



Juvenile Delinquency Court Assessment: Court Users and Community Members Report

This report covers information about the Juvenile Delinquency Court Assessment (JDCA) project and focus groups conducted in 2007 with probation youth, parents of youth on probation, victims of juvenile crime, and community members. Together, these are referred to in this report as court users. Some of the key findings from these focus groups are related to the need for better communication between professionals and court users, practices that encourage more participation by court users in court processes, improved court case management to allow more individualized case processing, and consistent follow-through on system duties and responsibilities to court users.

Despite some differences among the distinctive populations of court users who participated in the focus groups, several common themes emerged across the four cohorts of focus group participants:

- Court users feel that the juvenile court is complex and challenging to understand, particularly the language that professionals use to communicate with each other in court.
- Court users would like the opportunity to address the court, state their needs, and ask questions.
- Court users singled out wait times for hearings as an important area for court improvement. They would like shorter wait times in court, fewer continuances, and more consideration for their schedules and personal time constraints when scheduling cases.
- Many court users believe that the delinquency system is primarily a case processing system, lacking both the time and the resources to address the underlying issues of the youth in court.
- Court users reported having the perception that the juvenile justice system sets youth up to fail.
- Youth generally do not understand the impact of their offenses on victims or the community. Parents, victims, and community members agreed that youth are not being provided opportunities to learn from or understand the effect that their actions have on others.
- Youth, parents, victims, and community members reported feeling frustrated about the perceived lack of follow-through in the system. Victims especially noted the lack of follow-through by professionals when seeking information, hearing notification, or restitution.

Youth, parents, victims, and community members expressed that the juvenile justice system can improve with better communication and collaboration among both professional and nonprofessional stakeholders in the juvenile court. For most participants, wanting to improve the system was the primary motivation for taking part in the research, and for most, this was the first time they had been given the opportunity to discuss their experiences and perceptions.

About the JDCA

The Judicial Council of California’s Family and Juvenile Law Advisory Committee, in conjunction with the Administrative Office of the Courts (AOC), Center for Families, Children & the Courts (CFCC), conducted the JDCA. The Family and Juvenile Law Advisory Committee convened a working group composed of members of the advisory committee and experts drawn from state entities and the major participants in the juvenile delinquency court: judicial officers,¹ court staff, probation officers, prosecutors, and defense attorneys. Working group members were selected both for their subject matter expertise and to ensure representation from a cross section of the state in terms of geographic location and county size. The working group helped develop the study plan, guide the research, and interpret the findings. A list of working group members can be found at the beginning of volume 1 of the *Juvenile Delinquency Court Assessment Final Report*.

The JDCA marks the first major assessment of California’s delinquency courts. This assessment was designed to gather and provide information to help improve the juvenile delinquency system by making recommendations for changes in laws and rules of court; improvements in hearing management, judicial oversight, court facilities, and other aspects of court operations; caseload changes; and improvements in court services for all court users. The assessment covered the following general topics:

- Hearings and other court processes;
- Court facilities;
- Court collaboration with justice system partners;
- Service and sanction options for youth;
- Perspectives of court users, including youth, parents, victims, and community members;
- Education and training;
- Accountability; and
- Professional background and experience.

The primary mode of investigation was to communicate directly with justice partners and court users. The JDCA project conducted surveys with all juvenile judicial officers, all court administrators, a random sample of juvenile probation officers, all juvenile division prosecutors, and all court-appointed juvenile defense attorneys, including public defenders, alternate public defenders, and contract attorneys who were identified as handling cases in delinquency court.² The JDCA project chose six counties to study in depth to learn about issues facing delinquency courts: Los Angeles, Placer, Riverside, San Francisco, San Joaquin, and Siskiyou. These six counties were selected for their size and geography in order to study a range of California’s local delinquency courts. Interviews were conducted in each of these study counties with the presiding judge of the juvenile court, the chief probation officer or the juvenile probation division designee, the managing or supervising juvenile deputy district attorney and public defender, and court administration staff such as the supervising juvenile court clerk, court executive officer, or manager. Focus groups were also conducted with justice partners such as probation officers, prosecutors, and defense attorneys, and with court users such as youth, parents, victims, and community members. An assessment of delinquency court

¹ “Judicial officers” refers to judges, commissioners, and referees.

² “Contract attorneys” refer to contract or panel conflict defenders only and does not include attorneys who contract as a public defender.

facilities across the state was also conducted as part of the JDCA project. The ultimate goal of this project was to improve both the administration of justice and the lives of youth, victims, and other community members affected by the delinquency system.

About the Youth, Parent, Victim, and Community Member Focus Groups

Between June and August, 2007, a consultant, working with a JDCA project cofacilitator, conducted a total of 15 focus groups: 5 with probation youth, 3 with parents of probation youth, 4 with victims of juvenile crime (or their family members), and 3 with community members. This qualitative component of the JDCA took place in the 6 study counties. Each of the focus groups was voluntary, and no attempt was made to recruit participants of any particular racial or cultural demographic. All participants except one spoke English;³ however, for some, English was their second language.

The focus group questions were the same within each cohort group, and generally all focus groups had the opportunity to address the same issues. The topics of discussion included participants' understanding of what happens in court, levels of participation in court, perceptions of the juvenile justice system, perceptions of court professionals, opinions about youths' understanding of the impact of their crime, and ways that the system can be improved.

The use of focus groups provides an opportunity to gain an in-depth understanding of issues directly from the people who experience them. This study provides a unique perspective; many of the questions had not been asked before in the realm of the social sciences. The focus group model provided room for discussion that is often lacking in other methodologies. The detailed responses can be explored later through surveys, file reviews, or courtroom observation. This study drew on the perspectives of youth, parents, victims, and community stakeholders—groups directly affected by the outcomes of decisions made by the court and by their experience in court, yet whose perspective has been heard on only a limited basis.

This approach also has limitations that must be acknowledged. The in-depth understanding of the perspective of a relatively small sample challenges the ability to generalize results to courts and other court users outside of the sample. In addition, although researchers actively avoided interjecting bias, it is possible to inadvertently affect the focus group discussion through word choice and nonverbal responses. When identifying themes from the focus group transcripts, even researchers conscious of the potential for bias may inadvertently mine the transcripts for desirable data. Despite these limitations, the study provides important information with implications for policy, practice, and future research.

Incorporating the perspectives of court users and the community into the work of the courts can help to improve the delivery of justice. It can increase the legitimacy of court orders in the eyes of youth and their parents and improve accountability and rehabilitation. It may also help to improve the trust and confidence that the public has in the courts.

This report is structured into four sections, each focusing on the perspectives of a particular set of focus group participants: youth, parents, victims, and community members. Each group of participants discussed their understanding of what happens in court, their participation in court, their perceptions of the juvenile justice system and court professionals, and how they feel about whether the offender

³ The non-English-speaking participant used another focus group participant to translate for her.

understands the impact of his or her offense. Participants in all of the focus groups seemed to have similar suggestions for system improvement.

Youth's Perspectives

Fifty-eight youth participated in 5 focus groups in 4 different counties. The study sought to gain the perspectives of youth at different points of involvement in the juvenile justice system. Two focus groups were conducted with youth in custody at juvenile hall—one with male offenders and another with female offenders. The other 3 focus groups had both male and female participants, although the majority were male. One group consisted of youth involved in a juvenile drug court; another involved youth attending an alternative school program run by the county probation department. The final focus group recruited youth on probation through the probation department and community-based organizations; many of the participants in this group reported on their experience in juvenile hall, camps, and group homes. The majority of the youth in the focus groups were youth of color. Two of the 5 focus groups consisted primarily of Latino youth; in 2 other focus groups African-American youth were in the majority. One focus group was made up primarily of Caucasian youth.

Most of the findings were consistent across all 5 focus groups, with many identical themes and issues raised. There were, however, differences from one county to another on several issues. For example, the frequency of contact that youth had with their probation officer varied considerably, with some youth reporting that they saw their probation officer nearly every day and others, particularly in more urban areas, reporting that they saw their probation officer only once in the course of several months. Youth in detention reported especially low rates of contact with their probation officer.

Understanding of What Happens in Court

Each of the focus groups with youth began with a question attempting to draw out how much the youth understood of what was said in court. In all 5 focus groups, youth stated that they had little to no understanding of what happened in the courtroom.

The adjudication of a juvenile court matter is a complicated process that has developed its own unique technical language that references sections of the California Welfare and Institution Code and has particular names for stages in the juvenile court hearing process. Youth consistently indicated that the use of confusing words and numbers created a different language that no one explained to them. Some youth reported that if things were explained, it was always after the fact—decisions had already been made and it was too late for any input. Overall, youth in all focus groups reported feeling distant from their court proceedings, stating that they did not understand what was happening during their hearings. In order for them to understand what goes on in the courtroom, judicial officers and other justice partners must speak in plain language and “translate” any codes, explaining to youth and parents what is happening, as it is happening, in court.

In all 5 focus groups, youth were also asked who had helped them understand the court process. The people who helped varied by focus group and county but included the public defender or private attorney, community-based program staff, staff at juvenile hall, and peers or older siblings who had some prior experience with court.

When youth were asked where they turned when they had questions, participants in multiple focus groups reported feeling as though there really was nowhere to get answers; they felt that they could not ask questions and that they were forced to learn about the court and what to expect on their own.

Several youth reported that they went to the Internet. A minority of participants felt that they could ask the public defender. One incarcerated youth reported that the counselors in juvenile hall and staff from community-based programs who came to juvenile hall to provide services were good resources.

Participation in Court

Youth were asked about their participation in court and about the factors that encouraged or discouraged participation. The youth in the focus group consisting of drug court participants reported that more experienced peers encouraged youth new to the drug court to participate in court. Youth generally reported that they wanted to participate and to have a voice in their hearings but felt that they were not allowed to speak. One of the factors that discouraged youth from participating was the feeling that decisions about them had been made before court began and that their input would not matter. Youth reported generally feeling that they were not given any options, and several mentioned that their attorney specifically told them not to speak.⁴ Youth want to provide input both at their court hearing and in their probation terms and conditions. In general, they want a chance to speak and be heard, and they want defense attorneys who listen.

A majority of youth reported that they verbally agreed to things they did not understand and signed papers they did not understand. They gave 4 primary reasons or explanations for doing so: (1) Some youth believed that the charges were accurate even though they did not understand them. (2) Several reported that they were not given enough time to read the documents they were expected to sign; some said they later discovered that charges had been added that they did not know about. (3) A number of youth went along with their attorney's recommendation to admit to charges that may not have appropriately characterized their actions without understanding the reasoning behind the recommendation. (4) Some youth admitted to the charges before them just so they could have the immediate reward of going home. This last explanation came up in all 5 focus groups.

Youth also reported having to wait outside the courtroom for long periods of time. For their sake as well as their parents' sake, youth want hearings to take place soon after they are required to be there. They recognize that their parents miss work and risk losing their jobs in order to attend their hearings, and then must wait to be called into the courtroom.

Perceptions About Court Professionals

When youth were asked about specific professionals they encountered, the discussion focused on the lack of recognition that they felt the professionals gave them for positive choices, job security of juvenile justice professionals, and the feeling that the probation department being designed for youth to fail. Some youth expressed a desire to have more of a personal connection with the professionals who are working with them.

Youth repeatedly expressed their desire for opportunities to address the court and their judge. They stated that they want judges to understand where they are coming from and who they are but indicated that these opportunities are rare. Youth reported that judges did not make an effort to get to know them and remembered feeling as though judges relied only on the reports put before them. As one youth mentioned, "He [the probation officer] said [that] whatever he recommends the judge is going to do."

⁴ Youth may not fully understand that their attorneys have reasons for asking them not to speak (such as concerns about incriminating statements).

They do not want to be identified only by what they did or by what is in their probation reports. Another youth stated, “The judge should let us have a chance to talk.”

When probed, a number of youth recalled positive things coming up in court, such as good grades, internships, and other programs in which they were involved. Remembering the times when the focus was on their poor choices, mistakes, and risk factors, however, overshadowed these memories.

