

**Legislative Policy Study**

**Closing California's Division of Juvenile Facilities:  
An Analysis of County Institutional Capacity**

**by**

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The Center on Juvenile and Criminal Justice (CJ CJ) was established to promote balanced criminal justice policies. CJ CJ's mission is pursued through the development of model programs, technical assistance, research/policy analysis, and public education.

CJ CJ plays an important role in building a broad consensus on policy options by working in partnership with major criminal justice stakeholders including judges, probation departments, legislators, correctional administrators, district attorney offices, defender advocates, community-based organizations, and civil rights group.

## I. Summary of Findings

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- ✓ The Department of Corrections and Rehabilitation's Division of Juvenile Facilities (DJF), the former California Youth Authority, is currently under a consent decree due to abusive conditions, systemic mismanagement, and ineffectual services.
- ✓ Despite legislative and judicially imposed mandates, the state has failed to achieve minimum reform leading to drastic calls for placing the system into receivership.
- ✓ Two recent reports by the Little Hoover Commission and Legislative Analyst's Office have proposed eliminating DJF and transferring responsibilities for the remaining wards to the counties.
- ✓ The population of DJF has declined 83% from its 1996 peak in-custody population of 9,772 to a February 28, 2009 population of 1,637. The current population is the lowest in modern history.
- ✓ The decline in youth incarceration over the last decade coincides with the largest decline in youth crime rates ever recorded in California.
- ✓ Youth crime and incarceration policies are not related.
- ✓ County probation departments expanded their institutional capacity over the past 10 years resulting in more modern high security facilities than those offered by DJF.
- ✓ County probation departments provide a broader array of maximum, medium, and minimum-security institutions than DJF.
- ✓ There is more than sufficient institutional bed space in the 29 largest counties alone to absorb the current DJF population, virtually negating the need for additional state or county facilities.
- ✓ Housing youths at the county level is significantly less expensive than housing them in state facilities.
- ✓ Some counties commit large numbers of youth to DJF while other counties rarely commit youth to DJF.
- ✓ Recent increases in transfers and remands of juveniles to adult court have not led to increased imprisonments either in DJF or in adult prisons; rather, adult courts seem to be sentencing more youth to county supervision.
- ✓ Currently, there are 322 DJF wards between ages 21 and 25 confined at the DJF that could be maintained in one DJF facility or dispersed to newly designated county facilities.
- ✓ Youths currently spend more time in juvenile facilities than adults in adult facilities for comparable crimes.
- ✓ The current per capita cost per DJF ward is \$234,029.
- ✓ Closing DJF and transferring the remaining ward population to county facilities will eliminate the State's obligation under the *Farrell v. Cate* consent decree.

## II. Introduction

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Few areas of California state government warrant greater scrutiny than the \$383,105,473 budget of the California Department of Corrections, Division of Juvenile Facilities (DJF). The DJF administers the state's six remaining juvenile correctional facilities that formerly comprised the California Youth Authority (CYA). The institutions of the now defunct CYA were consolidated under the Department of Corrections and Rehabilitation in 2005 as part of Governor Schwarzenegger's attempt to reform and reconstitute the state's troubled adult and juvenile corrections systems. The state's juvenile correctional system currently operates under a five year-old consent decree resulting from abusive conditions, systemic mismanagement, and ineffectual services (*Farrell v. Cate*, consent decree 2004). In March 2006, a panel of state-approved correctional experts conducted a comprehensive assessment that found a "system that is broken almost everywhere you look" (Murray, Baird, Loughran, Mills, & Platt, 2006, p.1). In their report submitted to Governor Schwarzenegger, the experts cited the following conditions:

- High levels of violence and fear in DJF institutions
- Unsafe conditions for both residents and staff
- Antiquated facilities unsuited for any mission
- An adult corrections mentality governing an adult/juvenile inmate mix
- Management by crisis with little time to make changes
- Frequent lockdowns to manage violence with subsequent program reductions
- Time-adds for infractions adding over eight months to average lengths of stay
- Lengths of stay almost triple the average for the nation
- Lengthy periods when youths have nothing to do
- Vocational classrooms that are idle or running at half speed
- Capitulation to gang culture with youths housed by gang affiliation
- Huge living units with low levels of staffing
- Abysmal achievement despite enormous outlays for education
- Information systems incapable of supporting management
- Little partnership with counties in a fragmented system
- Poor reentry planning and too few services on parole
- Enormous costs with little to show for them

(Murray et al., 2006).

As of March 31, 2009, DJF houses 1,637 wards (Division of Juvenile Justice [DJJ], 2009[1]) in six institutions at an estimated cost of approximately \$234,029 per ward (Department of Finance, 2009). With an average stay of 35.3 months, total per capita ward costs are nearly \$800,000 not including parole supervision costs (DJJ, 2008[2]). Despite these unprecedented expenses, the DJF has made little progress in achieving reform and improving conditions. In the most recent October 2008 hearing, Judge Jon Tigar, presiding over the *Farrell v Cate* consent decree, grimly observed that after nearly four years the conditions that gave rise to the consent decree remain the same and "DJJ is in gross violation of the Court's order" (*Farrell v. Cate*, court order 2008, p.4). In rebuking the state for its failure, Judge Tigar asserted:

...In fact, DJJ's progress measured against any reasonable deadline has been inadequate. In other words, even if the deadlines had been set further away, the state's progress to this

point would still be inadequate. In some areas, the State failed to take even the most basic, foundational steps to implement reform. For example, the parties agree that the DJJ is a policy-driven agency, and the development of new policies is a prerequisite to implementation of reform. By its own witness' admission, however, DJJ has written only 12 policies in the last year out of the 800 necessary for implementation of the remedial plans—and not all of those 12 even relate to the remedial plans. DJJ has neither a date to develop the remaining policies nor a date to set a date to develop them.

(Farrell v. Cate, court order 2008, p.4-5)

DJF's administrative and programmatic failures are further compounded by the deteriorating state of its institutions. Five of the remaining six DJF facilities are over 40 years old and suffer from decaying infrastructures that will necessitate ever increasing maintenance expenditures. Although the State also has promised to embark on a 10-year plan to replace the existing institutions with modern facilities, no funding stream has been identified or planning process initiated. With declining revenues projected for the foreseeable future, it is unlikely that such a massive and expensive building plan could begin anytime soon (Little Hoover Commission, 2008).

The demonstrated inability of DJF to institute mandated reforms despite unprecedented expenditures calls into question the wisdom of continuing the current course. Recent reports by California's nonpartisan Little Hoover Commission (LHC) and Legislative Analyst's Office (LAO) have called for the closing of the six remaining DJF institutions and transferring full responsibility for the delivery of juvenile justice services to county probation departments. Such action would remove the state's obligations under the *Farrell v. Cate* consent decree and allow for the reinvestment of DJF's \$383 million annual budget towards other pressing state needs. Presently, county probation departments provide services to 99% of California's youth who come into contact with the juvenile justice system, while the DJF is responsible for less than one percent. The changes called for by the LHC and LAO are predicated on returning responsibility for the remaining DJF wards to county probation departments with a supplemental funding stream to subsidize the added responsibilities (Legislative Analyst's Office (LAO), 2009).

The primary arguments against this proposal center on whether counties have sufficient institutional capacity to absorb the current DJF population and how such a policy will impact crime rates. Additional concerns focus on whether the elimination of DJF will result in increased adult court transfers.

Since DJF is now reserved for youths who commit only the most serious offenses as listed under Section 707 (b) of the Welfare and Institutions Code, placement in a secure confinement facility is often warranted<sup>1</sup>. This report examines the institutional capacity of California's 58 county-based juvenile justice systems to determine whether sufficient county confinement facilities exist to accommodate the present DJF population. This report will also analyze the likely impact of this policy change on youth crime rates and the likelihood as to whether such a policy will increase the number of youths tried as adults.

