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ASSESSMENT OF A MULTI-AGENCY APPROACH TO DRUG INVOLVED GANG MEMBERS

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San Diego



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ABSTRACT

TITLE: Assessment of a Multi-Agency Approach to Drug Involved Gang Members

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ABSTRACT: With the upsurge of narcotics trafficking in the mid-80s, many areas in the country developed multi-jurisdictional task forces with federal assistance. The task forces varied as to levels of government involved, (e.g., federal, state, municipal), types of agencies included (e.g., law enforcement, prosecutor, community agencies), and targets for focus (high level drug traffickers, mid-level dealers, street-level users). Assessments of these programs have been primarily process-oriented conducted by the program staff and include a compilation of drug arrests and seizures. In very recent years, specialized task forces have directed their efforts toward gangs and associated drug trafficking. This assessment reflects an evaluation of such a task force in San Diego, California. In 1988, with funds from the Bureau of Justice Assistance (BJA) via the Anti-Drug Abuse Act of 1987, the task force, JUDGE, or Jurisdictions Unified for Drug Gang Enforcement, was spearheaded by the District Attorney's Office and represented a unique blend of police officers, probation officers, and deputy district attorneys working together to target documented gang members also involved in drug use and sales. The JUDGE approach targeted juveniles for strict enforcement of probation conditions and identification of possible targets not yet on probation. JUDGE is a multi-jurisdictional task force responsible for the entire county of San Diego, housed within the probation department with staff operating in a plainclothes capacity.

This research, sponsored by the National Institute of Justice, and conducted by the San Diego Association of Governments (SANDAG) Criminal Justice Research Division, was both a process evaluation and an impact assessment. Results showed that the project was implemented according to the objectives developed for each component (e.g., police, probation) with vertical prosecu-

tion a cornerstone of the approach. For the impact assessment, researchers examined the justice response to a sample of youth before and after JUDGE intervention. Initially, a quasi-experimental design approach was considered, but this effort proved not feasible. Findings show that targeted youth, although arrested with similar frequency after JUDGE intervention, the nature of charges differed in that there were fewer drug violations. Most cases were prosecuted vertically and reached disposition in a timely manner. JUDGE targets spent much time in custody and were intensively supervised with probation violations swiftly acted on by the JUDGE staff. Examination of the targets' records several years later revealed that over half were still actively involved in the criminal justice system.

The research pointed out the benefits and advantages of a multi-agency approach and the features that enhance effectiveness and credibility. JUDGE can serve as a model for other jurisdictions that seek to develop cooperative efforts among justice agencies.

Over time, the focus of JUDGE has shifted from juvenile gang members toward adults and drug violators. Very recently, the direction has moved toward probationers who fit the profile of two and three "strikers" and are thus eligible for long prison terms if convicted for subsequent crimes. It is recommended that local justice administrators continue to assess the value and targets of JUDGE, particularly in light of the number of other task forces concurrently operating in the San Diego region and the \$1.6 million expended on JUDGE, representing the region's total allotment through the Anti-Drug Abuse Act.

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EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

Introduction

This summary reflects an evaluation of a law enforcement strategy called JUDGE: Jurisdictions Unified for Drug Gang Enforcement, implemented in San Diego County. Besides the evaluation of the first two years of the program, this report includes a description of JUDGE in 1995 with recommendations for consideration in the future.

Context of the study. The upsurge of gangs and associated drug and criminal activity, coupled with reductions in available resources has led more states and local jurisdictions to develop multi-agency task forces. To respond to the over 100 gangs and an estimated 8,000 gang members in San Diego County, the District Attorney initiated a program called JUDGE. The program is sponsored by the Bureau of Justice Assistance through the Anti-Drug Abuse Act, has been operational since 1988, and includes personnel from six municipal law enforcement agencies, probation, and the District Attorney's Office. Early task force efforts, mandated by the State Office of Criminal Justice Planning (the program administrator), focused on coordinating efforts to strictly enforce probation conditions and drug laws for juvenile gang members with a drug history and adult offenders who meet specific criteria. Caseloads for all staff are limited to approximately 20 to 30 targets. Vertical prosecution is an integral program element. Police officers make arrests when new criminal acts or probation violations are discovered, and the probation officers prepare the revocation of probation. The case is then passed to one of the deputy district attorneys assigned to the task force to ensure the suspect is exposed to maximum incarceration. The JUDGE program incorporates several strategies within one program: undercover tactics; intensive supervision; and priority prosecution of high risk offenders. The goals of the program are to make offenders accountable for criminal acts and to reduce drug use and sales. The structure and organization of JUDGE are similar to those described in the literature (Coldren, 1993; Coldren and Sabath, 1992; Chaiken, J., et al. 1990; Ruboy and Coldren, 1992). Most of the research has focused on task forces involved in control of drug trafficking and use, with little attention toward task forces that address drug and gang behavior.

Assessment of JUDGE

The San Diego Association of Governments (SANDAG), with funding support from the National Institute of Justice (NIJ), conducted a process and impact evaluation of the JUDGE program to determine if the program was implemented as planned and what consequences occurred for offenders. Specifically, the research sought to determine the effects of the program with regard to:

- providing consequences for probation violations and new offenses committed by targeted offenders
- reducing criminal activity and drug use among the target population.

Data were collected from arrest reports; probation, JUDGE task force, and court files; criminal history records; and through interviews with criminal justice personnel in the JUDGE program and agencies that coordinate with JUDGE staff. The analysis included a description of program implementation and operations and a comparison of differences between processing a group of youth prior to being targeted by JUDGE and after targeting. Recidivism data of JUDGE youth were compiled, as well as costs for case processing compared to regular probation caseloads.

In essence, the JUDGE task force accomplished its objectives by targeting juvenile gang members and ensuring accountability for their acts through consequences including violations of probation and return to custody. Features of the JUDGE task force that contribute to its effectiveness include the pooled expertise of police, prosecution, and probation; strong leadership that promotes teamwork and clear direction; and commitment to the program by key administrators.

Research Questions and Objectives. The results of this study will provide policy makers throughout the country with information about critical questions facing criminal justice today including:

- Is a multi-agency task force approach more effective than traditional probation?
- What is the most effective way to utilize limited resources to address gang-involved criminal activity?
- What issues should be considered in developing multi-agency task forces to address drug, gang, and other criminal justice problems?

The following objectives were addressed in this study.

- Determine if the JUDGE program objectives were met during the grant period.
- Assess the results of program activities, such as surveillance, special enforcement, and vertical prosecution, in terms of probation violations, arrests, pretrial custody, probation revocations, convictions, and sentences.
- Evaluate the impact of the program on offenders as measured by recidivism, need for probation intervention, and gang affiliation.
- Assess the costs of JUDGE probation compared to regular probation caseloads.

- Provide recommendations regarding the implementation of similar programs in other jurisdictions.

Research Design and Analysis. This research focused on the first two years of the JUDGE program when youthful offenders were the targets (1988 and 1989). The methodology initially proposed was a pre/post-test quasi-experimental comparison of probation violations and offense rates for a sample of juvenile probationers targeted by JUDGE with a comparable group of juveniles on probation prior to the JUDGE program. It was assumed that there would be a number of youth offenders meeting the same criteria that JUDGE intended to target: known gang members on probation involved in use and sale of drugs. A comparable group of juveniles was not found for several reasons. Many of the youth identified in 1987 files who met the JUDGE screening criteria eventually ended up on the JUDGE caseload and thus could not be considered for comparison. Further, a high proportion of the juveniles who, at first, appeared similar to JUDGE targets, were of Asian ethnic origin, yet police officials later stated that there were no identified Asian gang members in 1987. This observation suggested that definitions of gangs and gang members in that time period may have been somewhat unclear. Finally, many of the youth considered for the comparison group were never placed on probation and therefore would not have been eligible for the intensive supervision that JUDGE staff provided. In sum, the potential control group to be compared with youth targeted by JUDGE could not be used because there was an insufficient number of youth who met the JUDGE screening criteria and those who **did** become JUDGE targets within the following two years.