Youth have far more interaction with their probation officer than with the court. Although some youth reported having good relationships with their probation officers, the overwhelming sentiment was that probation officers focus on failure and bad news. One youth remembered his probation officer telling him, “You could do good for two months straight and then that one day that you mess up, that’s goin’ to blow everything in the two months that you did good.” Although the probation officer in this example might have been trying to deter the youth from making a poor decision, the message this youth heard was that the court and probation focus on the bad rather than the good. The sentiment that there is no point in being good was reiterated and affirmed by other youth in the group: “So that’s why it’s best to just do nothin’. You just coast. Don’t do nothin’ bad, don’t do nothin’ good.”

In addition to expressing a general feeling that court professionals focus more on the negative, some youth felt that it goes even further. “Sometimes they test you, and they seem like they want to bring out the bad part in you,” one stated. Participants in another focus group linked the appearance that probation wished them to fail to job security:

It’s like they set you up to fail, or try and keep you on probation so they can keep their job. Without us they haven’t got a job. I know it’s not like that, but it’s what it seems like to us, you know?

Underlying youth’s sense that probation sets them up to fail is the feeling of being misunderstood by having been defined by only their mistakes and not by their successes. They reported feeling as though they are being told who they are rather than asked who they are. One participant stated, “They don’t ask; they tell you what you’re doing. You know what I’m saying? And I don’t like that.” Mimicking her probation officer—“you were doing this, you were doing that”—this youth went on to say that half of what was in the probation report was not accurate. She reported that even her birthday was wrong—yet correcting the information had its own obstacles. “They just think they just know everything, and they don’t. And when you do tell them [that something in the report is wrong], you’re being disrespectful.”

Youth in one focus group even felt as though probation officers deliberately try to confuse them. One youth stated that her probation officer “likes to come up here and torment me, make me think things that are not true, trying to get me confused about [my] case.” Youth in other focus groups reported that probation officers did not inform youth of their recommendations for their cases. Some reported that they were surprised by what happened once they got to court and believed that their probation officer had told them things that were different from what was in the report submitted to the court.

Some youth also talked about assumptions that probation officers made about their families. One youth talked about an experience with her probation officer who compared her own family life to that of the youth she was supervising, saying, “You’re just like me; my mother was a crackhead.” The young woman said she wanted to tell her probation officer, “Check this out: I ain’t from no projects, my mom and my daddy is there for me. Unfortunately, yeah, some people don’t have any parents, but I do, and it’s like I got my grandma, I got more than just them. I got more.”

Youth also discussed their perceptions of the attorneys. Youth in multiple focus groups commented that, in their view, the prosecutor runs the courtroom, having more control than the judge. Further, youth in one county felt as though the public defender just goes along with the deputy district attorney. In some counties, the youth believe that the public defender provides more effective representation than a private attorney. Alternatively, in one county, youth reported that the public defender seemed inexperienced and not very committed to their cases; they felt that a private attorney would have been more committed and more experienced. In other study counties, youth reported having disappointing experiences with private attorneys.

Perceptions About the Juvenile Justice System

Surfacing in all 5 focus groups was the belief that the juvenile justice system exists to generate money for itself and to ensure job security for the professionals working in it—judges, attorneys, and probation officers—and in other services such as group homes. In their discussions, youth paid attention to money and the costs of services such as detention, probation, court, and group homes. In talking about group homes and other out-of-home placements, one youth identified the services provided as helpful—such as counseling for psychological issues and drug rehabilitation—but also stated that youth should not have to go to a group home to receive such counseling. She said, “You ought to be at home. I can go home and take those classes. My family’s fine. I don’t have a corrupt family. And [the court is] paying for this extra stuff.”

Youth spent a fair amount of time discussing group homes and out-of-home placements. They admitted that some of the services provided by out-of-home placements were beneficial but felt that almost all of these services and resources could be delivered while they were living with their families. They see out-of-home placement as a punishment that is counterproductive if the family is functioning and stable. They also reported wanting more resources, such as programs that can help them find jobs and living arrangements.

Many also believe that the system as a whole is designed for youth to fail. This belief was woven throughout the discussions in all focus groups with youth. One example of a tactic that youth see as leading to failure involves being threatened with harsh punishments or other placement such as the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities (DJJ). Youth reported feeling as though they need to prepare themselves for DJJ by getting ready to protect themselves. One youth stated,

You’re going to have to defend yourself in there to survive. . . . They tell you, ‘Oh we don’t want you to be around gangs,’ but they’re putting you with a group of gang members, and you’re going to be in there for like two or three years. And then they’re talking about ‘We want the best for you.’ They don’t want the best.”

In another example, some youth in detention recalled examples of staff placing youth across the table from rival gang members or someone they were known not to get along with and then directing them to talk and interact with that person, threatening to drop their program level if they do not do so. In addition, youth believe that group homes for delinquent youth only encourage them to go deeper into the system. Some stated that probation officers place youth in group homes knowing that they will eventually run away and get caught.

A few youth were able to look beyond the system or the professionals as sources of blame but still focused on external factors for their problems with the law. In one focus group, participants agreed

with a youth's statement that "trouble seems to find you." Some youth identified getting into trouble as a habit and an attraction and alluded to the challenges they have in following the law, but once someone mentioned that the system is a setup for failure, multiple youth agreed.

A statement by another youth covered a few themes, but in the end she seemed to conclude that the purpose of the juvenile court system is just to process cases and that the consequences and court orders seem arbitrary:

I guess it's [the juvenile court system] for the bad kids, as they call it, but it's also to help you do the right thing, and it lets you see . . . the road that you're going down—if you just keep coming back. But they don't technically always do their job, because sometimes they just call the case, they don't even ask you what's up, they just be, like, okay we'll do this, going to give this to her, she going to be on 6 months probation, a year probation, and you're just sitting here . . . for what? And they give you this just so you can just get the hell out of their face, and your case will be done, and they get another case. And I just be like, dang, why? I swear that's what it is.

The perception that judicial consequences are arbitrary and inconsistent also surfaced in other youth focus groups. In one, youth were specifically asked if they felt sentences were consistent. "No, heck no" was the response from the group. "They have different expectations for everyone. That's what the PO told me straight up; he was like 'I have different expectations for everyone. What happens to one person won't necessarily happen to another.' . . . And that's not right." When participants were asked if they understood why people might be treated differently, one youth responded that it might be things like the charges or the youth's attitude, but most youth did not respond. Although youth stated their desire for uniformity in expectations and consequences, they also expressed a desire for the court to look at them and their offenses, families, and personal issues individually. On one hand, youth want uniformity, which they equate with fairness; on the other, they clearly want to be seen as individuals. They also want to be better understood.

Understanding of the Impact of Crime

Just as important to the findings are areas where attempts at discussion failed. Youth were essentially silent on their understanding of how their offenses had affected victims or the community. In the first focus group, the facilitators asked youth during the first half of the discussion whether they understood the impact their offenses had on others. Even with probing, there were few responses, and the facilitators assumed that the group did not have enough time to warm up to the difficult topic of victim impact and having empathy for others. In subsequent focus groups, the questions were not asked until the latter half of the discussion in the hope that youth would feel more comfortable talking about this topic. Repositioning the questions had little effect, however. Youth were not able to express any understanding of the impact their offenses had on their victims. The youth in one focus group identified their primary responsibility to victims as making sure it does not happen again. Youth also did not seem to think much about the impact that crime has on the overall community. Their focus was on themselves and their families. In-custody youth talked of the hardship and disappointment that being in custody had caused their families, particularly their younger siblings. Discussions of the impact on the family were common. Some youth better recognized the hardship they had caused their own families after they heard the stories from other youth in the group.

Youth did express a desire to have more opportunities to learn from their mistakes. This was particularly true of youth in juvenile hall. It was also clear that many of them do not feel that they are a threat to anyone's safety.

Parents' Perspective

Focus groups with parents of youth involved in the juvenile court were conducted in 3 counties with a total of 36 participants. The largest focus group had 19 participants. The majority of participants in this group were Latino and African American. One Asian-Pacific Island couple participated in the largest focus group. The smallest focus group consisted of only 6 participants, primarily Caucasian parents and grandparents. Latino participants in the 2 smaller groups made up about one-third of each group. Focus groups also included grandparents and other close relatives of youth who were on probation. One Latina mother did not speak English, and she participated by using another Spanish-speaking parent to translate. There was little variation in the feelings of participants across the 3 focus groups. The majority felt left out of the juvenile court process and unsupported in their desire to understand the events that took place in their child's case.

Understanding of What Happens in Court

Like the focus groups with youth, each parent focus group began with a discussion of how much the participants understood in court. In the 3 parent focus groups, parents stated that, like youth, they had little to no understanding of what happened in the courtroom. Parents in 2 focus groups reported feeling that their children actually knew more than they did about what went on in the courtroom. One parent commented,

It seems like a lot of times she has more information about what's going to happen than I do . . . because they talk to the other kids, they already know what's going to happen, and they seem to be more accurate.

Parents reported receiving minimal to no help in understanding the process—what was said and what was decided—and feeling as though the court hearings were so short and so rushed that they had trouble keeping up with the information presented to the court. As a result, parents felt disempowered. When asked if there was anyone who helped them understand, parents consistently answered “no.” Parents in one focus group stated that they had a “wonderful judge,” but even with a judicial officer who made a concerted effort to explain matters, they found the process overwhelming and confusing.

Parents want someone to explain the process and what is happening in court. When asked who would be the best person to help, answers ranged from attorneys and probation—entities that currently provide some level of information to parents—to a specially assigned advocate who would help parents understand what was happening, answer questions, and provide an appropriate means for parents to be involved with their child's case.

Parents also stated that the language was foreign to them and that no one explained it:

It's all talk in code, you know, we don't know what's going on. It's funny, when court gets out that guy walks out that way, our kids either go in there or come home, and we're none the wiser to what really happened.

Along with more education, parents feel that efforts should be made to simplify the language used in court so that parents and youth can better understand for themselves what is happening.

Comprehension is further complicated when English is not the parents' first language. A Spanish speaker in one focus group reported through another parent who translated that when in court the interpreter asked only the parent's name and whether she was related to the minor; that was the only information exchanged with the court. The mother reported that the interpreter spoke very quickly, summarizing what was being said in the court with no time for any questions. After the hearing, her son explained the little bit that he understood. The mother recognized, however, that the youth's account was not necessarily the most accurate report of what happened. Another parent described communication problems with the probation officer, who spoke only English. Although non-English speakers without an adequate court interpreter are at a clear disadvantage in terms of understanding a hearing, English speakers indicated that they did not understand the proceedings much better.

Even though parents in the aggregate reported little to no understanding of what happened due to the complicated nature of the process and proceedings, a variety of efforts were recognized as attempts to help court users understand the juvenile court. According to parents, these attempts, such as flyers and pamphlets, helped only a little. One parent reported that a video explaining the court process that was running outside the courtroom demonstrated a desire on the part of the courts to aid court users in understanding the process. That was of limited utility to the parent, though, because she was in need of information specific to her child's case.

Parents, like their children, did not feel as though they had the resources to clear up their confusion or get their many questions answered. They reported that they often felt so in the dark that they did not even know the right questions to ask. Some parents said that they went to the Internet to learn more about juvenile court. Parents in different focus groups commented on the challenge of getting questions answered. In the words of one, "Do we go to our attorney on this? Do we ask probation? They scare us—do we ask them?"

Even when a judicial officer asked if they had any questions, parents expressed a reluctance to speak up. One parent commented,

Do you actually stand up in the court when the judge says, 'Do you have any questions?' and you're like, wow, do I cut my losses now, or do I ask the question? We all have questions when he asks us. Few are brave enough to ask him. I'm usually stupid enough to do it.

Parents gave the impression that they felt the question by the judge was rhetorical; from their perspective, the judge did not really want parents to ask, and whoever was on the bench was not really interested in answering. Although no parents reported any negative consequences as a result of asking a question, parents said they felt as though they might be perceived as rebellious or disrespectful by asking the judge a question. Another parent in a different focus group responded similarly: "Do you have any questions?' It's like A to Z, yeah, you know, tell us why and what and how and when, and that kind of stuff." Another parent said, "I felt like 'Do you have any questions?' was the wrong question. What I wanted to hear was 'Do you have any comments?'" Parents feel as though they have few resources available to gain clarity and that there are few avenues to provide input and feedback.