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<sup>1</sup> Senate Bill 81 allows for youth under juvenile court jurisdiction to be confined in a county juvenile facility up to the age of 21. Assembly Bill 191, approved September 29, 2007, modified SB 81.

### III. Methodology

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Data for this analysis was gathered from the California Department of Corrections and Rehabilitation, Division of Juvenile Justice (statistics on juveniles in DJF and adult prisons); the Corrections Standards Authority (statistics on juveniles in county detention); Criminal Justice Statistics Center (statistics on juvenile crime by offense, year, and county); and Department of Finance (juvenile populations by year and county). The analysis of these statistics is straightforward. Juvenile incarcerations and offenses are divided by corresponding populations age 10-17, the age group used by the Criminal Justice Statistics Center (CJSC) to define “juvenile,” to produce the annual population-adjusted rates per 100,000 juveniles shown in the charts and tables. Incarcerations are also divided by felony and violent felony offenses by year and county to produce rates of incarceration per offense. Other analyses of juvenile incarceration are from the Legislative Analyst Office and the Little Hoover Commission. Reports regarding *Farrell v Cate* (2004) were obtained from the Prison Law Office, Berkeley, California, and the California Department of Corrections and Rehabilitation. DJF budgetary information was obtained from the California Department of Finance’s proposed California Budget 2009-10.

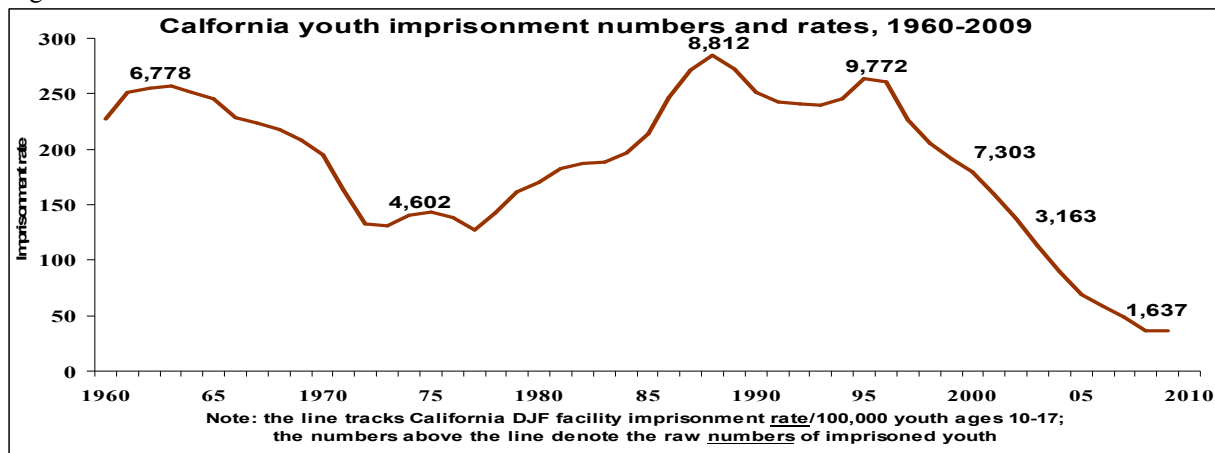
### IV. Analysis

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#### *Crime Rates and Youth Incarceration Rates*

As of March 31, 2009 only 1,637 youths were housed in DJF institutions - the lowest population in 50 years and an 83% decline from 1996 when the population peaked at 9,772 (Figure 1). Most of the decline in DJF commitments is the result of unprecedented declines in youth crime that occurred while California was incarcerating fewer youths. The crime rate decline has been observed in virtually every California county regardless of local incarceration rates and policies.

Figure 1



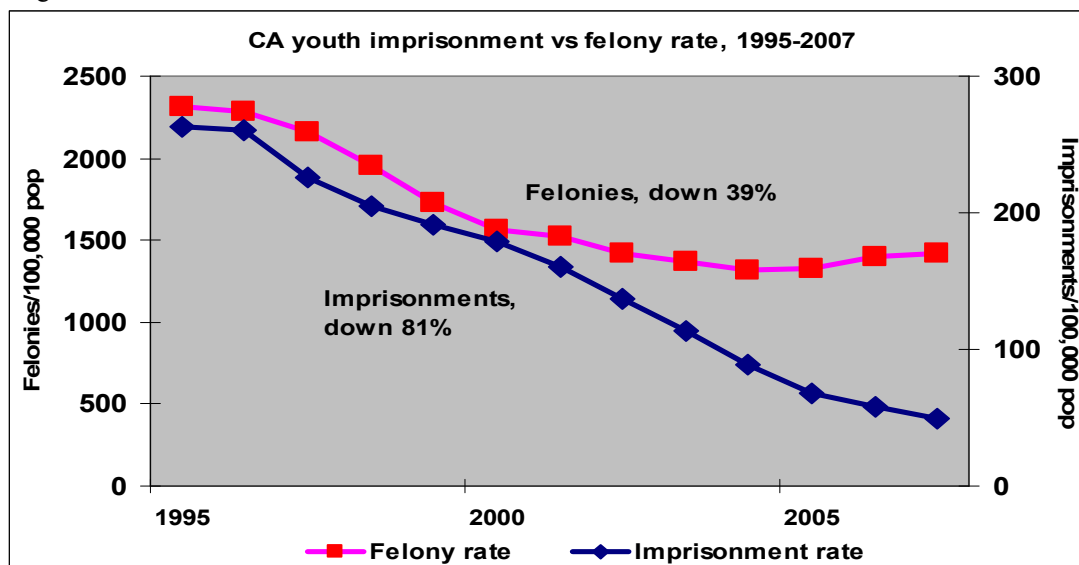
(Source: DJJ, 2008[3] & DJJ, 2002)

Previous CJJ reports have noted this simultaneous decline in youth crime over the past decade as California’s youth incarceration rates also decreased (Males, Macallair, & Corcoran, 2006; Stalkoph, Males, & Macallair, 2008). In recent testimony to the Little Hoover Commission, San Luis Obispo County Chief Probation Officer Kim Barrett, representing the California Chief

Probation Officers Association, stated that the probation chiefs attribute much of the youth crime decline to increased investment in county juvenile probation services (Little Hoover Commission, 2007).

While a certain number of juvenile justice involved youths require a period in secure confinement for their protection and the protection of the public, the experience in California over the past 30 years reveals no relationship between the aggregate youth crime rate and aggregate youth incarceration rate (Figure 2). This pattern has been repeatedly shown when counties with high DJF commitment rates are compared with low DJF commitment rates (Males et al., 2006; Stalkoph et al., 2008). Additionally, a comparison between punitive states and less punitive states reveals a similar pattern (Davis, Tsukia, Marchionna, & Krisberg, 2008).

Figure 2



(Source: DJJ, 2008[3] & DJJ, 2002 & Criminal Justice Statistics Center (CJSC), 2008[1])

Over the last 10 years, overall juvenile felony arrests have decreased throughout California even as the population age 10-17 increased by one million (Table 1). Since 2000, juvenile crime rates have consistently registered at their lowest levels in nearly four decades, despite slight year-to-year fluctuations (Figure 3).