The research design was therefore restructured to a within-subjects design with the comparison focusing on youth two years before and two years after being targeted by JUDGE. Analyses examined the criminal activity of the youth as well as the justice system's response. There are limitations to this type of analysis. The most significant is the maturation factor when dealing with a youthful population. The juvenile justice system historically has treated younger juveniles less harshly with respect to formal processing. In San Diego, earlier studies have shown this to be the case (Pennell and Curtis, 1983; 1988) and this factor could be a confounding variable. Juveniles tend to have several contacts with police and probation before more formal action takes place, generally when they continue delinquent activity as they age. Therefore, if the JUDGE youth were in fact treated more severely **after** becoming a JUDGE target, it may be a result of the system reacting overall to several contacts rather than specific actions taken by a special task force.

Based on the revised before and after design, data were compiled on the juveniles' sociodemographic characteristics, gang affiliation, criminal history, offenses that resulted in probation supervision, probation conditions, contacts by probation and JUDGE staff, performance during probation, and new offenses during probation. For the process evaluation, case outcome data were compared to project objectives to measure compliance in terms of program implementation and results, such as probation violations and drug test results. The consequences of increased probation supervision, including revocation, custody time, and use of vertical prosecution were addressed by comparing the processing

of cases prior to the implementation of JUDGE to processing after JUDGE targeting. The measures compared for the outcome assessment include:

- recidivism
- need for probation intervention
- program costs

In addition to case-based information, data were collected from surveys and interviews with JUDGE participants and personnel who coordinate with JUDGE staff, both past and present, to identify successful program elements, barriers to coordination, availability of resources, and training issues.

Findings

Examination of the program implementation suggests that the JUDGE program implemented the program as intended. Staff used their screening criteria to target the intended offenders, intervened at the appropriate phases in system processing, and enforced probation conditions.

Offender Characteristics. The screening criteria used to identify JUDGE targets included juveniles

- with evidence of a drug history (operationalized as arrests for possession, sale, and trafficking or other indication in the file);
- who were wards of the court;
- who were gang members.

Over half (56%) of the 279 targets were in the 16-17 year old age group when targeted by JUDGE and nearly equally divided between Blacks (45%) and Hispanics (52%), closely paralleling the ethnic breakdown of gangs in San Diego. The majority (73%) had been convicted of a drug violation and the most frequent charge of first referral to probation was a felony-level property offense. Nearly all of the juveniles in the sample (89%) were wards of the court when targeted by JUDGE. Just over half of the youth (55%) were targeted by JUDGE during the prosecution stage and little less than a quarter (23%) were targeted when on probation. This profile of JUDGE targets suggests that JUDGE appropriately identified youthful populations with potential to increase their criminality.

Police Objectives. Police responsibilities in the JUDGE program include special enforcement, identification of gang members, and surveillance, as well as maintaining profiles of suspects in the regional computer.

All youth targeted by JUDGE in 1988 and 1989 were documented gang members. Prior to targeting, 52% had been placed in custody after arrest. After JUDGE targeting, the proportion rose to 68%. Two years before becoming a JUDGE target, half of the 279 youth had been arrested for a felony and 7% had been contacted for violations of probation. Two years after targeting, of those arrested, 30% involved felonies while 37%

were for probation violations, suggesting increased surveillance of targets. Also, before the youth were JUDGE targets, 61% had a petition (complaint) requested, compared to 81% within the two years after focus by JUDGE.

Drug Tests. Frequent drug testing is a tool used with probationers to monitor compliance with probation conditions. Since a basis for being a JUDGE target was drug involvement, it was presumed that drug testing would take place often with JUDGE juveniles. Data on drug tests prior to being a JUDGE target were not available for comparison purposes. However, 80% of the 279 JUDGE targets were tested for drugs within two years after JUDGE targeting, for an average number of 5.2 tests, with an average of 1.8 revealing drug-positive results. It is not known how these numbers compare to court wards on general probation caseloads with drug testing conditions.

Prosecution Efforts. To examine the objectives associated with prosecution, proportionate filing rates, conviction rates, plea bargains, cases with vertical prosecution, custody prior to disposition, sentence, and average time from arrest to disposition were compared for cases involving youth before and after JUDGE targeting. These data were addressed in terms of cases, not individuals. Before JUDGE targeting, the 279 juveniles had a total of 1,098 arrests. In the two years following, the number of arrests for the 279 was 841, a 23% drop. After JUDGE targeting, 80% of the arrests resulted in petitions filed with the court, compared to 61% filed before JUDGE targeting, suggesting a more severe approach. In addition, 49% of the cases during the JUDGE targeting period were vertically prosecuted in contrast to 15% of the cases before JUDGE was implemented. Over two-thirds (68%) of the JUDGE target cases led to conviction compared to less than half (44%) of the cases processed pre-JUDGE. Cases processed by JUDGE were more likely to result in sentences involving custody. About a third (33%) of the cases in the JUDGE period were sentenced to local custody compared to 16% of the pre-JUDGE cases. About 7% of the JUDGE cases resulted in sentences to the California Youth Authority (CYA) but only 1% of the cases processed before JUDGE began had this sentence. Also, time from arrest to disposition was shorter after JUDGE was implemented in that 61% of the JUDGE cases were processed within 30 days compared to 47% of the pre-JUDGE cases. These differences suggest that JUDGE processing was indeed more severe than cases handled when there was no JUDGE Unit and that prosecution goals were met. Generally, juveniles are processed more harshly as they evolve through the justice system. This factor may have also contributed to the differences in processing.

Custody Decisions. An objective of the JUDGE program is to hold youth accountable for their behavior. A means to operationalize this objective is to initiate graduated sanctions when responding to probation violations such as placing persons in custody at varying levels of processing. Again, reviewing cases two years before and after JUDGE intervention, reveals that, proportionately, youth were more likely to have been placed in custody after becoming JUDGE targets despite somewhat similar arrest behavior. Over two-thirds (68%) of the post JUDGE cases resulted in custody upon arrest compared to 52% in custody in the pre-JUDGE period. This pattern was consistent for several types of hearings. At disposition, 63% of the post JUDGE cases involved placement in custody in contrast to 47% of the cases processed prior to JUDGE. Vertical prosecution,

conceptually, is associated with a higher level of preparedness by the deputy district attorney. This is apparent in the proportionate increases following JUDGE.

Technical Violations. Intensive supervision generally involves increased contact with defendants, thus increasing opportunities to observe unacceptable behavior that includes violating conditions of probation. Also, in accordance with keeping offenders accountable, fairly strict probation conditions are ordered to more closely monitor behavior. The data suggest that this was the case with the JUDGE targets. Prior to becoming JUDGE targets, from 12% to 39% of the study group had probation conditions ordered by the court that included no contact with illegal narcotics, following probation officers' rules, not associating with specific individuals, obeying school rules, submitting to fourth waiver searches, observing curfew, not carrying or using weapons, and submitting to drug testing. After becoming a JUDGE target, from 55% to 78% of the juveniles had such conditions ordered by the court. While a JUDGE target, 60% or more were in fact violated for not following rules, associating with specific individuals, possessing narcotics, and curfew. Overall, nearly two-thirds of the JUDGE targets (66%) were arrested for probation violations after JUDGE intervention compared to 17% prior to being a target.