Participation in Court

According to parents, the court experience was not a positive one. Parents found it generally difficult to identify avenues for participating in their child's court process. It was clear that some parents did not realize that in delinquency proceedings the attorney represents the youth, not the parent. Even when

the roles were explained, parents expressed frustration because they recognized that their children are still, in fact, children, and could benefit from their involvement. One of the main things parents want is for their children to be treated like children and for the court to allow parents to play a more active role in their child's experience with court and probation. In general, parents want more communication with the court before, during, and after hearings.

Parents often reported feeling confused about why their child's attorney did not necessarily go along with their decisions and were surprised to learn that the defense attorney represented their child exclusively. Some parents indicated that they felt left out of their child's case since they were not included in decision making. One parent stated, "The public defender represented our son and he wasn't really going to share anything with us." Parents felt that the dynamic among the parent, the child, and the child's attorney created barriers to maintaining their parental role. One parent who had a better relationship with her son's attorney than most of the parents in the focus group explained that, as a parent,

You're really not allowed to participate. You're not allowed into the process. The only reason we got involved is, in our case, because our public defender, our lawyer allowed us, he would sit with us. But once your son is taken into custody, that's it, you're not [involved]—our attorney represented our son. They're supposed to be in the juvenile system at that point, but it's like they're an adult. I mean, that's it, you don't see them, you can't; they're not your child anymore.

Although a few parents did describe being asked about dispositional options for their son or daughter by the probation officer or the judicial officer, the majority felt that they were not consulted regarding decisions made in court on behalf of their child. Parents stated that they want an opportunity to present information on what they see as their child's nature, strengths, and challenges. They want to be able to give the court what they feel would be a more balanced perspective. A number of parents reported making failed attempts to bring in others from the community and their church to provide the court with more background information. Parents understand that their children are attracted to immediate gratification (such as being released from custody and returned home), and although the defense attorney represents only the youth, they expressed a desire to be consulted in any plea bargain options presented to their child. Parents would like to collaborate both with their child's attorney and with the probation officer to advocate for their child's best interest.

A major barrier to parent participation is schedule conflicts between work and court hearings. Most parents reported that the judicial officer did not ask if hearings conflicted with the parents' work schedules. One parent explained the conflict between juggling work, raising her children, and making time for court hearings:

The reason we have kids in trouble is because we're struggling, too. If you had everything all perfect in your house, maybe your kids wouldn't have some hard times. I had two jobs. I'm a teacher. I'm not somebody that doesn't take care of my kids. I have seven districts that trust me with their children; I'm not a bad mom. But my kids get in trouble because I'm gone all the time, and because [they] have a deadbeat dad. I would like the option to be able to come to court at a time so I don't lose my job.

This parent went on to describe a snowball effect that results from having to spend long periods of time at court during working hours. She said that when a parent must miss work to attend court for extended

and often unknown amounts of time, it creates the risk of losing a job, which increases stress in the household. She expressed the fear that the increased household stress could trigger drug use for her son. From her perspective, the courts don't see the big picture. "The courts just go, too bad; you're a bad mom because you're not in court."

Parents also feel as though they waste a lot of time waiting for their child's case to be called. Once it is called, they feel as though they are not able to participate, advocate, or represent their child. They also feel that their child is being judged before the hearing even begins. One parent stated,

It's horrible, because you never have the chance to defend your son. It's all going on between the DA and the public defender, and they're just going back and forth. . . . You don't get to present anything, you don't get to say, 'Hey, well look at this' and then make the decision. No, it's all made on the assumption that you're guilty until proven innocent; there's no such thing as innocent until proven guilty.

Parents stated that they felt punished for not showing up to court. All of the parents in each focus group attended most of their child's hearings. Many expressed frustration at the expectation that they should sit and wait hours for a 5-minute hearing, and they were especially aggravated if they received a court order forcing them to do so. One parent commented, "If you don't come, you get threatened that you're going to be locked up."⁵ A number of parents shared similar experiences. Another parent reported that after going to court with her daughter she could not make the next hearing because of work. The court responded with a court order saying the parent must attend.

A factor that can complicate participation by parents is the failure of some courts to notify them of hearings. Parents collectively reported inconsistencies in notification, even within the same counties. Although some parents did receive formal notification of court hearings, most recalled receiving it informally from the probation officer. Many parents stated that they could not recall being notified of their child's hearings and said that they had to ask the probation officer when they should expect to be in court.

Several parents reported having experiences with professionals who did encourage their participation. Some also reported that they had taken the opportunity to ask questions and as a result felt more a part of the process. Probation officers who involved parents from the beginning and throughout a youth's probation period improved satisfaction among parents. Parents found it comforting when a probation officer asked their opinion about what should happen to their child during the initial interview and indicated that this got the court experience started on a positive and productive course. A proactive and communicative probation officer seems to make a big difference for parents, encouraging their involvement and increasing their understanding of their child's case.

Perceptions About Court Professionals

The question about the purpose of the juvenile court led, in all focus groups, to a discussion of the professionals who work in the juvenile justice system—primarily judicial officers, probation officers, district attorneys, and public defenders. The views expressed varied greatly, with some parents stating that they did not think anyone in the system was acting maliciously and others who seemed to believe

⁵ It was not clear whether this parent was threatened in some specific way or whether someone in the court made a reference to potential consequences. Regardless, parents cannot be "locked up" for not attending their child's hearing.

that the system as a whole was not acting in the best interest of their child. Comments such as, “You can’t even trust anybody,” received affirmation from members in the group.

Although there were examples of helpful probation officers, the general feeling among parents in the focus groups was that probation is primarily punitive; they feel that probation officers don’t really try to help and are not on the same side as parents. A number of references were made to inaccuracies in probation reports and the effect that misinformation had on some youth. One parent gave an example:

Well, my experience with ours was very bad. We only saw him twice, then when he sent the report to court there was nothing in there but lies. He had the wrong school—my son never even attended that school. He had a thing there that my son had hit me and he was arrested for beating me up, which never happened. . . . They still transferred him to adult court, and there was nothing [right], not even the school. He had no information right in that report but his name and his date of birth—that was it; everything else that was there was lies.

Attorneys on both sides play important roles, and parents had strong, varying opinions regarding the impact they had on their child’s experience in court. One parent shared personal observations based on his son’s experience in court:

You know, we were in court for about 10 months, and we got to observe a lot of the public defenders, and I think the one thing I noticed about them is they look exhausted. They’re carrying files like one file after another, and the DAs look like they’re all fresh and just walking out of the shower when they come in. The public defenders—they’re just overtaxed, overburdened, and I think it’s just overwhelming for them and that’s why they’re having a hard time defending the kids because their workload is just extreme. That’s how it appeared to us.

Other parents echoed this perspective that the public defender is overburdened and the deputy district attorney has control of the courtroom. Another parent said, “It seems like the DA has all the power—even above the judge.” Given this perception, parents reporting feeling frustrated in seeing the prosecutor ignoring positive information about their child. Some parents stated that the district attorney did not really care about their child’s character or about his or her performance in school or participation in community programs. Others commented that they felt as though the prosecutor dismissed facts that could have added an element of doubt to their child’s case. Parents stated that it seemed as though the district attorney viewed the juvenile court as the playing field for a game and the goal was to try to get the most punitive sanctions possible, irrespective of the evidence or the child’s character. Parents also reported that the prosecutor used the threat of charging a youth as an adult as a bargaining tool.

Parents cited specific examples of individual professionals who kept them informed of what was happening in court. Among those receiving praise were a defense attorney who took time to explain things and a probation officer who clarified what was expected while on probation. One parent said that her son’s attorney took time to ensure that she was kept aware of what was happening, but she admitted that the picture was still not completely clear. Another parent stated that the probation officer helped her understand the terms and conditions of her child’s probation, but that the court process remained confusing:

I don't understand what's going on in court, but I make sure I follow those rules that [were] given by her probation officer, like about 20 things that she needs to do. So that's the only thing I understand. I don't understand the court, but I know she's going to be there on her court date.

This enabled her to assist the probation officer in holding her daughter to the terms of her probation.

At one point, after participants in one of the larger focus groups expressed frustration with probation officers, one parent offered a very different experience with her son's probation officer and public defender:

I didn't have any problems. His probation officer and I have a really good relationship and talk all the time. And his public defender, we spoke all the time. So I mean it went well for me; I didn't have the experience that you guys had. It went pretty well.

Parents reported that it was the fact that individuals took the time to explain things to them that helped them understand. Some parents discussed specific instances in which a public defender or a probation officer made an effort to talk to them.

Perceptions About the Juvenile Justice System

Parents were asked what they thought was the purpose or intention of the juvenile court in their county. Although discussions in each focus group on this topic took many different directions, some common themes arose in all of the focus groups. Parents believe that the court tries to help youth and to have a positive impact on the youths' lives, but they also feel that the focus of the court is on punishing youth. In addition, parents think that the intention of the juvenile court and the juvenile justice system is to make money and that the purpose of the court has turned from addressing problems to processing cases. They feel that neither the court nor the professionals working within it appear to be interested in the root of the problem. Some parents noted a need for more services for youth, particularly in rural areas. Others focused specifically on the need for services that would help their particular situation or child. Some parents also reported on the helpfulness and importance of services such as parenting classes. Several parents mentioned the benefits of classes and counseling in which the parent and child get together to explore what is going on and ways to work on doing things in a better way.

A few parents in the focus groups reported that they went to probation to seek help for their child, thinking that probation would assist them in establishing some discipline or would connect them to substance abuse and mental health services. One parent reported that after asking for help following her son's overdose, her call for help was used against her. She reported feeling that, as a result of asking for help, she has become disconnected from what is happening with her son's situation and less able to make supportive decisions for her son. She reported that when she asks the attorney questions, he replies, "Oh don't worry about it. I'll see you next week in court." This parent said, "I went to them and asked them for help; they said we're going to get help. . . . They stuck him in a group home." The parent's idea of help for her 15-year-old son, who is addicted to drugs, "was to get him actual alcohol and drug treatment. And that isn't what's happened. He's been in the system locked up for four months with no counseling, no treatment, nothing at all." She reported feeling shut out of the process despite the fact that she was the one who initiated contact with probation.

Parents reported feeling like criminals because their role in their child's case is restricted; this feels like a punishment to them. They also feel that their children's involvement in the juvenile court makes

them feels as though their ability to parent is being questioned. One parent, talking about feeling blamed for her child's behavior, stated that when the court takes over, "it certainly does no better job with them, because the kids get out worse than [they were] in the first place."

Some parents expressed a desire for court orders and stated consequences to be enforced consistently. Parents indicated that it is difficult to hold their child to the terms of probation or to remind him or her of the consequences mentioned either in court or by the probation officer because their child knows that many of these threatened sanctions or placements will not be imposed. Parents see this as a large problem. Youth begin to believe that they can get away with not following the terms of their probation and with committing minor offenses. Then, seemingly all of a sudden, they may unknowingly cross a line and be severely punished. In the eyes of parents (and youth), creating a belief that misbehavior will be tolerated, only to reverse positions and mete out punishment creates an image of a justice system that is designed for youth to fail.

The lack of understanding, the feeling of oppression, and the perceived ineffectiveness of the court's intervention create a sentiment that the purpose of the system is to make money and maintain job security. Parents questioned the use of the money received from both public taxes and the bills and fines that they pay. They do not understand where the money goes. Parents that had or have a youth in juvenile hall reported being shocked when they received a bill for their child's time spent there.⁶

Most parents reported having a dismal view of the juvenile justice system. They believe that the system is in over its head and that it is just trying to get people in and out and process one case so it can move on to the next. Some don't see any real rehabilitation or punishment happening, and they don't see any problems being fixed for the offender, the victim, or the community. Some parents reported that after a couple of days their children don't really mind juvenile hall.

