say those in the system, including a residential treatment program for alcoholics and drug abusers, and a home where runaways can seek refuge to "cool off."

"There's no place for a kid who's blowing it to go," said Santa Cruz officer Watson. "Youth Services does a good job (of finding places for kids to go) but a lot of these kids need a cooling off period of two to three days before they return home."

By giving them a place to go, even some parents think they'd be offering their children a healthy alternative to hanging out at the transit center or running to a neighbor's home.

Though it may not be economically feasible in these post-Proposition days, several persons in the system say they will work toward those goals.

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