Total Time in Custody. The value of incapacitation for specific deterrence is clear. Offenders who are in custody have few or no opportunities to re-offend. The data show that JUDGE targets spent a considerable amount of time behind bars during their JUDGE tenure. Over 40% were in juvenile hall or camp for a total of a year or more, although it was not necessarily consecutive time. Another 25% had six months to a year of custody time. Unfortunately, custody time prior to being targeted was not collected so it is not certain if the time in custody was actually greater after JUDGE targeting. Other indicators, however, such as differences in number of technical violations, suggest that after JUDGE, defendants probably spent more time in custody since they were violated more often than when they were not JUDGE targets.

Recidivism. A popular measure of success in the criminal justice system is recidivism, or the frequency in which offenders return to the system based on arrest. The measure is not without limitations and generally is bolstered with other measures such as offender reintegration into mainstream society through employment, school attendance, or reduction in drug use. Also, it is recognized that both a cause and effect of intensive supervision is more arrests due to increased surveillance. Unfortunately, social integration information was not available so recidivism is limited to the number and nature of arrests two years before and after JUDGE intervention.

Most of the 279 JUDGE targets were re-arrested within two years after JUDGE intervention (83%) but the mean number of arrests dropped slightly (3.9 to 3.0). Arrests for felony drug violations dropped to 28% of the total compared to 63% in the pre-JUDGE time period. The proportion of violent arrests rose slightly, from 22% to 27%. As expected, arrests for probation violations constituted the majority of arrest charges after JUDGE targeting (66% versus 17%).

Analysis of the JUDGE program suggests that it was implemented as designed with respect to appropriate targets and methods for ensuring offender accountability such as complaints filed, custody time, vertical prosecution, conviction, and sentencing. Outcome measures suggest that, although over 80% of the JUDGE targets were re-arrested, the number of arrests dropped and most were for probation violations. Also, the proportion that involved drug violations declined substantially. Cost analysis suggests that a program structured like JUDGE costs a great deal more than traditional supervision. This research also raised a number of issues regarding the limitations of conducting retrospective studies including the impact of data availability, reliability, and validity. Foremost in this regard was the issue of selecting a comparable group of subjects for a control group. Other factors that complicated the impact assessment were that probationers could be targeted at any time in the process, including before arrest. In addition, some process-level objectives, such as use of informants and surveillance hours could not be assessed because the data were not maintained and multiple data sources in numerous locations hampered the efficiency of the data collection effort.

Summary, Conclusions, and Recommendations

Before concluding this assessment of the early JUDGE project and recommending changes for the future, an up-to-date description of the current status of the targets identified in the study is presented along with a brief summary of JUDGE efforts in 1995 according to the proposed grant application for continuation funding.

JUDGE Study Targets in 1995

The conclusion that JUDGE targeted the intended offenders is apparent when these individuals' criminal behavior was examined three years after the 1992 tracking period ended. In July 1995, the status of the 279 JUDGE offenders targeted in 1988 and 1989 was as follows.

- A total of 178 or 64% had court cases filed since 1992 with a total of 540 cases or an average of three cases per individual.
- Twenty-three percent (23%) or 65 were serving time in state prison. This number is likely conservative since the number that are housed in the California Youth Authority is not known.
- About one out of five (57 of 279) were on probation.
- Five percent (5%) were in local custody (15) in July 1995 and thirteen had outstanding warrants on pending cases.

These results suggest that many JUDGE targets remained criminally-involved and indicates an appropriate focus for the task force: isolate the small segment of offenders who appear particularly crime-prone, monitor their behavior closely, and apply sanctions accordingly.

Obviously, JUDGE is primarily an enforcement approach to gang and drug control. With the advent of the Gang Suppression Unit (GSU) in 1989, many of the JUDGE cases were supervised by the GSU probation officers. These officers are likely to link probationers with necessary job, life skills training, and drug treatment programs. Data reflecting face-to-face contacts between probation officers and probationers were collected when available. The average number of contacts was twenty over the three year period, obviously less than once a month. Contacts noted by JUDGE probation officers averaged six in the same time period. These numbers are likely conservative, a reflection of the files in which this information was noted. Although referral agencies were often noted in probation files, there was no follow up information to track how often or how long juveniles received services from an agency. However, given the continued criminal activity of a significant proportion of the probationers, it could be assumed that the level of services did not make a difference.

JUDGE in 1995

The FY1995-96 grant application for \$1.6 million represents the eighth year of funding through the monies available from the federal Anti-Drug Abuse Act of 1988. The description that follows reflects JUDGE efforts today as presented in the proposed application.

The current focus of JUDGE is drug-involved gang members, habitual drug offenders, and mid-level drug dealers, both adult and juvenile. The program still involves the cooperation and teamwork between law enforcement, probation, and the District Attorney. Six of the ten law enforcement agencies in San Diego County are represented. Due to limited resources, the other four agencies have elected not to participate in JUDGE.

Targeted offenders continue to be prosecuted vertically and prosecutors accompany police officers in the field for observation, training, and as an immediate resource. According to the grant application, the prosecution component completed a total of 945 cases in FY 1994-1995 with 71% of the cases involving adults and 29%, juveniles. The 275 juvenile prosecutions resulted in 262 convictions and 51 youth were committed to the California Youth Authority. The 670 adult prosecutions yielded 660 convictions leading to 279 prison commitments. Over 90% of all cases were handled vertically.

Probation officers conducted 648 searches with police and identified 969 drug or drug-involved probationers during joint operations with law enforcement. A total of 598 probation revocations were completed. Police officers conducted 473 investigations and made 376 arrests. All arrests have been filed by the District Attorney's Office.

Based on the FY1995-96 grant proposal, JUDGE will continue to focus on drug offenders, but will concentrate more on those individuals who also fall within the criteria of Three Strikes legislation. The proposal also notes that "the new focus will result in a lower number or quantity of arrests and prosecutions, but will generate a more significant impact by removing for a longer period of time those drug offenders who rob and steal or have

turned to violence as a result of drug use and sales." Still included are gang members involved in those criminal acts.

Impact of JUDGE

This research of the first two years of the JUDGE operation clearly indicates that the JUDGE program was implemented as intended in the original grant. Lack of documentation precluded collecting information on some activities, such as use and value of informants and number of contacts with probationers. Also, the targets tracked for the research did not reflect all JUDGE targets in the time period studied because JUDGE began targeting before the actual start-up in July 1989. The research effort focused only on new targets identified after July 1 because the available information on other targets was incomplete, missing, or insufficient for evaluation purposes.

The retrospective nature of this research limited a more rigorous evaluative approach and highlights the pitfalls of conducting such studies. The experience underscores the need for researchers and practitioners to begin their work simultaneously as a project begins, with consensus on success measures and the availability of necessary data to support the expected outcomes of the project.

On a process level, the efforts of JUDGE in 1988 and 1989 definitely resulted in appropriate targets for investigation, i.e., drug and gang-involved juveniles, although in the second year, the focus shifted more toward adult offenders.

After offenders were targeted by JUDGE, their cases were handled more seriously, based on comparative information of the same sample prior to being placed on the JUDGE caseload. A higher proportion had petitions filed and more resulted in true findings (convictions in adult court) even though proportionately fewer were charged with felonies. JUDGE targets spent more time in custody at each level of intervention by the justice system. And a higher proportion had probation conditions that were isolated and focused on specific behavior, such as not associating with gang members and maintaining contact with probation officers. More offenders were vertically prosecuted after JUDGE targeting, which not only increases efficiency due to decreased time between filing of charges and disposition, but also serves to show offenders that the system intends to make them accountable for actions.

The activities of the JUDGE Unit are consistent with many of the tenets of intensive probation supervision with the added strength of a team approach to investigation and conviction. Probably the focal point of the JUDGE effort is that of vertical prosecution which, by its very nature, can demonstrate the concept of swift and certain intervention.