Understanding of the Impact of Crime

Parents generally feel that youth do not understand the impact that their crime had on others. Some parents stated that they believe the youth's normal stage of development is the reason for their child's lack of empathy; others cited punishments imposed on the youth that they believe were too harsh:

When the punishment is so out of step with what they have committed, it's hard to feel empathy for others because you're just feeling so oppressed by what you're going through. It's like, why am I going through this, I didn't do this, why is the system treating me this way? It's hard to get to that point where you feel empathy for others. And then if you were involved in any way [with] a victim it's almost impossible to get to the point where you're feeling for the victim because you feel a victim yourself.

Overall, parents generally do not think their children have much understanding of the impact that the situation had on their victim(s), their family, or the community at large. Other parents feel as though their child does recognize the impact to some degree, but that the juvenile justice system does not create opportunities for youth to understand the impact of their decisions. One parent said that it was the judge who helped her son understand by explaining the impact the crime might have had on the victim, who was a neighbor and known to the youth.

⁶ Cal. Welf. & Inst. Code § 900 et seq. deal with the financial support of wards and the liability of parents and guardians for the costs of housing, supervision, legal representation, and other support costs.

In 2 of the 3 focus groups, parents thought that a dialogue between the victim and offender would be beneficial to both the victim and their child, even though no one reported having actually participated in such a dialogue. Parents recognized a need for their children to understand what the victim was going through as a result of the child's offense, and also believed that it would help the victim understand more about what happened.

Some parents believe that many of the youth in juvenile hall are innocent of the crimes of which they were convicted. They believe these youth are incarcerated because they refused to “snitch” on their friends; they would rather do the time than face the social and in some cases physical consequences of doing something that is perceived by their friends as cooperating with law enforcement. One parent stated,

They're not going to snitch on their friends; that's kids. I'm keeping it real: whether your kids tell you or not, they are not going to tell on their [friend]—especially a boy. “I'm not telling on him, I don't care, I'll do two months, three months in jail.”

Victims' Perspective

A goal of the JDCA project was to explore what would make the experience better for victims of crime. Focus groups with victims proved to be a challenge in terms of recruiting participants. Individuals who had been victimized by crime committed by youth were sought through contacts at state agencies, county agencies, and community-based victim/witness services in 4 counties. This cohort included both victims and, in 2 focus groups, victim advocates whose work focused on crimes committed by youth. A total of 15 participants took part in the 4 focus groups, with group sizes ranging from 6 participants to one group with only 3 participants—1 victim and 2 victim advocates. Across all focus groups, participants were split nearly equally between male and female. Compared to the demographics of victims in the state, the study drew a disproportionate number of Caucasian participants.

Participants in most of the focus groups indicated that they felt generally frustrated with their experience in juvenile court and the juvenile justice system. Despite the small number of participants, information obtained was consistent across 3 of the focus groups. One group proved to be an anomaly. The 6 participants from this county all reported having superior service and satisfaction. The findings from this focus group demonstrate ways to better serve this population.

A number of the victims reported being very surprised to have been contacted to participate in the research. Some said it was the first time anyone from “the system” had actually called them, and they were impressed that the organizations that recruited them did so, knowing that they would have many criticisms. “This is the first time we really had a chance to talk about it or discuss these things,” one said. Yet, with this opportunity to share their experiences and opinions also came another time commitment. Victims who participated stated that they spent so much time preparing paperwork and waiting for the case to be heard, which they ended up feeling was wasted, that they understood why turnout for the focus groups was low.

Understanding of What Happens in Court

When victims receive the necessary information enabling them to attend court, there is still the hurdle of understanding what happens while there. Once again, participants reported that little help is available for a layperson to understand what happens in court. One woman stated that her knowledge

came from watching the crime drama *Law & Order* on TV. Others reported that access to friends who are professionals in the system provided some assistance and helped them understand what had happened. The victims in one county felt differently because their advocate explained the process, helping them manage their expectations and feel less isolated.

Victim focus groups began with questions about their general understanding of what happened in court. Many victims responded by highlighting communication problems that prevented or discouraged them from even participating in court. Most victims in the focus groups reported receiving limited information about their offender's case despite the rights afforded to them by California law.⁷ Many of the victims who actively pursued the information themselves found it challenging to get any response from the people they contacted. According to many, victim services or the deputy district attorney assigned to their case never contacted them. A number of the victims were surprised that a victim services office or advocate even existed. When asked if anyone from the district attorney's office had contacted them, one participant said, "There was no information from anybody. So it would be nice to have that sense that there is somebody who's going to be an advocate and dispense information." An advocate working at the state level in the final focus group with this cohort confirmed what had been expressed in other focus groups: "Most of the crime victims that I have worked with never had a victim advocate from the district attorney's office." Since no one contacted most victims, one of the primary issues that surfaced was that victims did not know where to turn or whom to contact. Some felt as though the appropriate person for a victim to contact was always changing as the offender moved from one stage in the system to another. In the words of one participant,

I don't know the system at all. So I don't even know the roles that these people play in the system. I mean, I certainly can figure out that a probation officer has to do with probation. But in terms of much past that, I wouldn't know. So if I get a form letter that has a name on there, I think that's who I call. . . . They say no, now they're in a different part of the system. . . . Every step of the way there's somebody different. There's somebody who checks them in. . . . Then it's somebody different who's going to do the other processing. . . . You can't get information and you don't know who you can go to for information because they're always being handed off to somebody else.

Many victims reported not being notified of any of the hearings. Participants repeatedly stated that they had initiated all contact that led to any notification of hearing dates. Victims reported having to ask when the hearings were going to take place even after they had requested notification. One participant said, "If you didn't, you'd never hear."

The probation department was uniformly described as unhelpful. Many of the participants reported being angry and feeling as though more rights were afforded to the perpetrator than to them. Some participants attributed their challenges to perceived incompetence on the part of probation. Others felt that the people they dealt with were very nice but unhelpful—their hands were tied. The belief that the system exists for job security and money surfaced with victims, just as it did with parents and youth. One stated,

⁷ See Cal. Pen. Code § 679.02 and Cal. Welf. & Inst. Code §§ 656.2 and 676.5.

Well, every time I deal with the probation department, it's like no one knows nothing; they can't enforce anything and they have no answers for you. It's like they just want to be a high-priced babysitter and take the money and run.

Victims of crime almost uniformly reported challenges in getting basic information about their offender's case.

In sharp contrast, the participants in the fourth focus group felt differently and credited their relative satisfaction to the outstanding work of their victim advocate. Victims reported that a victim advocate contacted each of them by phone or letter after being notified of the crime and offered herself as a reliable contact for information, notification, and support. Victims stated that they were informed of their rights and information about the case, and they were notified of all court dates and what they should expect to happen. Having one person to contact who was able to give them information about their cases was said to be useful.

Participation in Court

When participants who were actively involved in their offender's hearings were asked what encouraged them to continue participating in the juvenile justice process, most victims mentioned internal motivation. One victim said that his initiative came from feeling as though the professionals were not doing their job; he wanted the offender to understand how the crime had affected him and wanted him to be held accountable so others would not be victimized. External factors that encouraged involvement were limited in the counties that did not have active victim advocacy. Some victims mentioned that being asked about convenient court dates encouraged them to continue being involved. In most of the focus groups, victims reported that the opportunity to make an impact statement in court provided motivation to participate. In one county, however, participants reported that they were never offered this opportunity. Speaking on the value of the victim impact statement, one victim explained,

It feels good to have a voice, or to have a say-so, or at least to have somebody have some sort of an idea that this person isn't just a name flowing on a docket. It's not just a number coming through on a hearing. This has impacted somebody in some fashion.

Although the primary motivation to become involved seemed to be internal, one victim indicated that there are a number of internal factors that can discourage participation in the court process. This victim found it too difficult to attend the hearings. She said, "It's just a slap in the face every time you attend those," and indicated that she felt forced to relive and reexperience one of the most painful events in her life every time she attended a hearing.

Victims did not report an overall positive experience with the hearings they attended or tried to attend. They expressed major frustration over long waits, changes to court dates and times without notification, disorganization, and the lack of attention paid to the rights that are supposed to be afforded to victims.

Many victims reported that they spent substantial amounts of time waiting to be invited into court. One victim stated that this situation made him feel as though he was put on the same plane as, or below, the person who robbed him. He stated,

I'd sit out there in the hall and wait until I got invited in, which frankly didn't sit well with me. I mean, I was the victim, and yet I was treated like a criminal basically, or not treated like I had many rights.

Another victim reported that he wanted to attend the disposition hearing and was told to be at court at 9 a.m. By 10:30 a.m. the case still had not been called, so he left. Since that experience, he had not heard anything until he was offered the opportunity to participate in the focus group. Another participant talked about being subpoenaed and enduring continuances and the hardship the experience caused him:

All of a sudden I'm getting subpoenaed to court, and I show up to court and I sit around. I have my own business and this is a real hardship to just take up and leave. . . . I got a subpoena one time and I had to show up in court the next day. I readjust the whole schedule so I can be out of [my] store, and I show up and I sit there for like 45 minutes. . . . The public defender gets some kind of continuance, so let's just go home, and so I do. I get subpoenaed again, I show up, and we sit in court and sit in court and sit in court, because it's not just me and this kid and his public defender, but there [were] like 15 other kids who come trooping in, and I'm sitting out in the hallway waiting, waiting, and then finally they call me in and the public defender says we need a continuance, so go home. This went on and on and on; it's just to the point it's ridiculous. When they finally come up, I said I'm prepared to at least have my day in court, at least be able to say how they impacted me. . . . I never even got that. And then one day we have a restitution hearing and I got to show up, and they asked me a whole bunch of questions, stick me on the stand like I'm trying to screw these two kids. All I want is just restitution for what they did to my store.

Stories such as these were not the exception. Participants did not seem surprised at hearing other victims' similar accounts. In many cases, one account generated a comparable story from another individual. Victims' descriptions of being on the stand and feeling as though *they* were the criminal resonated in all the focus groups, including descriptions from those who reported having had adequate advocacy and support.

Focus group participants attributed their long waits, changing court dates, and poor communication to a general disorganization in the juvenile court. Victims reported that this made involvement difficult, even for those who wanted to actively participate. One said,

It just seems like there wasn't a lot of coordination between any of the agencies, and, you know, they'd say that the court date was set for this date and then it was canceled, or it wasn't really this date it was this time, you know. I got a business to run, too, and I wanted to be there, I wanted to be involved in the process, and they made it very difficult. They certainly weren't helpful, in my opinion.

Another disappointment expressed by a number of participants was the lack of enforcement of victims' rights. Those who were informed of their rights or who found information on their own felt embittered when their rights were not upheld or when they were not provided opportunities to exercise their rights. One victim, who was told that he would be able to make a victim impact statement but then was never given the opportunity, stated,

There were certain things I was told that you really could do, like I was told that I would have a chance to make a victim's statement in court. I never got that chance. I mean I came prepared, I had it all written out, I knew exactly what I wanted to say, and I never was given that opportunity.

Additionally, some victims reported that probation officers refused to release information to which they were in fact entitled. In all focus groups, victims reported that juvenile probation officers did not seem to have a clear understanding of victims' rights.

When one participant was asked what he would want other victims to know about their rights, the participant laughed and responded, "Basically, [you] have none. Everything they say you have a right to is just a bunch of bull." Later, in the same focus group, a participant who has been a victim advocate for several years confirmed his statement:

None of their rights are enforceable, not one of them. So if they miss the sentencing hearing, even because they weren't informed of it, even if they had requested notification of it and weren't able to deliver their impact statement, then—oh well, that's really an unfortunate thing.

A number of victims reported feeling as though the rights of the juvenile were more important than their rights as victims. Even in the county where the victims felt supported, the victim advocate does not have control over the information she receives from probation, and so she often cannot give victims the information they are entitled to by law. One unique example of victims not being able to access information they are entitled to involved a couple who wanted to know the offender's last name. They were victims of burglary and identity theft. They reported that no one would provide them with the offender's last name or that of his parents. All they received was his first name and last initial. They stated that someone had made a mistake with the paperwork, and that the victims' information—full names, address, telephone numbers, and other personal information—was obtained by the offender. The victims stated that they received telephone calls every five minutes from a number of different jails after they reported that they would attend the dispositional hearing. They also stated that they felt threatened and did not attend the dispositional hearing or any future hearings and have been traumatized by the event. One of them said, "We would've been better off letting those guys just disappear into the night."