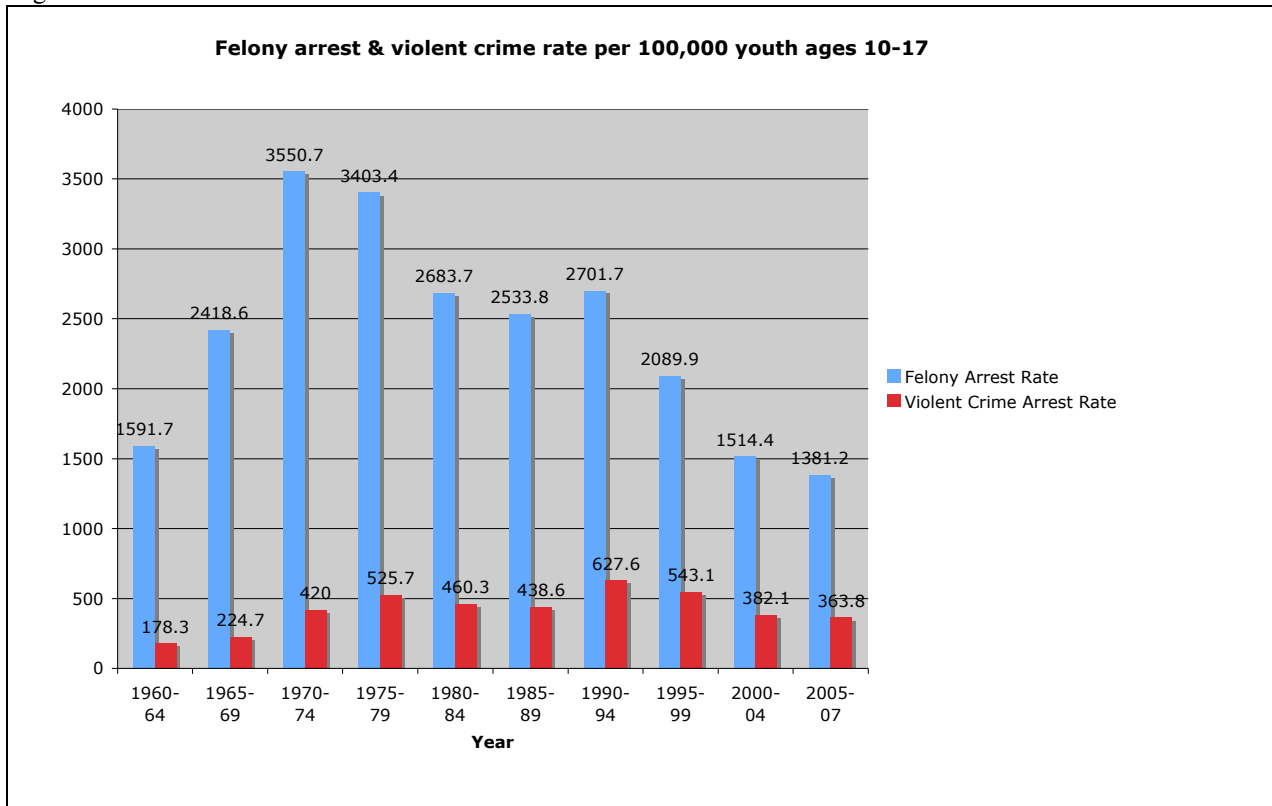
<u>Year</u>	<u>All felony</u>	<u>Homicide</u>	<u>Rape</u>	<u>Robbery</u>	<u>Assault</u>	<u>Property</u>	<u>Drug</u>
1997	82,748	353	445	7,984	12,220	42,287	8,484
2007	<u>66,191</u>	<u>235</u>	<u>241</u>	<u>6,880</u>	<u>10,607</u>	<u>25,699</u>	<u>5,497</u>
Change	-20%	-33%	-46%	-14%	-13%	-39%	-35%

(Source: CJSC, 2008[1])

Not only has juvenile crime plummeted, the seriousness of juvenile offenses has also declined sharply. Since the 1960s, when the costly and ineffective policy of imprisoning youths for minor status and property offenses was dismantled, prison space has increasingly been reserved for the most violent and chronic youth. In the past 20 years, the significant drop in juvenile murder,

rape, and chronic property offenders, in particular, has led to sharp drops in the juvenile incarceration rate per felony arrest.

Figure 3



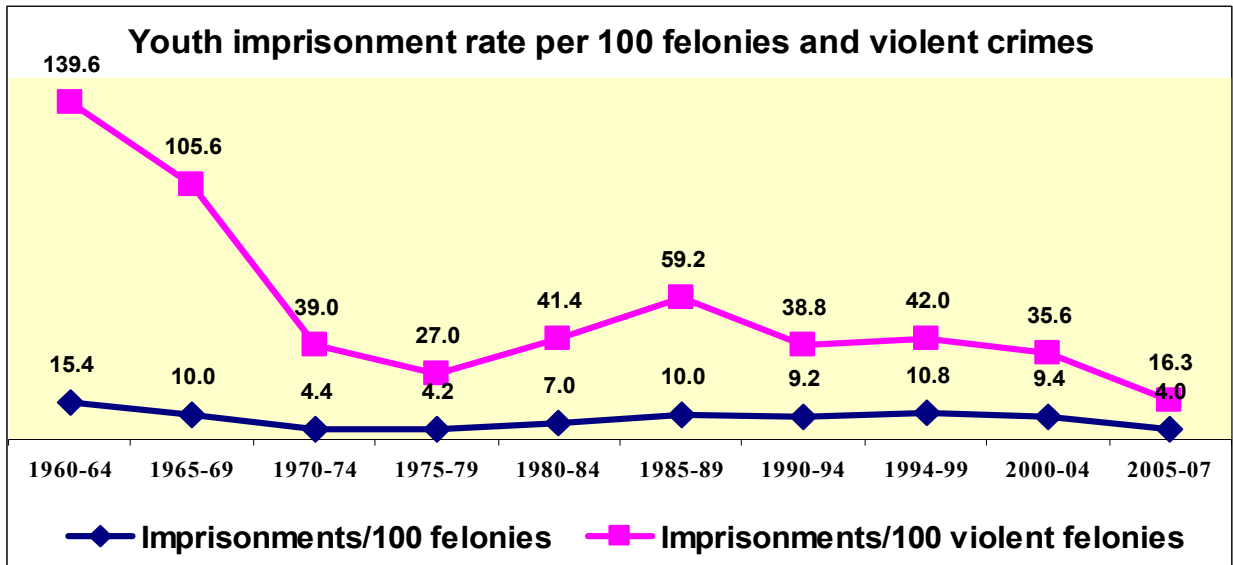
(Source: CJSC, 2008[1])

While, the reasons for national and State youth crime decline remain complex, incarceration in DJF institutions has no positive impact on statewide or county crime rates. Most expert evaluations of DJF conclude that incarceration in these facilities diminishes the wards' potential for successful re-assimilation into the community after parole. In many instances, wards with special needs, such as mental illness, deteriorate in the absence of proper treatment. Therefore, incarceration in DJF may actually worsen behavior among the declining number of committed wards. Recidivism studies over the years of youths exposed to DJF institutions show re-arrest rates that consistently range from 77% to 90% three years after their release (Lattimore, Visher, & Linster, 1995; Lattimore, Linster, & MacDonald 1996; Macallair, Shorter, & Byrnes, 2002).

An examination of crime rates over the past 40 years shows that there is no relationship between incarceration in DJF institutions and overall crime rates (Figure 4). It is clear that a policy of closing DJF institutions and transferring the ward population to county facilities will not impact aggregate crime rates. However, while the impact of not exposing youths to the debilitating conditions of DJF facilities cannot currently be determined, there is little evidence to suggest that outcomes could be worse under county-based services.



