

# CALIFORNIA'S CRIMINAL JUSTICE SYSTEM IS ILL-SUITED FOR YOUTH REHABILITATION



## Addendum to *Unmet Promises* | February 2019

The Center on Juvenile and Criminal Justice's (CJCJ) report *Unmet Promises: Continued Violence and Neglect in California's Division of Juvenile Justice* outlines the systemic failures of California's state-run youth correctional facilities, the Division of Juvenile Justice (DJJ) (CJCJ, 2019). However, DJJ is one component of California's juvenile justice system, representing 1 percent of youth declared wards of the court in 2017 (DOJ, 2018). Most wards of the juvenile court in California remain in their own homes or in a relative's care while receiving treatment (52.9%), while a considerable share reside in a secure or non-secure county facility (32.1%) or are placed with another public or private agency (12.3%) (DOJ, 2018). On the whole, California's juvenile justice system is guided by its fundamental mandate to rehabilitate youth and provide them with a second chance.

Despite the range of services available in the juvenile justice system, scores of youth each year are transferred into criminal court, convicted as adults, and sentenced to California's adult prison system, which consigns them to punishment rather than rehabilitation (DOJ, 2018; Ridolfi et al., 2016; 2016a; 2017). Youth who are prosecuted as adults receive limited or ineffective programming while incarcerated and are more likely to commit a new offense upon release (CSA, 2019; Redding, 2010). California's adult prisons are ineffective at providing treatment for the same reasons that DJJ is failing its youth: they are large, isolated, and inherently unsafe, offering poor preparation for life after incarceration. Regardless of age, the criminal justice system's orientation towards punishment does not meet the needs of incarcerated individuals and their communities.

Table 1 summarizes key differences between California's juvenile and criminal justice systems and demonstrates that, despite grave deficiencies at DJJ, California's broader juvenile justice system offers opportunities for healing and a chance for youth to reintegrate into their communities after release.

**Table 1. A comparison of California's juvenile and criminal justice systems**

JUVENILE JUSTICE SYSTEM	CRIMINAL JUSTICE SYSTEM
The juvenile system is premised on rehabilitation with an individualized approach to justice that requires judges to consider youths' treatment needs and social history.	The criminal justice system is oriented towards punishment with sentencing decisions based primarily on the offense and an individual's criminal history.
Youth are generally granted confidentiality in juvenile proceedings, ensuring that their names, personal information, and allegations remain out of the public record.	Criminal proceedings are a matter of public record.
All youth, regardless of their offense, have an opportunity to seal their records, reducing barriers to employment, education, or housing (California Court, 2019).	A felony conviction results in a lifelong criminal record that negatively affects an individual's access to employment, education, and housing (NICCC, 2019).
Most confined youth are placed in small, local facilities that operate far below capacity (CJCJ, 2018; DOJ, 2018).	Prisons are large and overcrowded, placing incarcerated people in high-risk settings with limited access to programming (CDCR, 2019; CSA, 2019).
The juvenile justice system offers opportunities for youth to remain in local alternatives to secure confinement (Bay Area Legal Aid, 2017).	The criminal justice system offers few alternatives to incarceration. Nearly all youth convicted in adult court are placed in prison or jail (DOJ, 2018).

## References:

- Bay Area Legal Aid. (2017). Combatting Youth Incarceration. How to Leverage Continuum of Care Reform for Placement Instead of Custody. At: <https://baylegal.org/wp-content/uploads/2017/10/Advocacy-Guide-Leveraging-CCR-for-Placement-Instead-of-Custody.pdf>.
- California Courts. (2019). Sealing Juvenile Records. At: <https://www.courts.ca.gov/28120.htm>.
- California Department of Corrections and Rehabilitation (CDCR). (2019). Monthly Report of Population: January 31, 2019. At: [https://www.cdcr.ca.gov/Reports\\_Research/Offender\\_Information\\_Services\\_Branch/Monthly/TPOP1A/TPOP1Ad1901.pdf](https://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Monthly/TPOP1A/TPOP1Ad1901.pdf).
- California Department of Justice (DOJ). (2018). Juvenile Justice in California: 2017. At: <https://openjustice.doj.ca.gov/downloads/pdfs/hm17.pdf>.
- California State Auditor (CSA). (2019). California Department of Corrections and Rehabilitation: Several Poor Administrative Practices Have Hindered Reductions in Recidivism and Denied Inmates Access to In-Prison Rehabilitation Programs. At: <http://www.auditor.ca.gov/pdfs/reports/2018-113.pdf>.
- Center on Juvenile and Criminal Justice (CJCJ). (2018). California's Local Juvenile Justice Facilities Can Absorb the State Youth Correctional Population. At: [http://www.cjcj.org/uploads/cjcj/documents/californias\\_local\\_juvenile\\_facilities\\_can\\_absorb\\_the\\_state\\_youth\\_correctional\\_population.pdf](http://www.cjcj.org/uploads/cjcj/documents/californias_local_juvenile_facilities_can_absorb_the_state_youth_correctional_population.pdf).
- Center on Juvenile and Criminal Justice (CJCJ). (2019). Unmet Promises: Continued Violence and Neglect in California's Division of Juvenile Justice. At: [http://www.cjcj.org/uploads/cjcj/documents/unmet\\_promises\\_continued\\_violence\\_and\\_neglect\\_in\\_california\\_division\\_of\\_juvenile\\_justice.pdf](http://www.cjcj.org/uploads/cjcj/documents/unmet_promises_continued_violence_and_neglect_in_california_division_of_juvenile_justice.pdf).
- National Inventory of Collateral Consequences of Conviction (NICCC). (2019). Search Collateral Consequences. At: <https://niccc.csgjusticecenter.org/>.
- Redding, R.E. (2010). Juvenile Transfer Laws: An Effective Deterrent to Delinquency? At: <https://www.ncjrs.gov/pdffiles1/ojdp/220595.pdf>.
- Ridolfi, L., Washburn, M., Guzman, F. (2016). The Prosecution of Youth as Adults: A County-level Analysis of Prosecutorial Direct File in California and Its Disparate Impacts on Youth of Color. At: [http://www.cjcj.org/uploads/cjcj/documents/the\\_prosecution\\_of\\_youth\\_as\\_adults.pdf](http://www.cjcj.org/uploads/cjcj/documents/the_prosecution_of_youth_as_adults.pdf).
- Ridolfi, L., Washburn, M., Guzman, F. (2016a). The Prosecution of Youth as Adults in California: A 2015 Update. At: [http://www.cjcj.org/uploads/cjcj/documents/the\\_prosecution\\_of\\_youth\\_as\\_adults\\_in\\_california\\_a\\_2015\\_update.pdf](http://www.cjcj.org/uploads/cjcj/documents/the_prosecution_of_youth_as_adults_in_california_a_2015_update.pdf).
- Ridolfi, L., Washburn, M., Guzman, F. (2017). Youth Prosecuted as Adults in California: Addressing Racial, Ethnic, and Geographic Disparities After the Repeal of Direct File. At: [http://www.cjcj.org/uploads/cjcj/documents/youth\\_prosecuted\\_as\\_adults\\_in\\_california.pdf](http://www.cjcj.org/uploads/cjcj/documents/youth_prosecuted_as_adults_in_california.pdf).

For more information about this topic or to schedule an interview, please contact CJCJ Communications at (415) 621-5661 x. 103 or [cjcjmedia@cjcj.org](mailto:cjcjmedia@cjcj.org).