Some victims felt that the lack of access to information was unique to juvenile cases. One participant reported that it was "a pervasive attitude across the board. No matter what part of the system you're dealing with. It could be someone answering the phone, it could be an investigator. . . . the moment a minor is involved, it's hands off." The lack of cooperation these victims experienced and the feeling that their rights were not upheld, combined with a generally negative experience, made some victims feel angry.

Victims reported that costs were another factor that discouraged them from participating in court and in the juvenile justice process. One victim estimated that he has made "probably about 10 trips" and spent "maybe 20 hours" on the juvenile court process alone. Victims reported that there are many costs for participating in court as a result of the crime that are difficult to sum up, such as the time it takes to complete the restitution paperwork.

Perceptions About Court Professionals

Victims discussed their experiences and perceptions of the professionals they encountered throughout the process. These discussions ended up being focused on probation officers, but victims did comment positively on efforts made by judicial officers to bring the human impact of crime into the courtroom.

Victims generally reported that professionals treated them politely and with respect. This was coupled, however, with grievances discussed earlier regarding a lack of follow-through, a lack of knowledge, a failure to provide help or information, and a general feeling that the system as a whole is uncoordinated. Victims uniformly reported experiences with people not following through, whether it was related to notification of hearings or final dispositions, getting an answer to a question, or providing information on the case. All 4 focus groups initiated discussions related to a lack of follow-through on the part of probation. One participant, speaking about the professionals, stated,

They were just going through the motions of their job. . . . They were just way too busy to really get involved in anything. . . . The end result was—it may sound bitter—but from Victim Witness to the probation department to the DA’s department, they all batted a thousand: not one agency or one person in any one of those agencies did anything they said they were going to do when they said they were going to do it.

The general feeling expressed in the majority of the groups was that there was a façade of help and support. When one participant was asked how he felt he was treated by probation, he responded, “Nicely, but there was just no help, no information: ‘I can’t do nothing,’ ‘I don’t know.’ The right hand doesn’t know the left hand, and when they do meet each other they’re tied, can’t help you anyway.” Participants in other focus groups related similar experiences. Some victims felt that the people they dealt with wanted to help but couldn’t due to a lack of knowledge or the lack of communication within the juvenile justice system. Others complained that the professionals were not doing their job. Still others described everyone they dealt with as overworked and coming across as though they did not have time to deal with the victim of the crime.

Victims also discussed the basic challenge of dealing with professionals who may have become inured to the effects of crime because they work in the system on a day-to-day basis. Disturbed by the idea that his sister’s death would become just another case, one victim questioned how the professionals perceive the cases that come across their desks:

We went [to court] because we want there to be a face attached to this. We want somebody to recognize that my sister was somebody; she’s not just a name coming across somebody’s desk. Poof—she’s buried, okay, it’s done. Does it become mundane to them at some point? Does it become routine?

Other victims questioned how the professionals feel when dealing with victims of crime. One said, “They probably feel pretty darn hopeless or helpless when they respond back to you, ‘Yeah, there’s nothing you can do, there’s nothing I can do.’”

Amidst all the questions about the perceived lack of empathy of court professionals, victims acknowledged that probation officers did empathize with them to a degree. And the feeling that someone cared seemed to be valued almost as much as the more substantive things, such as access to information and restitution. Although not explicitly stated, the victims who had an advocate to walk them through the experience seemed to appreciate the empathy as much as the advocacy and information. One participant referred to the advocate as “a godsend.” Another told the advocate, “I just could not imagine going through this without you.” In talking about other people they worked with in the system, one victim stated, “By no means [did others respond on] the same scale and with the same personal attention that we received from [the advocate] in any capacity.”

Perceptions About the Juvenile Justice System

Victims had varied perceptions of the juvenile court's purpose, most of them negative. One victim stated,

My impression [of] the court system from my experience is that their intent is just to process and keep the process as simple, quick, and easy [as possible]. [The juvenile court is] in the job of processing. Everybody just does their bit of the processing and then a politician gets up and says we need more money to do better processing and then that's the way everything works.

Similarly, a victim in another focus group felt that the courts were "just fulfilling the basic requirements of the law." He went on to further explain,

They're not interested really in rehabilitating these kids. I don't think they're really involved enough in making sure these kids understand the severity of a crime they commit, and the impact that it has on the victims of that crime. I think they just pretty much go through the motions of what the law says.

Another victim reporting feeling that the court just defers its responsibility: "I think the court's whole mindset is to just pacify the kid until he's 18, and then it becomes the adult system's problem."

Victims also discussed communication problems, inefficiencies, and general disorganization that left them feeling discouraged. They reported that they have a real lack of knowledge of how the system operates. When this lack of knowledge is coupled with no help or poor help and disorganization, people feel revictimized:

You're into a system that you're not familiar with, and you're relying on people like Victim Witness or the probation department to help you along and give you advice and feed you through the system, and if you got people who just are just so busy doing their job they can't help you, then I guess you just, you become a victim too. And it just, I don't know, it's not a very good situation. It wasn't very pleasant.

A participant in another focus group put it succinctly: "Unfortunately, the victim gets victimized twice: once by the person that actually did the crime and then [again] going through the criminal justice system."

The theme in many focus groups with victims seemed to be that the system does not go into any depth in addressing the problem that brought the offender before the court or in understanding what issues the victim may have. It just goes through the motions and applies fairly standard consequences without looking at extenuating circumstances and without creating a response that addresses the issues and needs of either the victim or the offender. One participant stated, "It's not really about rehabilitation. It's not really about punishment. It's just processing." In one focus group, participants had no answer to the question of what they think the purpose or the intent of the juvenile court is. When asked if it served public safety, the answer was "no." One participant said, "It shows them they can get away with anything." When asked if it focused on the punishment of youth, the answer was "no."

Some victims expressed a desire for harsher dispositions and for the courts to follow through with punishments. The idea that youth "just get a slap on the wrist" surfaced for participants advocating both for harsher punishment and for holding youth accountable or responsible for their actions. One victim explicitly stated that he had gotten to the point where he did not care about restitution; he just

wanted the youth's probation violated and for the court to follow through with its threats of punishment, which in his case, it never did. The lack of follow-through appeared to bother victims in all focus groups. Victims reported from both personal experience and stories they had heard that judicial officers and probation officers try to scare youth with threats of time at DJJ, the state-run detention center, if they reoffend or do not follow through on conditions of probation. Victims feel that these threats are rarely carried out, however, even after multiple violations.

Several victims felt that the punishment for certain crimes was extremely inconsistent, depending on whether the offender was an adult or a juvenile, and that these inconsistencies need to be addressed. Some speculated that adults were using and encouraging youth to burglarize homes for them as a result of the more lenient consequences for youth offenders.

Throughout the focus groups, as the conversations regarding punishment progressed, the desire for retribution subsided for many participants. In talking about how to make things right for the victim, one participant went from talking about how his offender "hasn't been punished enough" to, when asked specifically what the offender could do, saying,

Get rehabilitated. And, as much and as angry as I am at him, it would put a smile on my face just to know he's getting treatment or rehabilitation [to be] a better person, knowing he won't go out and hurt other people.

Victims overwhelmingly wanted to ensure that their offender does not victimize someone else in the same way they were victimized. Although some advocated for punishment to accomplish that goal, the majority felt that a more rehabilitative approach, if it would ensure that the individual does not reoffend, would be more effective. "If I could change anything, that's what I would change. That would outweigh the punishment for me . . . some type of rehabilitation," one said. Victims generally expressed a feeling that the consequences for youth who commit crimes are not adequate. They believe that the consequences imposed do not hold accountable, adequately punish, or rehabilitate youth.

Victims had a lot to say about what they desired from the services designed to advocate, support, and assist them. Their self-identified needs focused on safety, protection of personal information, access to information, opportunities to be heard, restitution, and offender accountability.

Most importantly, victims reported a need to feel safe. In terms of services and professionals who come in contact with victims, this begins with law enforcement. One victim recalled that, after her home was robbed, a law enforcement officer said that the people who broke into her house would probably come back, yet offered no advice or method for regaining a sense of safety or security.

Victims reported the need for some safeguards to protect their personal information. As was mentioned previously, one couple had their personal information mistakenly released to the offender. They reported that their lives have not been the same since. They have had to change their telephone number to an unlisted number. They have become more reclusive. The snowball effect of that one mistake was enormous for the lives of this couple. They suggested that an advocate, separate from probation, shield all personal information of victims. This couple now refuses to provide personal information to anyone in the probation department.

With respect to the court, participants' wishes were fairly straightforward. They reported wanting phone calls to be returned, wanting to be kept informed with advance notice of hearings and advance notice of continuances, and wanting to be heard. One victim was clear that he did not need to have the

final say on the offender's disposition; he just wanted his experience to be known and his opinion to be heard:

I wish they would have asked my opinion on this sentencing, and, you know, not saying that I had the right to make the judgment, but some kind of input, they would ask my opinion of what this has really done to me before the last court date, so maybe I would have changed someone's mind and opinion.

A suggestion that emerged in all focus groups with victims was to have a single point of contact for victims of crime. One victim stated, "I think it would've been good to have one person to talk to, to answer questions, instead of us having to call sergeants on the case, intake officers, the county jail itself, the probation officer." She suggested having "one person who is able to give us the information that we need." There was no clear consensus regarding which office this single point of contact should work from, but in one focus group it was suggested that they should work directly for the court, since there are clear biases with both defense and prosecution-based victim advocacy. One stated,

If the truly neutral player, the court, were to provide a victim service, then regardless of whether or not the petition is sustained, the victim should still have someplace to go, somebody to help them, somebody wherever the kid goes—on probation, not on probation, state care, local care—you'd still have somebody there to help them out.

In the county where focus group participants had a single point of contact, the conversations focused on ensuring that the probation department provides the victim advocate with up-to-date and accurate information about the cases so that victims can be kept informed.

Understanding of the Impact of Crime

A major theme throughout all focus groups with victims was the need for victims to have an opportunity to express how the crime had affected them. Much of the conversation was focused on increasing opportunities for the youth in particular to understand how the crime had affected their victim. Some participants also expressed the need for law enforcement and professionals in the court to understand the impact of the crime. In short, victims want to be heard. Victims also expressed a desire for a genuine apology. The apology would ideally make it clear that the offender understood the impact and took responsibility, even if he or she did not have the desire to fix the harm.

Victims would also like the system to do more to enforce the payment of restitution. They reported the need to know—from the beginning—the many obstacles they will encounter when trying to collect restitution. Many victims reported that when their case began, they initially believed that a restitution check would just arrive, but they discovered that the reality is very different. Practically speaking, victims stated that they would like to receive a monthly amount, no matter how small it is. Regular payment would demonstrate accountability. If for some reason the payment could not be made in one particular month, victims feel they should be informed of the extenuating circumstances and told when they can expect payment to resume.

The desire for restitution seemed, for many victims, to be rooted in the desire for the youth and, in some cases, the parents to take some form of responsibility for what was done. One victim stated,

It isn't the money. I knew when I walked out of there I'll never see a red cent out of these people. But it would have been nice to have some kind of an outcome that they feel a little pinched. . . . I mean, financially they hurt me. . . . Maybe he's going to have to go

work his days off at his job and come up with 50 bucks a month; anybody could do that. It might not be easy, and it might kind of impinge on his free time, you know, where he can't sit around drinking beer or something, but I think that's what they should have done. And then they should enforce it.

A number of victims commented on the importance of probation upholding the court's order for restitution. Many victims came to the conclusion quickly that payment of restitution is, in their words, "a joke." Victims feel that the lack of follow-through with restitution and other threatened sanctions weakens the integrity of the court and thus public safety. They expressed little interest in filing a civil claim to collect restitution and feel that the courts should do a better job of enforcing restitution orders rather than making the victim do more work and navigate another confusing court system.