Figure 4



(Source: CJSC, 2008[1] & DJJ, 2002)

### *County Institutional Capacity and the DJF Population*

With the declining pool of serious youth offenders, county pre-adjudication and post-disposition institutional populations decreased.<sup>2</sup> In 1996, statewide county juvenile institutional populations averaged 20,122. By 2007, the average number of youths in county custody facilities declined to 13,421. Although the state's youth crime rate and institutional population was decreasing during this period, counties added over 2,500 new institutional beds. This record level of county facility construction and renovation was funded through federal formula grants to California counties that required institutional capacity expansion to qualify for funds. As a result, counties throughout California now have modern facilities offering maximum, medium, and minimum secure custody levels. These facilities stand in stark contrast to the aging poorly designed facilities that constitute the DJF. According to the Corrections Standards Authority (CSA), county facilities are used for both pre-adjudication and post-disposition youths.<sup>3</sup> In addition, with maximum, medium, and minimum-security facilities, county juvenile justice systems can offer graduated custody levels. Presently, when youth are released from remotely located DJF high security institutions, they are simply returned to the community with minimal services and few options.

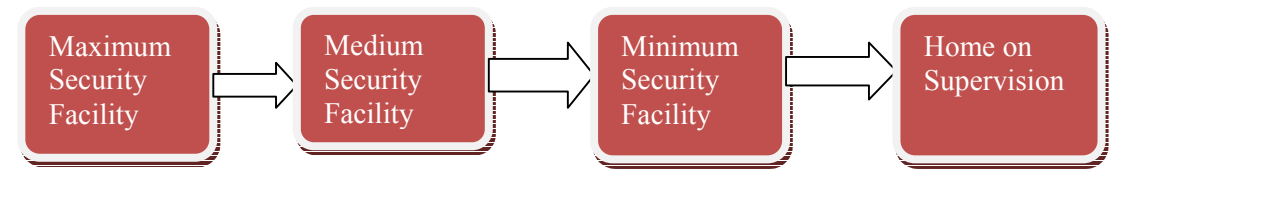
Graduated custody levels allow for youths to be slowly transitioned back to the community (Figure 5). County detention centers are maximum-security institutions, while ranches and camps are typically medium and minimum-security facilities. High security detention centers are presently used for pre-adjudication and post-disposition commitments. New juvenile hall facilities conform to modern architectural standards for maximum-security institutions.

<sup>2</sup> The California Corrections Standards Authority includes county detention center census that incorporates county operated post disposition ranches and camps.

<sup>3</sup> For a Corrections Standards Authority list of 73 juvenile facility projects since 1997 see Appendix.

Figure 5

County-Based Custody Continuum



Now many of these facilities, including high security facilities, remain below capacity. There are sufficient county institutional beds to house the entire DJF population of 1,637 and still have nearly 600 empty beds remaining (Table 2). Table 2 shows the growth in county detention capacity utilizing bed rates certified as acceptable by CSA. The capacity of juvenile halls and camps/ranches increased by 2,557, a total that remains in excess both of the average daily population (ADP), which has fallen by 357 since 1999, and the maximum one-day population, which has risen by 290. By the end of 2007, according to the CSA, there were 2,876 vacant detention/institutional beds throughout the state's 58 counties on any given day. This indicates counties had 2,876 more empty beds compared to the ADP and 1,800 more than even the maximum daily population<sup>4</sup>.

Picture 1:



San Francisco Juvenile Hall opened 2005

<sup>4</sup> Maximum one-day population does not occur on the same day for all counties.

**Table 2. County detention capacity and populations, 1999-2007**

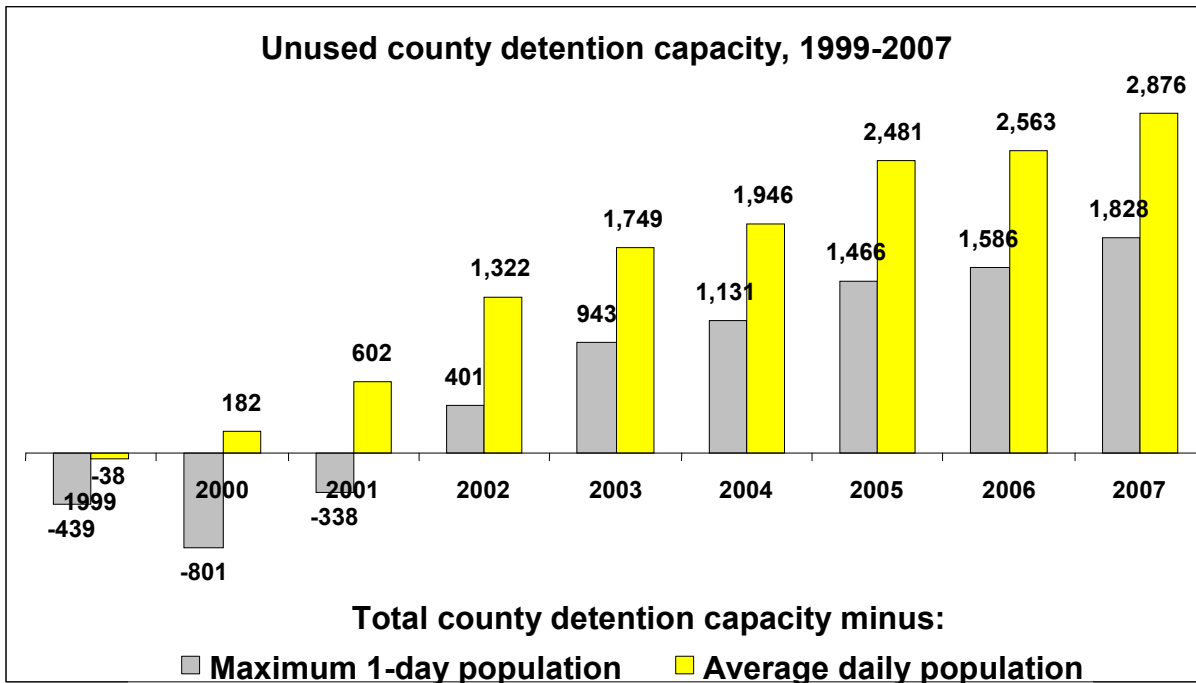
Year	Detention capacity and population**				Capacity vs. population	
	Total ADP*	Capacity	Maximum 1-day	ADP	Maximum 1-day	ADP
1999	14,493	11,399	11,838	11,437	-439	-38
2000	14,446	11,802	12,603	11,620	-801	182
2001	14,591	12,093	12,431	11,491	-338	602
2002	13,652	12,443	12,042	11,121	401	1,322
2003	13,577	12,664	11,721	10,916	943	1,749
2004	13,180	12,580	11,449	10,634	1,131	1,946
2005	13,524	13,381	11,916	10,900	1,466	2,481
2006	13,869	13,939	12,353	11,376	1,586	2,563
2007	13,421	13,956	12,128	11,080	1,828	2,876
Numerical change:						
2007 vs.						
1999	-1,072	+2,557	+290	-357		

\*Average Daily Population. Includes supervised juvenile population not confined in county facilities.  
 \*\*Capacity and populations of county juvenile halls and camps.

(Source: Corrections Standards Authority (CSA), 2007[2])

Even under worst-case assumptions, there are sufficient county institutional beds to house the entire DJF population and still have 200 to 1,000 empty beds remaining (Tables 2, 3; Figure 6). As Table 3 shows, there is more than sufficient available institutional bed space in the 29 largest counties alone to absorb the current DJF population, virtually negating the need for additional state or county facilities.