Other jurisdictions could benefit from the JUDGE experience with respect to features that contribute to successful task forces. The JUDGE project exhibits many of the elements that are associated with effectiveness, according to the research literature. These include: a single line of authority, continuity in leadership, a clear mission, consistent vertical prosecution, and coordination and cooperation among jurisdictions and justice entities.

Effectiveness of JUDGE

The value of JUDGE to the region must be weighed in light of many factors, including impact on recidivist behavior, cost, and other regional approaches to gangs and drugs in the San Diego region.

Recidivism. This study showed that the majority of JUDGE targets were re-arrested two years after being targeted by JUDGE, although the nature of the offenses changed somewhat. Proportionately fewer were contacted for drug violations. However, follow-up since our tracking period ended (1992) showed that over 60% had court cases filed. This percentage is similar to state and national figures that show from 60% to 70% of offenders return to the criminal justice system. More offenses might have occurred if JUDGE targets had not spent so much time in custody.

Our cost analysis suggests that investigating and processing a JUDGE target costs approximately \$12,000 per year with most of the cost incurred by vertical prosecution and time in custody. General cost of prosecution, based on analysis of non-vertical processing, revealed a cost of about \$750 per case. These figures are FY1991-92 dollars. Whatever the figure is today (1995), it can be presumed that vertical prosecution is approximately three times more costly than regular processing. While FBI Index crimes, countywide, and gang crimes within the city of San Diego have shown declines over the past few years, it is difficult, if not impossible, to determine how much of the decline can be attributed to the efforts of the JUDGE Unit, particularly in light of all the other efforts taking place. These include the U.S. Attorney's Violent Crime Task Force which has as its focus both gang violence and narcotics activity, the Gang Suppression Unit, still operative in the Probation Department, the Gang Suppression Unit and the narcotics division of the San Diego Police Department, the gang prosecution unit of the District Attorney's Office, and the recently formed North County Gang Task Force.

San Diego's current available allotment from the federal Anti-Drug Abuse Act of 1988 funding is \$1.6 million and entirely expended for the JUDGE operation. Local agency administrators should continue to evaluate the focus and effectiveness of JUDGE with thorough documentation by the program staff.

The San Diego region has a history of successful regional task force efforts, beginning with the Narcotics Task Force in the early 1950s. The research on other task forces in the country suggests that those task forces that appear to be successful are more likely to have a dedicated and well-defined mission, consensus regarding success measures, and an oversight board or committee to set direction and policy. With respect to JUDGE, in its eighth year, perhaps it is time to revisit its objectives, mission, and results in light of the costs, and the efforts and outcomes of other approaches targeted toward drug and gang-involved offenders.

Experience and sound research have demonstrated that an enforcement approach, by itself, will not ultimately reduce either gang activity or narcotics use and sales. The Three Strikes legislation, by its very nature, along with the local Three Strikes Court, provides

the framework to target hardcore gang and drug-involved offenders. Given the rise in violent crimes committed by juveniles and the use of firearms by this population, perhaps JUDGE should redirect its efforts on younger juveniles at high risk for becoming involved in illegal gang activity or drug sales. This age group, according to demographers, is expected to increase proportionately in the next ten years, leading some criminologists to suggest that juvenile violence will increase significantly. JUDGE efforts could be utilized as an early warning system to identify and focus on a small segment of potentially crime-prone individuals before they become "Three Strikes" candidates.

The lessons learned regarding how to successfully implement a task force involving police, prosecutor, and probation are valuable and could be applied to other task force efforts.

CHAPTER 1

CHAPTER 1

INTRODUCTION

This research, conducted by the San Diego Association of Governments (SANDAG), evaluates a multi-agency task force, consisting of prosecutors, probation officers, and law enforcement officers in San Diego County, who target drug-involved juvenile gang members and adult habitual drug offenders, with or without a gang affiliation. The research effort was sponsored by the National Institute of Justice (NIJ). The program, initially funded by the Bureau of Justice Assistance (BJA), and administered by the California State Office of Criminal Justice Planning, is called Jurisdictions Unified for Drug Gang Enforcement, or JUDGE. The task force incorporates an intensive supervision approach that enforces conditions of probation and drug laws and provides vertical prosecution for probation violations and new offenses involving targeted offenders.

The research included a process evaluation and an impact assessment to determine the effects of the program in:

- providing consequences for probation violations and new offenses committed by targeted offenders
- reducing criminal activity and drug use among the target population.

A pre/post-test single group comparison design was used to compare youth targeted by JUDGE to the same group contacted by the justice system prior to implementation of the JUDGE program. Data were collected from arrest reports; probation, JUDGE task force records, and court files; criminal history records; and through interviews with criminal justice personnel in the JUDGE program and agencies that coordinate with JUDGE staff. The analysis included a description of program implementation and operations and a comparison of differences in processing of youth before and after JUDGE implementation. Recidivism data for JUDGE youth were compiled as well as costs for case processing compared to regular probation caseloads.

This research will provide policymakers throughout the country with information related to two critical questions facing criminal justice administrators today:

- What is the most effective way to utilize limited resources to address gang and drug-involved criminal activity?
- What factors should be considered in developing multi-agency task forces to address drug, gang, and other criminal justice problems?

Organization of this Report

This report first articulates the research goals, objectives, and approach, followed by a description of the JUDGE program. To place the program in context, a brief review of the literature on multi-jurisdictional task forces is presented. Next is a site description of San Diego along with statistics suggesting the impetus of the JUDGE program. The next section describes the objectives of the JUDGE program and intended activities. The results of the process evaluation and the impact assessment follow. Finally, a discussion of the costs of JUDGE and conclusions and recommendations conclude the report.

RESEARCH GOALS AND OBJECTIVES

The research includes a process evaluation to assess the extent to which the JUDGE program met its objectives and an impact evaluation of the effects of the program on the youth in terms of consequences for violations, new offenses, and positive outcomes.

Research Objectives

The following objectives were addressed in this study.

- Determine if the JUDGE program objectives were met during the grant period.
- Assess the results of program activities, such as surveillance, special enforcement, and vertical prosecution, in terms of probation violations, arrests, pretrial custody, probation revocations, convictions, and sentences.
- Evaluate the impact of the program on offenders as measured by recidivism and the need for probation intervention.
- Assess the costs of JUDGE probation compared to regular probation caseloads.
- Provide recommendations regarding the implementation of similar programs in other jurisdictions.

Research Questions

The following policy-relevant questions were answered through this study.

- Is a multi-agency task force approach to monitoring activities of gang and drug-involved probationers more effective than traditional probation?
- How does enhanced surveillance of probationers by both police and probation officers affect probation violation and arrest rates?
- Is vertical prosecution of new violations more likely to result in conviction than non-vertical prosecution?

- Does the JUDGE program reduce gang and drug involvement among targeted probationers?
- Is JUDGE a cost-effective approach to probation supervision for drug-involved gang members?

Research Approach

After finalizing the research design based on comments by NIJ reviewers, the research team met with the JUDGE staff to discuss the retrospective study and determine data sources and locations of project information and materials. Data collection instruments were developed subsequent to review of sample case files. Initially, analysis techniques were selected based on the presumption of a quasi-experimental design to include correlational procedures such as multiple regression, and analysis of variance. However, as is further explained in Chapter 3, ascertaining an appropriate control or comparison group was not possible so the analytical approach is primarily descriptive. It is important to point out the time frame for this study and acknowledge the inherent limitations of retrospective studies. The JUDGE program began in 1988 with a focus on drug and gang-involved youthful offenders on probation. In 1990 the focus shifted somewhat to more attention on adult narcotic offenders, not necessarily on probation or affiliated with gangs. This research began in 1991 and spanned a period of three years. Over time, the staffing of the JUDGE program changed along with shifts in investigative focus. Files and records compiled in 1987, 1988, and 1989 were thought to be accurate and complete by the current JUDGE staff. This was not always the case and methodological refinements were made several times during the course of the study. Interviews with JUDGE personnel, both past and present, required respondents to think about JUDGE operations and direction in 1988 and 1989. Obviously, the passage of time has an impact on recollections and respondents also reacted to the current status of JUDGE.