Victims generally have very limited contact with their offenders. In small, rural communities, victims reported seeing the offenders on occasion. In just about all cases, victims do not believe that their offender has an understanding of the impact the crime has had on them or the community. In one case, however, a victim told a different story. A young man who admitted to vehicular manslaughter made a creative and unique plea deal with the prosecutor, supported by the victim's family. In addition to some restrictive sanctions, he talks to students in schools about his offense and its impact. He retells the story of how he took the life of another person and shares what he went through as a result of the poor choices he made. The brother of the woman who lost her life reported that he appreciates the coordination that took place to develop a court disposition that forces the youth to explore his decisions and possibly influence the decisions of other youth:

I applaud their efforts . . . To hear it out of his mouth and even to hear it more than once, that's really—I mean, as much as it's been kind of tough sometimes, I think for me personally that makes me feel it's not in vain.

Community Members' Perspective

Participants in the focus groups of community stakeholders included a diverse group of individual community members. Some represented community-based organizations, or CBOs. Others included people who feel affected by crime in their community, relatives of youth involved in the juvenile justice system, and representatives from local schools and faith-based institutions. Three focus groups were conducted in 3 different counties. The average size of these groups was 11. In one focus group, the majority of the participants were Latino; in another, the majority were Asian; and the third had a Caucasian majority. No attempt was made to solicit participation by any particular racial or ethnic group or specific cultural community organization.

Throughout these focus groups, multiple definitions of community emerged. At various points in their conversations, the focus groups highlighted (1) the community of CBOs, (2) the communities where youth live, and (3) the broader community—the general public. .

Understanding of What Happens in Court

Community stakeholders in the focus groups recognized the challenges that families face when they have a child involved in the juvenile delinquency court. Since many of the participants in the community focus groups work with families, they get to observe them in and around the court. Participants feel that families in court generally have no idea what is happening there. One participant who works as a full-time advocate for families remarked, "[Families] need orientation, they need

packets, there's no handouts, they're just sitting in the waiting room and they have no idea what's happening." A number of participants echoed these sentiments. One stated, "The family doesn't know what happened in court, they have no idea—they were in there for 10 seconds." Another participant noted, "You have a system that even individuals that are [highly educated] can't maneuver!" One community member pointed to the potential for misinformation being given to parents after the court hearings:

I've worked in three different counties in the juvenile justice arena, and for the most part I've noticed that you come into court with the judge, decisions are made, then as the information trickles down to the child—the youth—and the family it gets really diluted by staff passing it on—whether it be probation, child welfare—and the more layers it goes through the more diluted it gets. By the time it gets down to the family, a lot of times it's incorrect information.

An important change that participants feel should be made is a greater effort to inform youth and their families about what is happening in court. Participants in one focus group suggested that an orientation be developed prior to the youth's court hearing. When talking about who should educate parents and youth, some participants felt strongly that it should not be a professional from the court. One participant with a child previously involved with the juvenile court said, "I think when it's presented [by] a professional they feel threatened, not necessarily because the professional's coming across that way, but families just are incredibly intimidated, they're just very intimidated." Focus group participants also remembered a book put out by the Administrative Office of the Courts, Center for Families, Children & the Courts, titled *What Is Happening in Court*.⁸ The book brings the complex juvenile court process down to a level that a grade-schooler can relate to; participants suggested that there is a need for a similar publication for teenage youth.

Participants also feel that there should be an effort to use language that the youth and their families can understand in the courtroom, for both English-speaking and non-English-speaking youth and their families.

Participation in Court

Supporting the findings in the focus groups with parents, family advocates oppose the way the courts schedule hearings. They find the long periods of waiting unproductive not only for families but also for advocates and support people. They reported that the court may schedule cases at 8:30 a.m. and 1:30 p.m. A youth who is scheduled for 8:30 a.m. needs to be present at 8:30 a.m., but the case may not be heard until noon. One participant stated,

Parents will wait at least an hour, two hours, sometimes even three hours to go into court for five minutes. . . . If you're going to be an advocate for the parents—to go into a hearing, to accompany them for five minutes—you need to wait at least an hour, maybe three, so your whole morning is there waiting.

This is reported to be a challenge for advocates and parents, and they believe that the juvenile courts should take family schedules into consideration when setting court dates. Focus groups participants

⁸ Admin. Office of the Courts, Center for Families, Children & the Courts, *What is Happening in Court* (1999); available at <http://www.courtinfo.ca.gov/programs/children.htm>.

reported that some judicial officers tend to ask families about time and dates that are convenient and some do not.

Community focus group participants suggested that the courts work to improve the level of court users' engagement with the court and also that the courts become more connected with the community. To improve the level of involvement by youth and their families, participants said that these stakeholders need to have access to information about the court and their particular case. Participants in community focus groups recommended a single point of contact for youth and families to get information. Participants also feel that schools should have a single point of contact with the courts, which would allow them to better serve youth in the juvenile justice system, particularly youth in detention.

Participants in the community focus groups feel that the juvenile court is complicated and that this makes it inaccessible to most people. Professionals who work alongside the court have an advantage in that they generally have a better understanding of its structure. One county has developed a policy management team for the juvenile court, which involves some CBOs. Although not all participants in this county's focus group were aware of the policy management team, the general feeling among those who took part in the discussion was that their juvenile court is generally more accessible than most due to the increased collaboration between the court and community-based organizations that participate in the policy management team meetings.

Collaboration With the Court

Participants discussed how well they thought the court collaborated with other potential justice partners in the community. Discussions focused on the courts' collaboration with community organizations serving youthful offenders by providing advocacy and support to families, schools, and faith-based organizations. Participants also discussed the types of services they can provide. Although CBOs spent some time critiquing probation's and the court's lack of awareness of community resources, they recognized that they too are often unaware of all the resources that could be of benefit to the populations with which they work.

Some community focus group participants felt that the need for confidentiality in the juvenile system hinders collaboration between CBOs and the court. One participant representing a program that attempts to provide information to families about court reported challenges in getting information from the court to support the families with whom she works.

Court-Community Relationship. Different communities clearly have different relationships with their courts. For CBOs, the amount of time they have been in existence seemed to influence the degree to which they collaborate with the juvenile court. Some individuals in the group pointed out that once a relationship is developed with the probation department, the probation department tends to use the program. In some communities, CBOs interested in offering their services to youth who come into contact with the court did not know whom to contact in order to get youth referred to their program.

There was a general feeling among the organizations already working with probation and the courts that the relationship should be more collaborative. The organizations do not feel the mutual exchange and benefit of a true collaboration. CBOs do feel the need to be involved for the benefit of the youth and families, though. One representative said that his CBO is motivated to participate to ensure that the court has the correct information on the youth with whom they work. Focus group participants felt that CBOs need training on the juvenile justice system and the process that youth and victims go through. If

CBOs are more informed about the process and understand what the next hearing is about, they can help in the preparation and thus be more engaged in their client’s experience.

CBO providers talked about the intimidation they feel in court, indicating that it sometimes prevents them from relaying information to the court. A case manager for a CBO that serves youth on probation stated that sometimes, when he has information important to the case or what is being discussed, he refrains from speaking due to the perceived hierarchy in the courtroom: “Sometimes I feel like I can’t raise my hand. . . . I got to respect this person because he’s higher than me in a sense.” Another person in a separate focus group, also working for a nonprofit, described her struggle with how to inform the court about challenges she was having assisting a youth with a condition of probation ordered by the court:

For a long time I thought about the fact that I wanted to make that communication with the court. Had it been anyone else or had it been in a corporate environment that letter would have been out months before. But I didn’t know if it was okay to do that letter.

In some cases, this communication gap was created by the perception of a hierarchy, and in others it was because the person simply did not know who the appropriate contact was.

Another issue raised in the community focus groups was a sense that CBOs and probation are on different “sides.” There were involved discussions on the degree to which probation officers check in with the CBOs that work closely with the youth on probation. Some participants reported that there is a lack of trust between probation and many CBOs, with one commenting,

It feels like the public defender and the youths’ families and the service providers are on the side of, sort of at all costs, protecting this kid—so you’re on the kid’s side. And then, the police officers and the POs are on the other side. I feel like it’s such a this side versus this side that I’m not going to tell the POs stuff even if I know stuff that’s going on about a kid that might not be positive. . . . I’m not going to tell that PO because I feel like that PO does not have the youth’s best interest at heart. I feel like the PO wants to lock up the kid. . . . I don’t trust them.

When defining community as the area in which youth live, the relationship between the community and the courts can be seen from 2 different perspectives: (1) the community of people who identify with the youthful offender and (2) the community of people indirectly affected by the delinquent behavior. In both cases, focus group participants felt that the relationship between the courts and the community is strained. On one hand, participants reported that there really is no relationship. They feel ignored, as explained by one participant in the latter category:

The community feels frustrated because as these kids go through the court, [the community is] left out of the justice system. The focus is on the minor, on the defendant—but the community doesn’t feel like they were made whole. The graffiti is still there, the little burglaries are still going on in the homes, the local grocery stores—they don’t know what happened to that kid or what didn’t happen to that kid. So they feel kind of left out in the process.

A person in the same group who has been working with delinquent youth for more than 30 years said that the juvenile justice system needs to “get the community involved. We can help probation; we can help probation immensely.”

The relationship between the court and the community of people who identify with the youthful offender is strained for different reasons, according to participants in one focus group. They felt that many members of some communities don't want to work with the system. Participants reported that many people view the whole system as the enemy; the courts are seen as a threat. One participant stated that the juvenile justice system is seen by some people as something that is taking away the community's future "because there's still a certain level of hope that you could still turn that young person around and that he's not going to end up like one of his uncles or *tios* or father or whoever went before him."

These 2 starkly different views were expressed during the same focus groups, and the reality seems to be that within the same community are individuals who want nothing to do with the system, viewing it as the enemy, and individuals who want to become more involved.

In each of the community focus groups there was at least one representative who reported working closely with schools. These participants felt that very little, if any, communication was going on between the schools and the court or the schools and probation. Participants in one focus group knowledgeable about Welfare and Institutions Code section 827 stated that the schools do not receive the information they should according to the statute.⁹ They stated that if schools do receive information, the youth's probation officer provides it informally and it is not done on a consistent basis. Participants reported that schools generally do not know who is on probation. According to one participant, individualized education plans (IEPs) do not get sent to the juvenile hall when a youth is in custody and therapists are not notified as is required by Assembly Bill 3632 if a youth receiving certain educational services goes to juvenile hall.¹⁰

In the midst of the discussion about the courts not communicating with the schools, a community member, speaking as a parent, brought up the perspective that most family members and youth want some privacy and are not convinced that the sharing of this information is in the best interest of their child. Many parents are fearful that if the school finds out that their child has been in trouble, he or she will be treated differently and the situation will create a self-fulfilling prophecy of failure for their child.

One focus group participant indicated that he believes the same conditions that resulted in the passage of a bill protecting the educational rights of youth in the dependency system also exist in juvenile delinquency, and that a similar measure is necessary.¹¹

Participants in one of the focus groups brought up the communication that does exist between the schools and law enforcement, which they felt was counter to the interests and rights of youth due to the

⁹ The intention of the statute is "to promote more effective communication among juvenile courts, family courts, law enforcement agencies, and schools to ensure the rehabilitation of juvenile criminal offenders as well as to lessen the potential for drug use, violence, other forms of delinquency, and child abuse" (Cal. Welf. & Inst. Code § 827(b)). This section also stipulates that the court shall provide written notice to the superintendent of the school district of attendance, indicating the offense committed and the disposition of the minor's case.

¹⁰ Assem. Bill 3632 took effect on July 1, 1986. It requires that local education agencies create an interagency agreement with other specified agencies to provide related services for children with disabilities. The bill stipulates that a local plan that describes the process for coordinating and providing services to children with exceptional needs placed in juvenile court schools or county community schools must be developed.