Figure 6



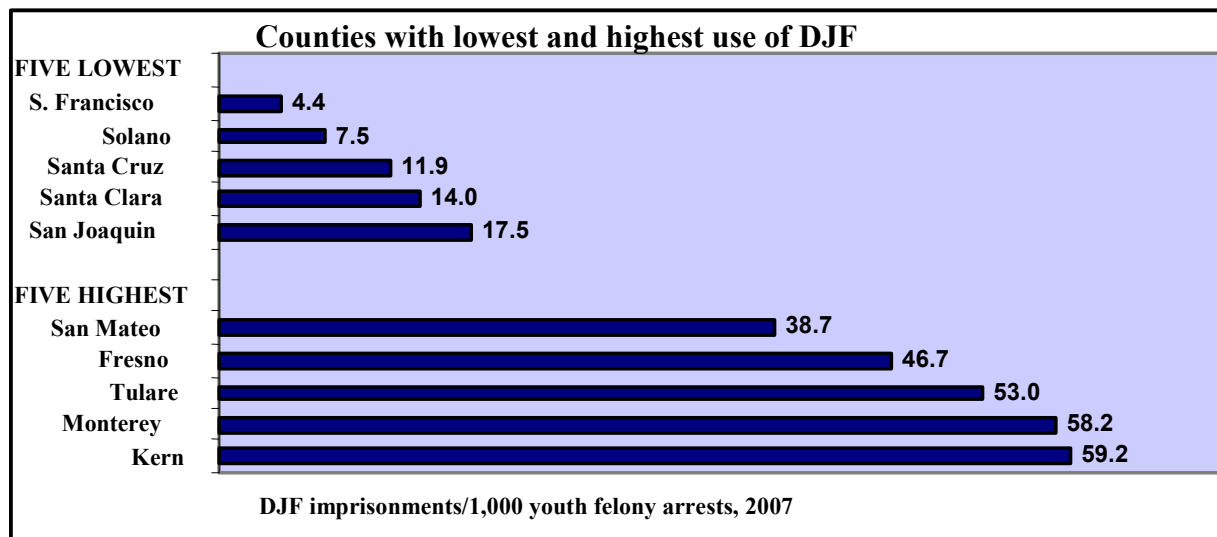
(Source: CSA, 2007[2] & DJJ, 2008[2] & DJJ, 2009[1])

County per capita ward costs are substantially less than DJF per capita ward costs. Closing DJF facilities altogether would entail substantial State savings. DJF’s annual per capita ward cost now exceeds \$234,029, whereas, estimates for the cost of housing youths in county institutional facilities range from \$22,000 to \$25,000 per year.<sup>5</sup> The county costs will still be lower than the present state costs even with an increase in the per capita county costs resulting from the population of older, more serious offenders.

Transferring responsibility to the counties for the remaining DJF population will require county collaborations since jurisdictions differ in their institutional capacity and reliance on institutional facilities. For the small number of violent wards now confined in State correctional facilities, it may be necessary for counties with limited institutional space to contract with neighboring counties with surplus institutional space. The surplus detention capacity of several urban counties, including Los Angeles, suggests high-security detention space and flexible capacity to hold peak-population fluctuations can be achieved on a regional basis. Part of the savings to the State resulting from closing DJF can be appropriated to counties to upgrade local facilities, staff, and services where needed.

Figure 7 shows that the five leading commitment counties send an average of 4.6 times more youths per felony arrest to DJF facilities compared to the five least committing counties. Returning responsibilities to the counties for all juvenile justice youth will eliminate this geographical disparity and spur innovation among high committing counties.

Figure 7



(Source: DJJ, 2008[1] & CJSC, 2008[1])

<sup>5</sup> This number is based on Correction Standards Authority estimates of \$60-70 in daily costs in county institutional facilities. The ward population derives cost estimates from dividing the DJF budget. Corrections Standards Authority cost estimates combines high security detention facilities with low security ranches and camps. High security facility per capita costs are significantly higher than lower security facilities.

**Table 3. Counties ranked by juvenile detention capacity (beds) available if all Division of Juvenile Facilities wards were returned to county custody, 2007 and 2008**

<u>County</u>	<u>County juvenile detention 2007</u>						<u>County space with DJF wards returned</u>	
	<u>Rated capacity</u>	<u>Detention population</u>	<u>Space available</u>	<u>DJF population</u>		<u>2007</u>	<u>2008</u>	
				<u>Dec. 07</u>	<u>Dec. 08</u>			
Los Angeles	4,144	3,246	898	557	436	341	462	
Tulare	330	160	170	88	58	82	112	
Riverside	584	400	184	132	92	52	92	
San Francisco	234	145	89	7	6	82	83	
Santa Clara	550	429	121	66	42	55	79	
Yuba	120	47	73	3	1	70	72	
San Diego	1,015	832	183	154	123	29	60	
Madera	134	70	64	14	7	50	57	
Ventura	280	193	87	47	32	40	55	
Solano	148	92	56	15	11	41	45	
Santa Barbara	252	193	59	22	15	37	44	
Alameda	463	339	124	113	83	11	41	
San Bernardino	620	473	148	169	116	-22	32	
El Dorado	80	51	29	1	0	28	29	
Imperial	72	43	29	7	2	22	27	
San Mateo	274	222	52	36	31	16	21	
Santa Cruz	42	25	17	7	6	10	11	
San Joaquin	224	180	44	46	34	-2	10	
San Luis Obispo	45	36	9	6	4	3	5	
Butte	60	56	4	15	5	-11	-1	
Monterey	193	148	45	61	48	-16	-3	
Kings	115	94	21	36	27	-15	-6	
Shasta	101	95	6	21	12	-15	-6	
Napa	40	44	-4	7	7	-11	-11	
Stanislaus	158	142	17	45	29	-29	-13	
Orange	953	887	66	100	80	-34	-14	
Yolo	60	80	-20	5	0	-25	-20	
Fresno	583	514	69	130	98	-61	-29	
Sacramento	496	480	16	67	45	-51	-29	
Contra Costa	290	285	5	51	41	-46	-36	
Kern	453	447	6	80	113	-74	-107	
<u>27 other counties</u>	<u>842</u>	<u>635</u>	<u>208</u>	<u>179</u>	<u>100</u>	<u>28</u>	<u>108</u>	
Total	13,955	11,080	2,876	2,287	1,704	588	1,171	

Source: CSA, 2007[2].

### ***Impact on juvenile sentencing***

Finally, speculation as to how closure of DJF facilities might impact juvenile sentencing practices is difficult, but some indications can be derived from recent trends. First, it should be noted that as of December 2007, counties held more than 2,600 juveniles charged with felonies, including 1,234 charged with serious 707(b) offenses, indicating both their capacity and ability to manage serious and violent offenders (CSA, 2007[2]).

Second, transfers of juvenile offenders to adult criminal courts by prosecutors (direct file) and by juvenile court remands have risen from 535 in 2004 to 1,123 in 2007 (CJSC, 2008[2]). Part of this increase is due to increased reporting by larger counties. However, increased adult court filings have not resulted in more juveniles sentenced either to adult prisons or to DJF facilities.

The number of juveniles sentenced by adult courts to adult prisons was 247 in 2004, 228 in 2005, 195 in 2006, and 293 in 2007, showing no consistent trend in these numbers. The rate of adult court sentencing to prison per 1,000 juvenile felony arrests was slightly lower in 2007 than in 2004. Further, it appears that adult courts rarely sentence youth to DJF facilities. In 2008, adult courts sentenced 1% of juveniles sent to DJF, down from 6% in 2000 and 21% in 1996<sup>6</sup>. As of December 31, 2008, just 17 (1.1%) of DJF's 1,569 cases involved sentencing by adult courts, as did an additional 135 California Department of Corrections and Rehabilitation cases. This was an all-time low for adult court sentencing of juveniles (DJJ, 2009[1]). In 2007, nine juveniles were sentenced by adult courts to DJF, 256 were sentenced by adult courts to county detention facilities or probation, and 25 were given fines or other local sentences (CJSC, 2008[2]). An analysis of juvenile adult court transfers suggests that closing DJF facilities would not impact trends of adult court direct filings or juveniles sentenced to adult court.