Site Description

San Diego County, with a population of 2.6 million residents, is located in the extreme southwest corner of the United States. The City of San Diego, the sixth largest city in the country, represents nearly half the countywide population. The County's population is ethnically diverse. The 1990 census shows that 65.4% of the residents are White, 20.4% Hispanic, 6.0% Black, and 8.2% other ethnic or racial groups.

San Diego's geographic and population characteristics contribute to the high risk for drug-related crime. Some of these include:

- proximity to the border of Mexico
- easy access by land, air, and sea
- a large, semi-transient population of students and adults attracted by year-round pleasant climate

- an increasing number of gangs and gang members
- several hundred square miles of rural, isolated terrain.

Virtually all measures of San Diego drug use show that this area has a significant drug problem including DEA seizures, drug treatment admissions, emergency room mentions, arrests, and Drug Use Forecasting (DUF) drug-test data on adults and juveniles taken into custody. These measures are indicative of both wide availability and demand for drugs.

The justification for JUDGE as described in the grant application for BJA funding identified the surge in gang membership and associated narcotics trafficking responding to the demand for drugs. The following excerpt presents a picture of gang activity in San Diego in the mid-1980s.

Since the 1970s, street youth gangs have thrived and escalated at an alarming rate in San Diego County. In 1975, police estimated there were three gangs and less than 300 gang members. Today (1987 grant application), in the City of San Diego, police intelligence has documented well over 2,300 street youth gang members, comprised primarily of Hispanic and Black youth. Overall, there are 27 primary gangs, and if factions are taken into account, that number rises to 35 gangs in the City of San Diego alone. Documented gang members account for approximately 30% of all overall gang members.

Presently, the "rock cocaine" traffic has been the main focus of Black gangs within the City of San Diego.....Gang members have armed themselves with Uzi submarine guns, AK-47 assault rifles and a variety of sophisticated handguns. The current situation of gang related narcotic control has created a wave of violence involving several drive-by shootings and homicides. Street gangs have begun to resemble "modern organized crime operations in terms of sophistication and tactics."

During 1988, within the City of San Diego, there were 28 gang-related homicides, 90 drive-by shootings, and 193 assaults with weapons committed by gang members. Street gang members accounted for 598 arrests for narcotics ranging from use to sales during 1988.

According to the 1989 grant application, "the overall burden on the probation department [of increased gang and drug activity] has resulted in many juvenile gang and drug offenders going back on the streets and engaging in narcotics activity without any real fear of supervision or accountability. It is difficult at best for these probation officers to follow-up the conditions of probation on a consistent basis." (Second year grant application, San Diego District Attorney's Office, 1988)

Crime and Arrest Picture. The countywide and City of San Diego crime and arrest statistics from 1986 (two years prior to JUDGE implementation) to 1992 (end of research data collection) suggest increases in violent incidents and gang-related crime. The violence rate per 1,000 (based on UCR data) rose by 50 percent during the time period in question in the City of San Diego and by 35 percent in the entire county (including the City data) (Table 1). The significance of the rise in violence is more apparent when total crime rates, which incorporate both violent and property offenses, reveal minimal change from 1986 to 1992. This is because property offenses showed steady declines.

Table 2 displays juvenile arrests for specific violent crimes and felony drug violations for the same time period. Prior to JUDGE implementation (1986-1988), the number of juveniles arrested for homicide rose from 15 to 22. The peak year for homicide arrests was in 1991 when 82 juveniles were arrested for this offense. From 1986 to 1988, arrests for robbery declined 18 percent while arrests for assaults and drug violations increased seven percent and 16 percent, respectively. From 1986 to 1992, arrests for robbery rose 143 percent and arrests for assault increased 122 percent. Thus, both the violent rates and the crimes for which juveniles were arrested over the time period of study suggest increasing involvement in violence by youthful offenders.

The San Diego Police Department compiles statistics on crimes considered to be gang-related which are defined as any offenses in which either the suspect or the victim is gang-affiliated. In 1988, there were 533 such crimes (Table 3). One year later, that figure rose to 961 and in 1991 peaked at 1,088 offenses. In 1988, there were 28 murders attributed to gang activity. In that same year, the JUDGE program was implemented to address juvenile violence related to gangs as well as involvement in drug sales. With this picture of the gang and drug problem, the next chapter describes the JUDGE program, the research on multi-agency task forces, and the specific activities of the San Diego project.

Table 1
CRIME RATES PER 1,000
CITY OF SAN DIEGO AND TOTAL COUNTY

	City of San Diego		County*	
	<u>Violent Rate</u>	<u>Total Rate</u>	<u>Violent Rate</u>	<u>Total Crime Rate**</u>
1986	8.6	80.1	7.1	65.3
1987	8.9	86.5	7.3	70.9
1988	8.8	92.7	7.4	74.6
1989	9.4	96.0	7.7	75.0
1990	10.9	92.1	8.5	72.0
1991	12.3	85.8	9.7	68.2
1992	12.9	80.2	9.6	65.6
Change 1986-92	50%	> 1%	35%	71%

* Includes City of San Diego.

** Property and violent crimes combined.

Table 2
JUVENILE ARRESTS FOR
SPECIFIC FELONY ARRESTS
SAN DIEGO COUNTY, 1986-1992

	1986	1987	1988	1989	1990	1991	1992
Homicide	15	5	22	38	31	82	13
Robbery	245	205	200	250	387	526	596
Assault	393	391	420	587	848	939	873
Drugs	654	650	756	640	405	434	472

	% Change 1986-1988	1986-1992
Homicide	47%	-15%
Robbery	-18%	143%
Assault	7%	122%
Drugs	16%	-29%

Source: California Department of Justice

Table 3

**GANG-RELATED CRIMES
SAN DIEGO POLICE DEPARTMENT
1988-1992**

	1988	1989	1990	1991	1992
Murder	28	15	12	21	30
Attempted Murder	3	14	19	18	26
Assault	227	323	360	346	336
All Other	275	609	591	703	572
TOTAL	533	961	982	1088	964

Source: San Diego Police Department Gang Suppression Unit

CHAPTER 2

PROGRAM DESCRIPTION

According to the 1988 grant application, the JUDGE program represented a coordinated response to youth gang involvement in use, sale, and distribution of narcotics by providing consequences to reduce violence and related crimes. The target population as described in the grant application consisted of:

- juvenile and some adult street gang members on probation for narcotics offenses
- street gang members not yet on probation who are involved in the use, sale, and distribution of narcotics.

The targeted probationers may have new probation grants or may have been placed in the JUDGE program after spending time on a regular probation caseload.

Law enforcement officers provide special enforcement of probation conditions and surveillance of the activities of targeted youth. Probation officers work closely with police to provide additional supervision and accountability, and they assist in processing probation violations and new arrests for targeted offenders. Finally, the prosecutors process search warrants and provide vertical prosecution of all probation violations and new offenses. To increase communication and coordination, the members of the task force operate from the same location in the probation department.

The focus of this research is the initial two-year grant period, beginning in 1988. At this time, the program's primary target was juveniles. The program staff included three (3) deputy district attorneys, two (2) senior probation officers, six (6) police officers representing three agencies and one (1) sergeant, one (1) investigative specialist, and three (3) clerical positions. In 1991, the grant was expanded to include other areas of the county and to target adult offenders with a history of drug and other offenses, not necessarily associated with gang affiliation.