¹¹ Assem. Bill 490, passed in 2003, was intended to ensure that youth in foster care, including delinquent youth in foster care, have access to the same academic resources, services, and extracurricular and enrichment activities available to all other pupils.

pressure a youth may feel to make a statement admitting guilt without consulting an attorney or a parent. One participant explained,

When something bad happens at school . . . when it turns into a crime, then the school calls the police and [the youth] gets hauled away to juvenile hall. . . . The kid's just gone, no longer at school—they're maybe detained, maybe they're at home facing their sentencing. . . . This is going to be where they do communicate . . . they send the interviews that they did in the school with the kid and the forms are called "What's Happening." They give it to the kid to write down what they did and they hand that over to the police and courts. . . . So that is the interaction that I see . . . is that coordination?

A brief discussion in one community focus group paralleled an issue raised in one of the focus groups with youth in detention. Participants in both focus groups reported that the level of schoolwork provided in detention and alternative schools is too easy. According to one participant, success in these schools for expelled youth seems to be defined as simply going to school and not hurting anyone. Many of these youth are very smart, and "the programs are too easy for them and they have no homework."

Participants in focus groups had little knowledge of communication or collaboration between the courts and faith-based institutions or groups. One participant recalled that in another county the superior court had reached out to the faith community. "The superior court there invited clergy to understand for a day, everybody was there, judges were there—everybody." He recalled,

The room was packed with people. The superior court set aside a chunk of money and had a lot of people there and used real effort. The point is that the clergy showed up. There must've been 250 people in that room for an entire day.

He went on to indicate that most people present knew little about the juvenile court but obviously had an interest. The point was to educate leaders in the faith community about the juvenile justice system and encourage them to get their congregations involved.

This discussion prompted a priest, who initially felt he had nothing to offer, to tell a story about a family in his congregation. He recalled,

Their children were starting to get into trouble, and then I hear this one is going to juvenile hall and so I say, "What's happening?" . . . And the answer always was, "I don't know Father, I don't know." . . . And it was always the same . . . "I don't know." And I just thought, well, maybe they're not very together people, I guess. You know, there's not much I can do about this, just let it go; but [after participating in the focus group] I'm realizing that no, that's not the case—[understanding] really is a problem.

After listening to discussions in the focus group, he realized that the family's lack of knowledge is the norm and that he had made an assumption that prevented him from providing support to a family that needed it. Wondering how to facilitate support among congregation members, he went on,

How do we deal with that? There's no real sense of involvement in that immediate area around the church; it's extremely difficult to get people involved. How do we deal with that reality? What is it that we do to get people involved?

Focus group participants from faith-based organizations felt as though they were a part of a largely untapped resource for support and guidance. These representatives believe that in order to serve as a resource, their clergy and congregations needed to be educated about the court.

Providing Services. Some CBOs in one focus group shared another perspective of feeling that they are doing the work of probation. One participant said,

CBOs are given a lot of the work—case management, treatment, therapy. But you get very little power in the court system itself. And the power goes much more to the probation officer but they do less of the work, a lot less of the work.

Other members in this focus group also reported feeling frustrated with this imbalance and illuminated potential pitfalls of collaborating with the courts and public agencies tied to the juvenile court. According to one, “The danger of getting involved is that they use your services, and where’s your money come from to give them these services? I mean, really, they should put this in their budget and see this as a central component.” This participant felt that the probation department in particular takes advantage of some of the services the CBO provides, such as cultural competency training and language translation of specific forms, without paying for them. From the perspective of this participant, probation is then able to allocate funds in their budget for other uses that should be available for these important services. This issue surfaced in other focus groups as well. One participant stated,

Nonprofits, the ones that are doing the good work, the one-on-one [work], run out of money. They’re doing it on shoestrings, paper clips, you name it. They struggle constantly for funding, they have no assurance for funding, or they get 12 months of funding.

Community members felt that the system could improve if the juvenile justice system funded prevention programs and programs that work closely with people in the neighborhoods. Community members in one focus group talked a lot about the juvenile justice system and law enforcement funding crime suppression efforts, but said that such funding is rarely available for prevention programs.

One participant also brought up the need to hold CBOs accountable for the services they say they are providing. This participant reported, “Unfortunately, some CBOs are taking money to provide these services, [yet] they’re not providing [the services]—especially to immigrant families. [Immigrant families] don’t get services, but the CBO gets the money.”

Participants in the community focus groups had a number of suggestions for improving services for juvenile offenders. The need for opportunities for facilitated dialogue between victim and offender was suggested as a possible benefit to youth, victims, and the community. Talking about her own son, a parent in a community focus group said,

He continues to this day to have a very difficult time coming back in the neighborhood because he feels embarrassed. It would have been really cool to have that face-to-face and for him to have redeemed himself and said I’m sorry. Because I know that he’s remorseful and regrets what he had done, but he’s never had that opportunity, and he’ll never, maybe not in any near point in time will he seek them out and do that on his own.

With regard to the back end of the system, community participants identified a need for reentry support, specifically with regard to the hurdles youth face when they are released from detention and don't have parents motivated to enroll them in school. One stated,

There's no structure, we send them right back to the same family, the same chaos, the same everything and the kid doesn't know what to do. They don't want to go back to juvenile hall, nor do they want to go back to that lifestyle—well, where do they go? A lot of them call us: 'Help me—I don't want to do something.' But when you have a minor, I can't enroll them in school. I have to have a parent come. I can't enroll them in substance abuse [counseling] because I need a parent's permission, so all of that plays a part. So the support once a young person gets out, it's not there.

Another participant felt that the court could play a more active role in cases like these and appoint someone to act as a guardian for the youth. Some community stakeholders took this discussion to a higher level, advocating for more authority over parents and a need for legislation that would allow the courts to intervene sooner to work with the parents of youth whom people believe will end up in the court anyway.

An additional need identified by the focus groups was for mental health services. One participant reported, "The availability of mental health services, particularly bilingual mental health services—someone who has a master's degree in therapy is so hard to find. I'm finding [it's] the key to not getting them confined." She went on to say that access to a therapist willing to work with youth at risk of incarceration would dramatically increase the chances of a youth being allowed to stay in the home.

Perceptions About Court Professionals

Participants expressed some sympathy for judicial officers, recognizing that many of them have a desire to help and want to know what the root problems are, but, as one participant remarked, "They have maybe five minutes with the family and then they're moving on. They get their analysis of an entire difficult multigenerational issue in five minutes." Participants noted that, given the time constraints in court, the judicial officer is limited in his or her understanding of the case and thus is limited in his or her understanding of what would truly be in the best interest of the youth.

Community members also spoke of the positive impact that judicial officers and other professionals can have by including justice partners and community members in the process. In one focus group, a participant spoke of the positive effect a judge had when she asked if anyone had anything to add, even during very short hearings.

Participants also want judicial officers and the court to be more community oriented. They expressed concern about this perceived gap. One participant stated, "It's time for the courts to have community specialists who are going to sit at the table with us and say, 'Okay it's broken, it's not working, how do we fix it together?'" In spite of community members' awareness of confidentiality issues, they believe it is possible for the courts to respond collaboratively to community crime committed by youth without violating confidentiality. One community focus group also discussed the importance of training police to work with youth, parents, and community members, since they are at the front end of the system.

The feeling that probation officers have a desire for youth to fail, which emerged in both the youth and parent focus groups, surfaced in the community focus groups as well. One community focus group concentrated on the topic and identified a number of instances in which probation officers seemed to

desire failure over success. For example, participants agreed with one case manager's observation that if a youth is ordered to a less restrictive environment than the probation officer wanted, the probation officer's "agenda is to prove that they're right: 'I told you they should have gone to . . .'" Case managers from CBOs and others who advocate for youth and families detect differences in terms of the level of communication they have with the probation officer. Some participants felt that probation officers routinely focus on negative behaviors rather than positive ones. One said,

If I have something positive to say, then I don't really hear from them again. But if it's something negative like, oh, she hadn't shown up for a week or she had to miss this, this, and this . . . they'll ask for copies of their timesheets to see the exact dates that they were at work or whatnot. But if I say such-and-such was real good, very responsible, punctual . . . sometimes I won't hear from that PO again.

Community members perceive that arresting and incarcerating youth is a way for professionals to earn promotions and move on to more "important" and more exciting cases and assignments within their agencies. They also believe that there are disincentives for professionals to focus on prevention and rehabilitation within the culture of probation and law enforcement.

Case managers who work closely with youth felt that probation officers should do a better job of recognizing the small accomplishments of the youth they are involved with. One example they provided was that if a youth fills out a job application but does not go to the interview, the officer should focus on the fact that he or she filled out the application, and not on the missed interview.

An added factor that participants felt creates another type of distance is the lack of ethnic and racial diversity on the bench and among prosecutors. One noted, "When people come and they see prosecutors and they don't see anyone that looks like them, or they look at the judiciary and they don't see anyone that looks like them, that's a problem."

Perceptions About the Juvenile Justice System

Participants in the community focus groups were asked what they see as the purpose or the intention of the juvenile court. Like other stakeholder groups, these groups felt that the courts are focused on processing cases. One participant said that the purpose is to "get them in, get them out, do what they have to do, okay, next! Get them in, get them out, next!" Participants felt that this was largely due to the courts being overwhelmed. There was acknowledgment that the juvenile court has a challenging job. One participant said,

I think what they're trying to do is just manage whatever they have out there. . . . They're afraid of kids, so they want to lock them up and put them away. And sometimes rightly so, because kids are carrying guns, they're beating each other up . . . there's just a lot of stuff that's going on there, so I think they're just trying to—they're in crisis management is what I think.

The other dominant perspective was that the intention or purpose of the juvenile court is punishment. Community members said that youth think of the juvenile justice system as being very punitive. A community member in one group also stated that society, at this point, seems to accept the idea of incarcerating youth and is willing to pay for it.

Community members partially blame the structure that the professionals must work in for what they see as an overly punitive system. One participant stated,

The best within the police department, within the DA's office, within some of these organizations, they aren't applauded. . . . If you want to move up and be promoted, you're going to go to the gang unit where you go ahead and put all the kids away, where you get as many arrests as you possibly can.

There are also other structural problems that community members feel drive youth deeper into the system than necessary. Some participants expressed the feeling that the system is beyond its capacity to be effective. As in the parents' focus groups, participants in the community focus groups stated that law enforcement tends to ignore low-level offenses, believing that nothing meaningful will be done with the youth. After having police contact several times with no repercussions, the youth get a false sense that no one will hold them accountable. They then go on to commit more serious crimes, for which the consequences are severe and less inclined toward rehabilitation.

With a macro perspective, community focus group participants see inconsistency in the juvenile justice system. Some of the inconsistency is created due to the complicated nature of the juvenile delinquency court. One participant highlighted an unintended consequence of having such a complicated system: "Unless you're [a professional]—do you really understand the court system, how it actually works, what you can do, and how you can intervene?" He continued, explaining that at-risk families are hopelessly lost when they try to navigate it. "They don't even know what number to call to find out information about what's going to happen to the kid. They don't even know where to start." Even if parents do get to speak to someone, the complicated nature of the system makes them feel hopeless and they give up. He asked, "What happens to that child? Who advocates for the child? Nobody." This participant, receiving group agreement, also said that it seems as though individuals with resources can pay for an attorney and access to people who know the system and thus receive better advocacy.

Inconsistency within the system can also create feelings of being treated unfairly. With agreement from the group, one participant who works with both youth and victims stated,

The offenders' families obviously talk to each other, and if there are inconsistencies that they've experienced in the system, the parents can get indignant and begin to view themselves, and perhaps even their child who is an offender, as a victim.

Community members said that the juvenile court should actively make an effort to address inconsistencies in the court.

When English is a second language, community members felt that youth and their families are at even more of a disadvantage in terms of the advocacy they receive. Participants talked about rights that they feel get ignored. "I strongly believe they have a right to interpretation, the families do; in court they don't get it," said one. An advocate who spends a considerable amount of time in the court reported that sometimes 5 cases in need of an interpreter would come before the court. She indicated that "they just go on and have the hearing anyway, knowing the parents don't understand what's going on." It was also observed that sometimes families will have an advocate from the community interpret but that most of these advocates are not properly trained, and the interpreter may not completely understand what is transpiring due to the complexity of the juvenile court. This "totally shuts out the parents to even know what's going on in their child's case," according to one participant.