Third, information contained in Table 4 suggests that juveniles who remain in juvenile court serve longer sentences than adults with similar charges. Surprisingly, given the perception that adult courts impose harsher sentences for more serious young offenders, juveniles sentenced by juvenile courts generally serve more time incarcerated for equivalent crimes than do juveniles sentenced by adult courts, especially for high volume offenses. Youths sentenced to prison by juvenile courts for homicide, burglary, theft, rape/sex, and other offenses are confined for longer periods than those sentenced for the same offenses by adult criminal courts. For offenses such as robbery, confinement time is equal. In the case of drug offenses, it appears that juveniles tried in adult court receive harsher sentences. It is likely that youths sentenced for first-degree murder and other major violent offenses by adult criminal courts and who are later transferred to CDCR prisons will eventually serve considerably more prison time than their juvenile court-sentenced counterparts. This involves a very small percentage of very serious offenders who are highly likely to be sentenced by the adult system.

<u>Sentencing offense</u>	<u>Average months served by juvenile by sentencing court:</u>		<u>Number released from prison during 2000-07 period</u>	
	<u>Juvenile court</u>	<u>Adult court</u>	<u>Juvenile court</u>	<u>Adult court</u>
Homicide	76.8	54.0	444	13
Robbery	35.4	35.4	2,185	108
Assault/kidnapping	35.3	40.0	2,937	111
Burglary	27.2	23.5	1,708	11
Theft/auto theft/forgery	23.7	22.0	1,239	5
Rape/sex	24.4	20.6	724	22
Drugs	25.7	29.6	544	3
All other	24.4	15.1	840	9

(Source: DJJ, 2007[1])

<sup>6</sup> 1996 was the year the state curtailed sending adult offenders to youth facilities.

In response to CJCJ's query about the unexpected development that youths tried in juvenile courts serve longer prison terms, former CYA Assistant Director George Kostyrko replied:

Youthful Offenders referred to the CYA by the county juvenile and adult courts are sent over with "indeterminate sentences". Essentially what that means is that the courts do not necessarily dictate the length of stay, to ensure that the youthful offenders get into the necessary treatment programs. Once a ward enters our intake facility, their needs are analyzed. They then have their first Youthful Offender Parole Board hearing. This independent body then provides directions on what kinds of treatment programs the wards are directed toward. So in some cases, a ward may have a number of treatment programs assigned to him or her, such as sex offender, anger management, drug rehab, gang awareness, etc. This can take varying amounts of time. Also, some programs may have fewer beds than demand requires, so we redirect the youthful offenders into other programs they need until a bed opens in the drug rehab program, for example.

(Personal communication, 2002)

This suggests despite spending almost a quarter of a million dollars per ward per year, DJF does not provide timely access to services that youths are mandated to complete. This failure to provide adequate treatment contributes to the historical pattern of youths serving longer periods in secure confinement than adult inmates with similar charges.

DJF's excessive confinement of young offenders represents not only an injustice to youthful offenders, but also a major fiscal responsibility to the State for excessive imprisonment. In contrast, the capacity of counties to provide mandated drug, psychological, and other services through existing local institutions holds the potential to reduce the time youths spend in costly maximum security confinement facilities at considerably lower costs.

## **V. Summary/Conclusion**

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State policy analysts have proposed the transfer of state juvenile justice responsibilities to county probation systems since the 1990s. A primary rationale for this transfer is the recognized need to create a streamlined and coordinated system of services at the county level, in contrast to the current system of dispersed responsibilities between the state and county (LAO, 2009).

The argument for realignment is further strengthened by the prohibitive costs of further attempts to bring the DJF into compliance with the *Farrell v Cate* consent decree. Despite per capita yearly ward expenditures of \$234,029, the DJF has been unable to make even minimal progress towards legislative and judicially mandated reforms. The failure to achieve progress is indicative of the inherent impediments to transforming large correctional bureaucracies. Once institutional structures, practices, and routines become firmly established, even minimal changes become intractable managerial challenges due to staff resistance and structural limitations. As a result of these bureaucratic realities, little progress can be expected for the foreseeable future even as the state continues to pour resources into what is widely regarded by experts as a "broken" system.

The transfer of responsibilities to county probation departments carries many administrative and programmatic advantages. The current system divides responsibilities between the state and counties through a two-tiered system. While 99% of all California juvenile justice youths are served through county probation systems, the presence of a state institutional system creates an incentive for many counties to abdicate responsibilities for youths who in other counties would not be committed to a DJF. This system has created a jurisdictional disparity, with some counties committing large numbers of youths to DJF while others commit very few (Figure 6).

According to the nonpartisan LAO, returning responsibilities to counties for the remaining 1% of California's juvenile justice system youths will promote a more unified system of coordinated services. Services for all juvenile justice system youth will be provided by county probation departments with supplemental state funding (LAO, 2009). Since many counties send few youth to DJF, the transfer of responsibilities for the remaining DJF wards will not present an exceptional challenge. Many of the practices that have been adopted by these counties to minimize or nearly eliminate their reliance on DJF commitments could be replicated in high committing counties. Orange County and San Francisco are among the counties that have developed innovative approaches that nearly eliminated their reliance on state institutional commitments. In their report, the LHC identified a process for creating a state juvenile justice office whose sole responsibility would be to identify and promote best practices and uniform standards (Little Hoover Commission, 2008).

The success of transferring all remaining juvenile justice functions to the counties depends on the state reallocating a portion of the DJF's budget to county probation department's to ensure they have sufficient resources to implement these changes. The state should be able to provide sufficient funding to counties and still realize substantial savings as a result from the reduced costs of handling juvenile offenders at the county level. Most counties have demonstrated the ability to manage the most serious offenders through the available services within their county.

This study is the first comprehensive attempt to examine the capacity of California's 58 county-based juvenile justice systems to absorb the current DJF population. The CSA's last county institutional census found that as of 2007, there were over 2,886 surplus institutional beds at the county level. With the current DJF population of 1,637, there are enough county institutional beds to absorb the entire DJF population, leaving an estimated surplus of 200 beds (based on the worst-case, one-day maximum county detention populations) to over 1,000 beds. This study did not take into account proposed county institutional expansion, but focused solely on existing institutional capacity. The current surplus of county institutional capacity is unlikely to change given the stabilization of juvenile crime rates and Department of Finance's demographic projections that the growth in the overall juvenile population will be modest in coming years. In addition, given that counties can now provide services to juvenile justice youth up to the age of 21, the county capacity to handle older more delinquent youth, will continue to grow. It should be noted that counties already hold nearly 1,200 offenders ages 18 and older in their detention halls and camps. If necessary in the short term, a single DJF institution could be retained to house the 322 current wards ages 21 to 24 pending development of county facilities for these older wards.



The proposed closing of DJF facilities and the transfer of youths back to the counties provide the state with a historic opportunity to eliminate its responsibilities under the *Farrell v Cate* consent decree and accelerate the movement towards a modernized, coordinated, and more effective juvenile corrections system. It would also save California hundreds of millions of dollars in construction costs that will inevitably be required if the current obsolete DJF system is retained. Given that budgetary pressures may otherwise force cutbacks in juvenile justice services, closing DJF, reallocating funds, and consolidating services is a prudent and sensible policy.