Before presenting the results of JUDGE efforts, a brief history of multi-agency task forces is presented.

HISTORY AND BACKGROUND OF MULTI-AGENCY TASK FORCES

Interagency cooperation among law enforcement is hardly a unique idea. Historically, mutual efforts have occurred primarily in the drug enforcement arena. In recent years, the focus and purpose, the nature of the cooperation, and the types of agencies involved have changed significantly (Chaiken, et al., 1990).

Task forces evolved primarily as a response to, initially, organized crime, and then the drug problem. They are based on the reasoning that the diffusion of responsibility among local, state, and federal law enforcement agencies is advantageous to responding to crime. Cooperative efforts are needed to overcome organized crime and narcotics trafficking. The Anti-Drug Abuse Acts of 1986 and 1988 authorized the creation of multi-jurisdictional drug control task forces. Monies were allocated to the states to support such capabilities. To date, over 1,000 task forces have been created. Task forces differ in their purpose, structure, and targets. Most of the research on task forces has focused on drug-related task forces. Their configuration varies widely. A task force can involve several police agencies in one jurisdiction or involve a police-prosecutor association. In some situations, a state agency will team up with local agencies. Others will include federal agents in a cooperative arrangement (Ruboy and Coldren, 1992).

During the 1980s and early 1990s, many drug task forces were developed with many different configurations. Some were urban, others were rural. Some focused on one type of drug, others on more than one. Some sought to target the high level drug dealer while others focused on the street level user/dealer. The rapid rise in task forces around the country suggests questions for policy makers, concerning the goals and objectives of task forces, their activities, and their impact on the drug problem. According to Ruboy and Coldren (1992), studies about task forces have compared the task forces with traditional narcotics investigative units, assessed several multi-jurisdictional task forces in a single state, and examined task forces operating in conjunction with other justice entities. Most of the research has been descriptive in nature, with arrests, seizures, and convictions the primary measures of task force activities (Justice Research and Statistics Association, 1993).

Types of Task Forces

J.M. Chaiken, et al. (1990), in their case studies of multi-jurisdictional drug enforcement task forces, identify three broad types of cooperation. **Case-oriented drug law enforcement** is essentially reactive and seeks sufficient evidence to arrest, prosecute, and convict known drug dealers. Strategies generally involve undercover efforts, such as informant development, surveillance, and "buy-bust" operations. Most urban police departments today have a division that specializes in drug enforcement and utilizes the described strategies. The extent to which they involve other police agencies, justice components, or levels of government varies. **Network-oriented drug law enforcement** is a proactive effort in which distribution is traced from street-level drug sellers through mid-level and high-level distributors, and at times to top-level kingpin distributors. Strategies are similar to those described in the "case-oriented" approach but may also involve

complex financial investigations that result in long-term investigations and may involve both police and prosecutors as well as local, state, and federal agencies. **Comprehensive problem reduction strategies** are proactive initiatives taken to reduce harm resulting from both the supply and demand for drugs. Since they involve both ends of the spectrum, they are more likely to involve agencies and individuals outside of the justice arena, such as community groups and schools. Focus may be directed toward prevention strategies as well.

Most multi-jurisdictional task forces aim to respond to the use, sale, and distribution of narcotics. Thus much of the available literature on multi-jurisdictional enforcement strategies addresses the impact on the drug problem. Yet the information can be applied to similar types of multi-agency task forces. San Diego's JUDGE program initially emphasized youth gang involvement in the use, sale, and distribution of narcotics. Coldren and Sabath (1992) and Ruboy and Coldren (1992) reviewed task force studies conducted from 1988 to 1991 to provide a better idea of what drug task forces have accomplished since they were initiated. Their research identified practices or elements that contribute to improved task force operations and performance:

- an active oversight group of board of directors that maintains the political coalitions necessary for cross-jurisdictional law enforcement operations, suggests a feeling of ownership, and provides a structure for decision making,
- early agreement on how asset forfeitures will be shared among agencies,
- establishment of close relationships with prosecutors' offices... Researchers noted that prosecutor involvement with task forces ranged from the traditional gatekeeper role of selecting cases for prosecution, through observation of task force activity, to organization and management of the task force.
- on-staff undercover agents,
- a network of developed confidential informants,
- clearly stated agreements, policies, and procedures,
- perceived benefits by all involved,
- high level administrative support.

Few studies have addressed the extent of effectiveness of task forces with regard to operating with the above features.

The following summarizes study results of multi-jurisdictional task forces based on data primarily compiled by the task forces. Drug related offenses accounted for most of the arrests. Task force arrests did not increase steadily over the three year period from 1988-1991. Cocaine was the drug most frequently associated with task force arrests. Cocaine

and cannabis dominate task force drug removals. The number and estimated value of most assets seized increased over the three year period (Ruboy and Coldren, 1992).

Task Forces By State

Multi-jurisdictional task forces in **Indiana** aimed to arrest and prosecute major drug dealers, reduce the availability of illicit drugs, and establish effective interagency relationships. As a result of Indiana's task force activity, there are more resources available for drug enforcement, improved interagency communications, and an improved capacity to identify and target dealers (Bureau of Justice Assistance, 1993).

A study of **Virginia's** task force efforts generated recommendations for law enforcement. These included enhanced multi-jurisdictional cooperation, adequate manpower and training, access by law enforcement agencies to drug investigation information, and amending state laws to better facilitate drug law enforcement and prosecution (Bureau of Justice Assistance, 1993).

A report on **New Jersey's** task force efforts focuses on the effect of the escalating number of drug offenses and how the criminal and juvenile justice systems can work more efficiently in the face of limited resources. Recommendations focus on pretrial release, centralized intake, prosecutorial screening, case processing tracks, effective court scheduling, drug testing, drug treatment, alternatives to incarceration, probation supervision, juvenile detention, interagency communication, and sentencing flexibility (Bureau of Justice Assistance, 1992).

The proposed drug control strategy in **Texas** would increase the amount of resources available to task forces. Priority would be given to geographically coordinated multi-agency and multi-jurisdictional task force enforcement efforts, the use of drug impact courts and specialized drug prosecutors, the use of asset forfeiture teams, upgrades in equipment and personnel for crime labs, and the expansion of drug abuse treatment programs.

A survey of **Minnesota's** 26 multi-jurisdictional narcotics task forces attempted to assess the effect of the narcotics task forces on drug trafficking and crime at the local level. Most respondents felt that task forces are very effective in their efforts to identify, apprehend, and prosecute the street level dealer.

In 1986, the Bureau of Justice Assistance developed the Organized Crime Narcotics Trafficking Program (OCN). The structure of the OCN program provides an example of how a multi-jurisdictional program is organized. Each OCN is comprised of participating law enforcement agencies which include one federal agency, one state or local agency, and a prosecutor. Participants sign a contract affirming their intent to fully participate in the project. One of the participating agencies acts as the applicant and is responsible for administrative and financial matters. Each program forms a control group composed of the senior managers of each agency and membership is mandatory for the U.S. Drug Enforcement Administration (DEA) and federal, state or local prosecutor. The control

group's two primary purposes are to prevent any single agency from controlling or dominating a project and to select cases to be investigated. Funds are made available to purchase covert investigative services. The Organized Crime Narcotics Trafficking Enforcement (OCN) Program is one narcotics task force. Initially funded in 1986, the program continues today and is hosted by twenty-one agencies. The strategy of the OCN Program is the following.