Participants in all focus groups said that the juvenile delinquency court does not pay enough attention to prevention and intervention. One participant felt as though this is a gaping hole. Another participant talked about a community that decided to focus resources on prevention:

Prevention and intervention works. The reason it works there is because the community has made it a priority. They put their very best police officers in the schools, they make sure that they staff youth-type programs with the best. They have come up with a youth master plan—there’s parks, there’s swimming pools, there’s things for kids to do.

This is not the case everywhere, he reported, stating that in many communities, “prevention is on the back burner.”

There was also the feeling among some participants that the system is beyond its capacity to be effective. They observed that the juvenile justice system often threatens punishment and consequences that it does not follow through on. Participants associate these unfulfilled warnings with youth getting deeper into the juvenile and adult criminal justice system:

When police officers go out there and they say to a young man or young lady, ‘If you don’t straighten up, we’re going to put you in the hall,’ the kids very well know that that’s not going to happen, and so they don’t fear it. And what ends up happening is they get themselves more and more involved in drugs and alcohol, more involved in gang activity, until it’s too late and they get filed upon as an adult and then they serve time in a prison.

Conclusion and Suggestions for System Improvements

This study explored the perspectives and experiences of users of the juvenile delinquency court in California. Researchers conducted focus groups with stakeholders of the state’s juvenile delinquency court in 6 study counties. Focus groups with youth, parents, and victims of crime committed by youth generally covered 6 topics: (1) court users’ ability to understand their experience in court and what or who influenced their ability to understand, (2) court users’ ability to participate in court, (3) general satisfaction with the court, (4) offenders’ understanding of the impact of crime, (5) perceptions of the juvenile court, and (6) suggestions for ways to improve services. Focus groups made up of community stakeholders in the juvenile court discussed the accessibility of the court, community collaboration with the juvenile court, community perceptions of the juvenile court, and suggestions for improving services linked to the court. Discussions in these focus groups also covered all topics from the youth, parent, and victim focus groups, but from a community perspective. A number of themes emerged across all 4 types of stakeholder groups and merit further attention.

Although the JDCA is the first comprehensive assessment of juvenile delinquency courts in California, several findings paralleled those found in the recent Trust and Confidence in the California Courts study (Trust and Confidence study) conducted by the Administrative Office of the Courts in 2005 and 2006.¹² Both studies indicate that the public’s and nonprofessional court users’ understanding of the court process is low. Furthermore, both studies suggest that more resources to help court users understand court processes would be beneficial. The Trust and Confidence study found that having a sense that court processes are fair is the strongest predictor of whether the public approves of or has confidence in California courts. Non-English-speaking court users, African Americans, Latino/Hispanic Americans, low-income court users, and users of high-volume courts such as family court perceive the courts as less fair than do other court users. The Trust and Confidence study also

¹² Admin. Office of the Courts, *Trust and Confidence in the California Courts, Phases I and II* (2005, 2006).

found that when courts are perceived to be in touch with their communities—a desire that was expressed by focus group participants in this study—they are also perceived as more procedurally fair.

Lack of Understanding in the Court

Court users reported not being able to understand much of what happens in court. This was true for adjudicated youth, parents of youth, and victims of crime. In focus groups, the lack of understanding seemed linked to several poor outcomes for court users, but it also negatively affected perceptions of the court. A lack of understanding limits one's ability to participate in a meaningful way, exacerbating the feeling of powerlessness and magnifying the hierarchy already inherent in the structure of court. As was expressed in one community focus group, feelings of powerlessness can contribute to the community's feeling that the court and the whole justice system are the enemy. A lack of understanding and the feeling of powerlessness also often lead to misperceptions about the court. For a number of the court users who participated in this study, it may have led to the conclusion that the court and the juvenile justice system are just out to make money from those who come into contact with them.

Being uninformed and not knowing where to obtain information or get answers also has other indirect and unintended consequences. As demonstrated by the words of a priest in one of the community focus groups, families who come out of court confused and unable to explain what happened can be perceived as not caring about their child or as being unintelligent. This observation could just as easily apply to a victim who appears at a disposition hearing. This perception potentially limits the support that youth, parents, and victims might receive in a number of ways. Those who provide support may be less inclined to provide it if the court participant comes across as uninvolved or unconcerned. In addition, court users may be less likely to ask for help and support when they feel powerless and don't know how and from whom to seek help.

Professionals in the juvenile court can immediately benefit court users by using plain language whenever possible and by explaining the technical words, terms, and code sections that are sometimes required for legal accuracy. Professionals can also provide court users with an idea of what to expect prior to entering the courtroom and make an active effort to ensure that court users understand their rights and the content of court proceedings. More strategic and long-term ways to address the lack of understanding in the juvenile court include developing and providing resources to help court users understand the court process, providing improved training for professionals on how to work with court users, and seeking opportunities to educate and offer outreach to local community groups and the general public.

Participation and the Desire to Be Heard and Understood

All court users expressed a desire to play a more active role in their experience with the court. Youth expressed a desire for the court and people working with them to understand where they are coming from and to know them as individuals rather than by reports outlining the mistakes they have made. Parents want to continue to play the role of parent, to be consulted, and to be involved in the decision-making process. Victims want to be heard as well. They want people to understand what they went through.

Youth, parents, victims, and community members want notice, information, and also opportunities to provide their input. They want their needs and experiences to be considered by the court. Professionals should understand that most court users do not know when they can contribute or ask questions;

professionals can help to both identify and create opportunities for court users to provide input and participate. As participants in several focus groups suggested, an orientation for youth and families could help them both understand the court process and learn when it is appropriate to be actively involved in the process. The court should also consider creative ways to involve parents that minimize interruptions in work schedules and to involve victims while ensuring their sense of safety and minimizing the impact on their time.

Perceptions About Court Professionals

Members of the community focus groups perceived a division in the interests of the juvenile court with law enforcement, prosecutors, and probation on one side and defense attorneys, CBOs, and youth and their families on the other. This split is complex. Probation officers have increasingly become brokers of services and thus are possibly less connected to the youth they supervise. CBOs from one focus group felt as though probation officers have an interest in youth failing, especially when it confirms an initial assessment and they are proven right. Regardless of the reasons for the perception of opposing interests, efforts to improve communication and collaboration between probation and CBOs providing services to youth on probation should be explored.

Professionals who come into contact with victims need education on victims' rights. Courts can explore alternatives to the norm of housing victim services in the district attorney's office, which can be limiting for victims. The court can play a more active role in providing victim support, but limitations, due to possible ex-parte communication, need to be considered. Community groups can also play a larger role in meeting the needs of victims.

Perceptions of the Juvenile Justice System

The idea that the court and the probation department are seen by youth, parents, and the community as a setup for youth to fail needs further exploration. Victims also wondered whether the system's inability to hold youth accountable perpetuates the offender's continued failure. It is clear that a majority of the court users who participated feel that youth do not receive the support and guidance they need to encourage success, but it is not clear from the focus groups what might change that thinking. A couple of focus groups made a connection between seeing a desire on the part of the system for youth to fail and a belief that the main purpose of the court is to employ the professionals working within it (for example, a sense that if the court is not effective, its existence must be driven by money). More research focused specifically on understanding why participants feel that the juvenile justice system sets youth up to fail is needed.

Focus group participants in each study county and among each cohort felt that the juvenile court was focused on processing cases rather than addressing the root of any problems or taking steps to prevent further offenses. Court users are in court due to a difficult and stressful moment in their lives. To see the event handled like just another case appears to send the message that no one is sincerely concerned about the case.

A general lack of follow-through within the juvenile justice system was mentioned in a number of focus groups. Such lapses can send messages damaging to the integrity of the court and can undermine the sanctions and conditions of probation that are in place. Victims feel that a failure to follow through allows offenders to ignore court orders and the law. It also demonstrates that the capacity of the juvenile justice system to respond is limited. Finally, it helps to substantiate the belief that the court is just processing the cases rather than addressing the problems that come before the court.

According to the focus group participants, the current way that cases are calendared in the juvenile court is inefficient for all court users. Each cohort expressed frustration at the time they wasted waiting for cases to be called. Courts should consider the unintended consequences of calendaring many cases in large blocks of time. Parents who are under financial pressure are forced to take considerable time off from work, which may increase the risk of losing their job. As one parent explained, some youth may be involved in the juvenile justice system because the parents are not at home and are struggling to put food on the table and improve the well-being of their families. If long hours waiting for court during working hours cause them to risk being fired, the courts can be seen as yet another force negatively affecting their lives. Victims also reported spending hours in the halls with youthful offenders waiting for their cases to be called and not knowing whether they will have an opportunity to speak. The uncertainty of whether they will be allowed to participate, what will happen in court, and what it will be like to see the offender, as well as the extensive amounts of time victims have lost because of the offense, should all be considered when scheduling hearings and granting continuances. Courts should also make an effort to provide separate waiting areas for victims and to reduce the time that victims must wait.

Courts should explore alternative ways of calendaring cases that consider the population they serve and the potential unintended consequences of keeping court users away from their other responsibilities for long periods of time. Efforts should be made to reduce the likelihood of continuances. Additional research on the local level may be required to determine common reasons for continuances in the juvenile court and the best methods for reducing the number of continuances.

It is interesting that in all the focus groups there was only one story of a disposition imposed by a court that tried to directly teach a youthful offender about the impact of his or her poor decision. For youth, imposing sanctions for offenses without the offender understanding the impact on the victim does nothing to help them empathize with the people they have harmed. Victims also expressed a desire to have youth and their parents understand the impact of the crime. Juvenile courts should explore practices that provide both opportunities for victims to express the hardship and harm a crime has created in their lives and opportunities for offenders to understand the impact of their crime on the victim. The needs of victims should be considered in offering and developing these opportunities. The impact that crime committed by youth has on the community should also be taken into account. Victim-offender dialogue or mediation, restorative conferencing, victim impact panels, impact of crime classes, and victim impact statements are all practices that can address this concern.

Court users in the focus groups reported being unhappy with their experience in the juvenile delinquency court; the life event that brings people to the court is not usually a positive one. That said, it is also clear that the experience for most users was less satisfactory than participants felt it needed to be. A negative experience for youth and parents may make it difficult for them to empathize with the victim because they feel somewhat mistreated by the system themselves.

Addressing the concerns expressed here would likely improve the satisfaction of all court users as well as improve court users' perceptions of the procedural fairness of the delinquency court system. In addition, being realistic with victims about restitution but also demonstrating an active effort to collect it could improve victim satisfaction. Regular restitution payments, even small ones, made by the offender would demonstrate that both the courts and the offenders are making efforts toward accountability.

Court users suggested ways to improve the justice system, but more research is required to comprehensively understand the needs of court users and to find ways to collaboratively improve the administration of justice. There is recognition among youth, families, victims, and the community that the courts alone cannot improve the justice system. The court needs to engage with its users on the local level to understand their needs and to be aware of and connect with resources in the community

Judicial Council of California

Administrative Office of the Courts

Hon. Ronald M. George
Chief Justice of California and Chair of the Judicial Council

William C. Vickrey
Administrative Director of the Courts

Ronald G. Overholt
Chief Deputy Director

Diane Nunn
Director, Center for Families, Children & the Courts

Charlene Depner
Assistant Division Director, Center for Families, Children & the Courts

Lee Morhar
Assistant Division Director, Center for Families, Children & the Courts

Authorship

Jon Kidde (co-lead author)
Consultant

LaRon Hogg-Haught (co-lead author)
Associate Attorney

Amy Bacharach
Research Analyst

Audrey Fancy
Supervising Attorney

Iona Mara-Drita
Senior Research Analyst

Kimberly Tyda
Research Analyst

Assistance

Jens Zeschky
Administrative Coordinator



CFCC generates and distributes research-based information that has promise for informing the work of the courts in California and nationwide. To learn more about its work and to see more *Research Updates*, visit www.courtinfo.ca.gov/programs/cfcc/.

455 Golden Gate Avenue, Sixth Floor
San Francisco, California 94102-3688
E-mail: cfcc@jud.ca.gov
Phone: 415-865-7739