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Daniel Macallair is the Executive Director and a co-founder of the Center on Juvenile and Criminal Justice. Mr. Macallair's expertise is in the development and analysis of correctional policy for youth and adult offenders and has implemented model programs throughout the country. In the past ten years his programs received national recognition and were cited as exemplary models by the United States Department of Justice and Harvard University's *Innovations in American Government* program. In 1994, Mr. Macallair received a leadership award from the State of Hawaii for his efforts in reforming that state's juvenile correctional system. He has been a consultant to juvenile justice systems around the country and frequently provides expert assistance on correctional practices and juvenile justice reform.

Mr. Macallair's research and publications have appeared in such journals as the *Stanford Law and Policy Review*, *Journal of Crime and Delinquency*, *Youth and Society*, *Journal of Juvenile Law and Policy*, and the *Western Criminology Review*. His studies and commentary are often cited in national news outlets. Mr. Macallair recently edited a book on juvenile justice reform and co-authored two recent studies on the California youth corrections system. He teaches in the Department of Criminal Justice Studies at San Francisco State University and is an invited speaker and trainer at conferences and seminars throughout the country.

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Dr. Males has a Ph.D. in social ecology from U.C. Irvine and formerly taught sociology at U.C. Santa Cruz. With over 12 years of experience working in youth programs, his research interests are focused on youth issues like crime, drug abuse, pregnancy and economics. He is the author of dozens of articles and four books, the latest of which is *Kids and Guns: How Politicians, Experts, and the Press Fabricate Fear of Youth*. Recent articles and op-eds have appeared in *The Los Angeles Times*, *The American Journal of Public Health*, *The Lancet*, *Journal of School Health*, and *Scribner's Encyclopedia of Violence in America*.

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## COMPLETED CONSTRUCTION PROJECTS: JUVENILE FACILITIES

<b>County</b>	<b>Amount Awarded</b>	<b>Description</b>
Alameda	\$33,113,670	Constructed 330 beds of a new 358-bed juvenile hall (additional 28 beds added at county's expense). This facility replaced the dilapidated 299-bed, 48-year-old Alameda County Juvenile Hall.
Butte	\$8,040,000	Constructed a new 120-bed juvenile hall consisting of six 20-room housing units and related support space. This facility replaced the current 45-year-old, 60-bed juvenile hall (net gain of 60 beds).
Contra Costa	\$1,000,000	Added 13 beds, eliminated 3 beds for a net gain of 10 beds, to the Tamalpais housing unit in the juvenile hall facility.
Contra Costa	\$22,239,425	Added 240 beds, eliminated 120 dilapidated beds, and added related ancillary space to the juvenile detention facility (net gain of 120 beds).
Del Norte	\$4,747,623	Constructed a 34-bed juvenile hall consisting of single-and double-sleeping rooms in three pods. The facility replaced a 38-year-old juvenile hall (net gain of 26 beds). The county added ten additional beds with supplemental county funds.
Del Norte	\$999,852	Built a new kitchen, dining room and classroom at the Bar-O-Ranch facility. Also renovated and added space for recreation, medical exam, nurse's office, laundry and facility administration.
El Dorado	\$4,020,000	Constructed a new 40-bed juvenile hall consisting of two 20-bed housing units and related support space.
Fresno	\$24,120,000	Constructed a new 240-bed juvenile hall and related ancillary space, which replaced the current, outmoded 265-bed, 46-year-old Fresno County Juvenile Hall. The county added an additional 240-bed commitment facility at the county's expense.
Glenn	\$686,500	Added 14 beds and related support space to the juvenile hall.
Humboldt	\$897,438	Expanded the public lobby with a secured entry sallyport; upgraded doors and locks; upgraded security control electronics; upgraded central control and fire safety systems; remodeled kitchen and food service area.
Imperial	\$2,600,086	Project added two maximum-security 10-bed living units and support space to the existing juvenile facility.
Kern	\$12,060,000	Constructed a new 120-bed medium-security juvenile treatment facility as well as a comprehensive administration, aftercare, vocational education, and multipurpose building. This facility expands the 80-bed Crossroads treatment facility (currently located at the Juvenile Hall) at a new site. The existing 80 beds will be converted into juvenile hall detention beds. The net gain is 120 beds, system-wide.
Kings	\$669,897.73	Remodeled existing juvenile hall maximum-security living unit by enlarging dayroom and adding two shower heads, thereby increasing rated capacity from 17 to 22 beds. Remodeled existing booking area by adding a holding room and vehicular sally port. Enhanced security systems throughout the facility.
Lake	\$478,396	Added 12 beds to the Lake County Juvenile Hall.
Lake	\$74,500	Replaced the roof of the juvenile hall.

Lassen	\$2,000,000	Added 40 beds to an existing "special purpose" juvenile hall in order to convert to a "full service" juvenile hall operated by Lassen County in a memorandum of understanding with Modoc Plumas and Sierra Counties.
Los Angeles	\$1,920,230	Added 23 "boot camp" beds and a 12-room housing unit for intake assessment at Camp Joseph Scott. Also, converted the existing staff quarters to program space and moved staff quarters to a modular building.
Los Angeles	\$24,120,000	Added 240 beds (double-occupancy wet rooms), demolish 56 dilapidated beds built 44 years ago, and add related support space and a code-mandated parking structure to the Los Padrinos Juvenile Hall (net gain of 184 beds).
Los Angeles	\$25,345,625	Added 240 beds, demolish 83 dilapidated beds, add related support space and a code mandated parking structure to the Central Juvenile Hall (net gain of 157 beds).
Madera	\$7,871,152	Constructed a new 70-bed juvenile hall and related support space, this replaced the current 42-year-old, 30-bed facility (net gain of 40 beds).
Marin	\$305,343	Added 9 beds and related support space to the juvenile hall.
Marin	\$87,461	Moved outdoor recreation area to accommodate federally funded bed project.
Mendocino	\$1,572,345	Added 12 beds (8 single-occupancy rooms and 2 double-occupancy rooms) and new intake center to the Mendocino County Juvenile Hall.
Mendocino	\$118,505	Replaced roof and HVAC system, constructed recreation yard restroom, renovated sally port and installed a walkway canopy.
Merced	\$1,000 & \$6,030,000	Constructed a new 120-bed juvenile hall and related support space at the Merced Juvenile Justice Center. This will replace the 53-year-old, 48-bed juvenile hall (net gain of 72 beds).
Monterey	\$664,102	Added 63 beds, eliminated 37 beds, and provided related support space at the Youth Center (net gain of 26 beds). Added a PC based proximity card reader system at the main entrance doors and vehicle sally port gate. Installed a new permanently affixed freezer unit.
Monterey	\$279,518	Added 12 beds to Juvenile Hall by converting the former kitchen and adjacent space to dorm housing.
Napa	\$5,200,866 & \$178,022	Constructed a new 60-bed juvenile hall consisting of two 30-bed housing units. Each unit contains a combination of single-occupancy and double-occupancy wet rooms and related support space. This facility replaces the current dilapidated 34-bed, 47-year-old Napa County Juvenile Hall (net gain of 26 beds).
Nevada	\$5,394,854	Constructed a new 60-bed juvenile hall and related support space. This replaced the 46-year-old, 19-bed facility (net gain of 41 beds).
Orange	\$8,444,770	Constructed a new 120-bed Leadership Academy (juvenile camp) and related support space; eliminated 60 outmoded juvenile hall beds (net gain of 60-beds).
Orange	\$4,872,000	Project added 60 beds and related support space to the Orange County Juvenile Hall.
Placer	\$963,511	Constructed a 15-bed housing unit to supplement a larger county-funded new juvenile hall.