- Promote a multi-agency enforcement response, including prosecution strategy, targeted against major narcotics trafficking operating across jurisdictions.
- Establish a formal mechanism whereby investigative and prosecution resources can be allocated, focused, and managed on a shared basis against targeted offenses and offenders.

The program seeks to develop an enforcement strategy, select a management system to maximize coordination, investigate and prosecute major multi-jurisdictional narcotics traffickers, promote civil remedies and recovery of criminal assets, reduce fractional and duplicative investigations and prosecutions, and cooperate and coordinate efforts.

In implementing and operating the OCN program, the participating agencies learned several lessons. It is important that in the initial stages of program implementation project participants agree upon and describe offenses and offenders targeted for priority enforcement action as well as the program goals and objectives. Participants should also develop early on the criteria for case selection. Interagency agreements were helpful in dealing with issues related to liability, asset sharing or other technical matters (Bureau of Justice Assistance, 1993).

Responses to Gangs and Drugs. To get a picture of the prosecutorial responses to gang crime, the Institute for Law and Justice (ILJ) surveyed 192 prosecutors' offices across the nation (composed of 118 large jurisdictions and 73 small jurisdictions (1992)). The survey asked about the extent of the gang problem, crimes committed, prosecution resources and strategies, and special problems posed by gang cases. Forty-four percent of prosecutors in large jurisdictions and twenty-seven percent in small jurisdictions classified any crime committed by a gang member as a gang crime, whether the crime benefitted the gang or not. Large jurisdictions were more likely than small jurisdictions to use a broad definition of gang crime and classify any crime committed by a gang member as gang-related. Overall, 78 percent of respondents in both large and small jurisdictions reported an increase in gang-related violence and assault and drug sales were the crimes most frequently charged against gang members. In 1991, small jurisdictions prosecuted an average of 1.75 homicides for the entire year and 2.4 violent crime cases per month. Large jurisdictions prosecuted an average of 8.9 homicides in 1991, and 25.9 violent crime cases per month. Agencies responded to the gang problem by forming gang units and using vertical prosecution. The gang units in large counties on average were staffed by 3.9 full time attorneys. Prosecutors identified the following approaches to use against gang members:

- Increase the number of case referrals and cases filed on individuals charged with drug offenses.
- Increase the use of informants in drug investigations.
- Train law enforcement personnel on topics related to enhanced operation of anti-drug abuse projects.

PROGRAM ACTIVITIES

The original grant proposal outlined the following activities for each component of the task force during the first two years of operation.

Prosecutors

JUDGE task force prosecutors are available on a 24-hour basis to respond to requests for telephonic search warrants, assist with arrest warrants, and provide other legal advice. The deputy district attorneys are to provide vertical prosecution of project targets, which means the same attorney appears at all hearings to ensure that needed information is available and to provide continuity. Prosecutors also participate in training of law enforcement officers and exchange of intelligence information.

Probation

The two probation officers in the JUDGE task force provide information about targeted offenders to law enforcement and the district attorneys. Most JUDGE probationers are actually assigned to probation officers in other probation supervision units. This presents the need for coordination with probation staff outside the JUDGE task force regarding actions taken on probation violations and new offenses. In July 1989, the Probation Department initiated a Gang Suppression Unit (GSU) to provide intensive supervision for all high-risk gang members. GSU staff are housed in the same office as the JUDGE task force. Now, about 80 percent of the JUDGE caseload is assigned to GSU probation officers. According to JUDGE staff, this facilitates a coordinated response consistent with JUDGE goals and objectives.

When a targeted offender has a new offense or probation violation, the probation officer assigned to the case initiates court reports using information gathered from all components of the JUDGE program. JUDGE probation staff coordinate with prosecutors to ensure that project defendants remain in custody prior to trial or court hearing and that recommendations for sentencing are consistent with the objectives for the JUDGE program.

In addition to the specific responsibilities for each component, the members of the JUDGE task force provide a liaison with their own agencies to promote overall cooperation and coordination of the project.

Law Enforcement

The law enforcement officers assigned to JUDGE prepare profiles on each targeted offender, with photographs, fingerprints, family history, gang identification, prior offense history, probation conditions, and information on narcotics use and sales. These profiles are available to all law enforcement and probation officers in the county. In addition, summary data on targeted offenders are entered in a regional computer system so that JUDGE staff will be notified when their probationers are contacted by law enforcement.

Law enforcement officers also concentrate on uncovering probation violations and new offenses committed by targeted offenders. Each law enforcement officer has a caseload of approximately 30 targeted offenders; however, officers may also assist with other cases, when needed. Strategies employed include surveillance, use of informants, undercover buy programs, and other enforcement techniques, including drug testing. These efforts are coordinated with the deputy district attorneys and probation staff.

CHAPTER 3 STUDY RESULTS

CHAPTER 3

STUDY RESULTS

This chapter reveals the results of the process evaluation and the impact assessment. In general, the JUDGE program was successful in implementing the program as intended. The extent to which JUDGE was able to impact gang crime and drug-related activity is uncertain, given the number of targets, the change in mission in the second year, and the inability to conduct a rigorous evaluation due to the fact that research began three years after the program began and a control group of juveniles could not be determined.

PROCESS EVALUATION

The process evaluation addressed the extent to which the JUDGE program objectives were met during the grant period by assessing the results of program activities. Data were collected from arrest reports, probation records, JUDGE files, court documents, and criminal history records. Specific data elements collected are detailed in Table 4. The case tracking data collection form is in Appendix A. Also, interviews were conducted with past and present JUDGE staff and others who have interacted with the JUDGE unit.

In general, JUDGE was implemented according to the specifications in the grant proposal. Not every objective could be assessed due to unavailable or incomplete data. During the course of the project, data were compiled by JUDGE program staff who experienced some turnover during the data collection periods. The program began in 1988. In 1989, the Probation Department initiated a Gang Suppression Unit (GSU) to supervise gang members whose history warrants an intensive, intrusive supervision approach. This unit of probation officers also supervised some of the offenders targeted by JUDGE. Although their primary objective was/is to control the activities of offenders, the GSU officers also work closely with the schools and community-based agencies to seek positive, alternative opportunities for gang youth. Since their supervision of JUDGE targets began in the second year of the grant period, the data on targets and activities were both compared and combined for the process evaluation. Originally, a control group was to be chosen in this time period to support the impact assessment methodology. This group, known as the comparison group or the pre-JUDGE group, was to be chosen from police and probation caseloads operative prior to JUDGE implementation (1988). However, selecting an appropriate control group was problematic and ultimately not possible for the following reasons: many of the appropriate targets eventually became part of the JUDGE caseload; criteria for defining offenders as gang members were not well defined prior to 1988; some arrestees were never on probation; and some did not have a drug history.

The research design was modified accordingly so that the analysis determined if the program was implemented as designed, through a comparison of the same group of

Table 4

**DATA ELEMENTS AND SOURCES
CASE TRACKING FORM**

Arrest Reports/ JUDGE and Probation Files	Probation/Court
<p>Age, Sex, Ethnicity</p> <p>Date of Birth</p> <p>Education Level</p> <p>Gang Affiliation</p> <p>Instant Offense and Disposition</p> <p>Status at Time of Arrest</p> <p>Date of Sentence/Sentence Type</p> <p>Prosecutor/Probation Officer</p> <p>Time in Custody</p> <p>Probation Conditions</p> <p>Drug Tests/Results</p> <p>Probation Violations - Number and Type during Tracking period</p> <p>Date of Intake/Release from JUDGE</p> <p>Date Follow-up Period Ended</p> <p>Number of Probation Contacts</p> <p>Referrals to Other Agencies</p>	<p>Criminal History</p> <ul style="list-style-type: none"> • Age at First Arrest • Date of First Probation Referral • First Referral Offense • Date of First Wardship • Offense - First Wardship • Dates of Arrest • Highest Arrest Charges • Drug Charges • Probation Revocations/Dates • Dates of Conviction • Highest Conviction Charges • Sentences • Dates in Custody/Type of Institution • Dates on Probation <p>Offenses during JUDGE</p> <ul style="list-style-type: none"> • Type of Prosecution (vertical or non-vertical) • Drug/Felony/Other Arrests • Convictions by Type and Level of Charge • Pretrial Custody • Revocations • Types of Sentences (e.g., maximum sentence imposed)

juveniles processed before and after JUDGE implementation, and an examination of pre- and post-arrest data on JUDGE targets. The following section describes the results of the first two years with respect to program guidelines and objectives. First, a definition of gangs and gang members is in order.