Riverside	\$1,000,000	Constructed two 25-bed living units at the Indio Juvenile Hall.
Riverside	\$4,956,527	Constructed a new 99-bed juvenile hall and related support space.
Sacramento	\$371,466	Added 11 beds, demolished beds, and added a related security/intercom system at the juvenile hall (net gain of 7 beds).
Sacramento	\$7,263,027 & \$742,800	Added 90 beds and related support space to the Sacramento County Juvenile Hall.
Sacramento	\$3,345,954	Added 60 beds (two 30-bed housing units, each unit containing 12 double-occupancy wet rooms, one five-bed dormitory, and one handicap room), classrooms, parking, and related support space to the W. E. Thornton Youth Center.
San Bernardino	\$6,858,147	Added 40 double occupancy wet rooms (80 beds) and related support space to the West Valley Juvenile Facility.
San Bernardino	\$999,940	Converted non-rated treatment beds to 48 CSA-rated detention beds to be operated as part of the San Bernardino County Juvenile Hall.
San Bernardino	\$19,329,640	Constructed a new 200-bed high desert juvenile detention facility (100 double-occupancy wet rooms in ten housing units of 20 youth each) and related support space.
San Diego	\$36,500,000	Constructed a new 380-bed juvenile hall.
San Diego	\$800,000	Added 20 beds (four, five-bed dormitory style rooms), one classroom, and related support space to the Girls Rehabilitation Facility.
San Diego	\$1,000,000	Added a 30-bed, single occupancy, maximum-security living unit for pre-adjudicated detainees to the San Diego County Juvenile Hall.
San Diego	\$898,000	Performed renovation/deferred maintenance at the Youth Correctional Center: 1) repaired the fire alarm system; 2) rewired and re-roofed the kitchen; 3) refurbished dorms by replacing doors, HVAC, windows, and tile in the shower and toilet areas; and 4) constructed three new classrooms.
San Diego	\$999,999	Performed renovation/deferred maintenance at the Ranch Facility: 1) installed new generator and relocated exposed high voltage fuses; 2) replaced HVAC units in two buildings and installed new AC units in classrooms and dorms; 3) re-roofed dorms, classrooms and administration building, and installed roof drains on two buildings; 4) refurbished restrooms in two buildings; 5) replaced walkway ramps, including lighting; and 6) replaced door alarms.
San Francisco	\$15,075,000	Constructed a new 150-bed juvenile hall consisting of a combination of single- and double-sleeping rooms in pods ranging from 10 to 30 beds each. This facility replaced the 51-year-old dilapidated 132-bed facility, for a net gain of 18 beds.
San Joaquin	\$2,000,000	Added 60 beds and eliminated 46 dilapidated beds for a net gain of 14 beds to the San Joaquin County Juvenile Hall.
San Joaquin	\$3,015,000	Constructed a juvenile intake center with 30 maximum-security beds and related support space.
San Mateo	\$21,105,000	Constructed a new 180-bed juvenile hall and a 30-bed girls' camp (210 total beds) and related ancillary space, which replaced the current, outmoded 163-bed, 54-year-old San Mateo Juvenile Hall (net gain of 47 beds).
Santa Barbara	\$1,000,000	Added a 30-bed maximum-security living unit for pre-adjudicated detainees to the Santa Maria Juvenile Hall.

Santa Barbara	\$8,040,000	Added 90 beds to the Susan J Gionfriddo Juvenile Justice Facility.
Santa Clara	\$1,000,000	Added 30 "boot camp" beds to the Muriel Wright Residential Center, a local detention facility.
Santa Clara	\$20,071,384	Added 210 beds and demolished 186 dilapidated beds built 43 years ago at the Santa Clara Juvenile Hall (net gain of 24 beds). The project consisted of seven 30-bed housing units, each unit containing 14 double-occupancy and two single-occupancy wet rooms and related support space.
Shasta	\$63,182	Renovated the Shasta County Juvenile Hall by replacing the following: 60 metal frame beds with concrete beds, 42 wooden doors with hollow metal doors, 8 windows, and 8 toilets and sink combination. Converted the existing space to an ADA compliant intake shower/restroom and performed other security improvements.
Siskiyou	\$185,809	Reconstructed an existing laundry/storage area to add two single-occupancy rooms and on shower in the main housing unit and constructed the laundry/storage in the adjacent area at the Siskiyou County Juvenile Hall.
Siskiyou	\$32,212	Replaced and upgraded the existing HVAC system, balanced airflows, and replaced outdated control systems.
Siskiyou	\$3,961,087	Constructed a new 40-bed Charlie Byrd Juvenile Justice Center (juvenile hall), which replaced the current, outmoded 24-bed Siskiyou County Juvenile Hall (net gain of 16 beds).
Solano	\$2,000,000	Added 28 beds (single, wet rooms) and related support space to the juvenile hall.
Sonoma	\$88,947	Converted existing storage space to add 2 maximum-security single occupancy rooms to the Sonoma County Juvenile Hall.
Sonoma	\$8,000,000	Constructed a new 140-bed juvenile hall consisting of seven 20-bed housing units. Two units consist of 20 single-occupancy wet rooms; four units consist of four single-occupancy and eight double-occupancy wet rooms; and one unit consists of a 20-bed post-adjudicated dormitory. All related support space constructed with a combination of federal and county funds. This facility replaced the current dilapidated 120-bed, 50-year-old Los Guilucos Sonoma County Juvenile Hall (net gain of 20 beds).
Solano	\$898,000	Added a 58-bed dorm addition to the existing camp that replaced the current 37-bed dorm, which has been converted into classroom space (net gain of 21 beds).
Solano	\$1,000,000	At the Fouts Springs Youth Facility, constructed a multi-function building that includes intake, visiting, holding rooms, medical examination, counseling, security center and facility administrative space.
Solano	\$8,923,623 & \$121,377	Constructed a new 90-bed juvenile detention center consisting of three 30-bed housing units. Each unit will contain 18 single-occupancy and 6 double-occupancy wet rooms and related support space. This facility will replace the current 40-year-old 60-bed juvenile hall (net gain of 30 beds).
Stanislaus	\$2,545,364	Added two 20-bed units to the existing juvenile hall.
Stanislaus	\$2,000,000	Added 30 maximum-security beds to the Stanislaus County Juvenile Hall.
Stanislaus	\$430,215	Replaced 20 door controls, 2 gate locks, CCTV system, and electronics panel.



Tehama	\$4,000,000	Constructed a new 60-bed juvenile hall and related support space. This will replace the 32-year-old, 20-bed juvenile hall (net gain of 40 beds).
Trinity	\$2,733,994	Added a new 24-bed juvenile hall and related support space that replaced a ten-bed special purpose juvenile hall (net gain of 14 beds).
Ventura	\$25,425,981 & \$15,074,019	Constructed a new 420-bed juvenile justice detention/camp facility and related support space (63% paid with federal grant funds and 37% paid with state grant funds). This facility will replace the current dilapidated 84-bed, 60-year-old Ventura County Juvenile Hall, the 40-bed WERC Camp, the 24-bed CTC Camp, and the 45-bed Colston Camp (net gain of 227 beds).
Yolo	\$7,505,619	Constructed a new 90-bed juvenile hall consisting of three 30-bed housing units. Each unit contains ten single-occupancy and ten double-occupancy wet rooms and all related support space. This facility replaces a dilapidated 30-bed, 25-year-old Yolo County Juvenile Hall (net gain of 60 beds).
Yuba	\$2,698,098	Constructed a new 48-bed, minimum-security "boot camp" operated by Yuba County under a joint powers agreement with Sutter County.
Yuba	\$603,000	Added 15 beds and related support space to the Yuba-Sutter Juvenile Hall.

Source: Corrections Standards Authority, (2007)[1].