Defining Gangs and Gang Members

Law enforcement agencies in San Diego County use criteria established by the State Department of Justice to define gangs and gang members. To be considered a gang, a group must meet all of the following criteria.

- The group has a name of identifiable leadership.
- The members claim a territory, turf, neighborhood, or criminal enterprise.
- The members associate on a continuous or regular basis.
- The members engage in delinquent or criminal behavior.

To be documented as a gang member, an individual must meet at least one of the following criteria.

- The individual admits gang membership.
- The individual has tattoos, wears or possesses clothing and/or paraphernalia that is primarily associated with a specific gang.
- The individual is observed participating in delinquent or criminal activity with known gang members.
- Police records and/or observations show the individuals' close association with known gang members.
- Information from a reliable informant identifies the individual as a gang member.

JUDGE TARGETS

A primary objective of JUDGE was to target youth who were on probation and were documented gang members with a history of drug sales and or use. Characteristics of the JUDGE caseload demonstrate that the program targeted the intended population (Table 5). Combining the defendants in year 1 and year 2 yields a study size of 279. This number reflects all JUDGE targets for whom records were maintained in 1988 and 1989. (The JUDGE unit quarterly reports show higher numbers because targeting actually began prior to the grant award.) The characteristics of the JUDGE targets are consistent with the screening criteria outlined in the program proposal. All but one were juveniles, and over half (56%) were sixteen or seventeen years of age. About four out of ten (41%) were fourteen or fifteen. Closely paralleling the ethnic breakdown of gangs in San Diego, the sample of 279 was nearly equally divided between Blacks (45%) and Hispanics (52%). Only six were females.

Table 5

**CHARACTERISTICS OF JUDGE TARGETS
1988-1989**

Age		
13 and under	9	3%
14-15	113	41%
16-17	156	56%
18 and older	1	< 1%
Sex		
Male	273	98%
Female	6	2%
Ethnicity		
White	3	1%
Hispanic	146	52%
Black	125	45%
Other	5	2%
TOTAL	279	100%

All were documented gang members (Table 6). Association with drugs was apparent as 73 percent had been convicted of a drug offense and 23 percent had an arrest for a drug violation. Only three percent had no indication of drug use or sales in their files. At the time they were targeted by the JUDGE unit, 89 percent of the juveniles were wards of the court. Given the composition of the targeted group, youthful gang members involved with drugs with a criminal history, the JUDGE program followed the guidelines outlined in their grant proposal.

Table 6

**JUDGE SCREENING CRITERIA
1988-1989**

Gang Member		
Yes	279	100%
Drug History		
Convicted of drug offense	204	73%
Arrested for drug offense	63	23%
Indication of drug use in file	4	1%
No history	8	3%
Ward of Court		
Yes	247	89%
No	32	11%
TOTAL	279	100%

Interview results, for the most part, supported the focus on these targets. The majority of police and probation officers interviewed (88%) stated that the targets should be juvenile gang members and 64 percent also include juvenile drug users. Probation officers, more so than police officers were far more likely to state that drug users should be targeted (76% compared to 38%). When the question was asked regarding adults, 65 percent of both police officers and probation officers indicated gang-involved drug users should be targets for JUDGE. This response is not really surprising for a couple of reasons. First, interviews were conducted with individuals with both past and present interaction with JUDGE. As noted earlier, two years after the JUDGE implementation, the focus shifted somewhat to adults. Also there is recognition that juveniles do not necessarily drop their gang affiliation when they reach legal adult status at 18 years of age. On the contrary, research has demonstrated that gang membership continues beyond this age due to, in part, labor conditions.

When Targeting Occurred

Table 7 shows the stage in the criminal justice process at which juveniles were targeted by the JUDGE unit. More than half were selected for inclusion during the prosecution stage, perhaps as a result of vertical prosecution efforts. About a quarter became targets while on probation (23%). Only two percent were targeted at arrest, which makes sense since arrests probably were made by regular patrol officers.

Criminal History of JUDGE Targets

Another means for determining if JUDGE addressed the intended population is to examine the history of the youth with respect to types of contacts with the justice system (Table 8). Contacts for drug involvement increased as they progressed through the system. At the time of first contact with the juvenile justice system (not necessarily by JUDGE), 62 percent of the juveniles were arrested for felony-level offenses, of which 18 percent were drug related, either possession or sales. When first referred to probation, 66 percent were referred for felonies with 23 percent related to drug violations. Of the 269 who had been declared wards of the court, 67 percent had been convicted for felonies, of which 33 percent were related to drugs.

Table 7
WHEN TARGETING OCCURRED
JUDGE EVALUATION, 1988-1989

When targeted	
At arrest	2%
On probation	23%
During prosecution	55%
After prosecution	13%
Discretion*	6%
Other	2%
TOTAL	279

* JUDGE unit targeted some individuals based on the officer's previous knowledge of the individual's behavior, because an individual was present at a target's home when the unit was conducting a search, or based on other information that would lead an officer to believe the individual should be targeted by the unit.

Note: Percentages may not equal 100 due to rounding.

Table 8
CRIMINAL HISTORY OF JUDGE TARGETS

Arrests	Charge at First Contact	Charge at First Referral	Conviction Charge at Wardship Declaration
<u>Felony</u>			
Violent	12%	10%	7%
Property	27%	25%	22%
Drugs:			
Sales/manufacture/ transport/furnish	11%	15%	19%
Possession	7%	8%	14%
Other	6%	6%	4%
TOTAL	62%	66%	67%
<u>Misdemeanor</u>			
Drugs			
Possession	4%	3%	1%
Other drug	8%	8%	10%
Other	25%	22%	22%
TOTAL	37%	33%	33%
<u>Other</u> ¹	1%	2%	<1%
TOTAL	279	279	269

¹ Includes status offenses, probation and parole violations, and other charges.

NOTE: Individual percentages may not add to totals due to rounding.

ARREST PROCESSING

The impact of JUDGE intervention is apparent in the proportion of youth arrested for probation violations after targeting by JUDGE. Before the implementation of the program, only seven percent of the youth had been contacted for violations. This figure rose to 32 percent following JUDGE targeting (Table 9). Compared to their justice processing prior to JUDGE, targets were more likely to have petitions requested (similar to complaints in adult court), and less likely to be handled informally by both police and probation personnel.

Another objective of JUDGE involved the use of incarceration as a sanction. Even though half of the youth had been arrested for felony-level offenses prior to JUDGE intervention, about the same proportion (52%) were placed in custody after arrest. In contrast, after being targeted by JUDGE, 30 percent were arrested for felony-level offenses yet 68 percent of those arrested were placed in custody upon arrest. Also, after JUDGE intervention, 14 percent of the youth were in custody when charged with another arrest compared to only four percent prior to JUDGE targeting.

Table 9
LAW ENFORCEMENT EFFORTS,
PRE AND POST JUDGE EVALUATION

	JUDGE TARGETS			
	BEFORE ¹		AFTER ²	
Highest Arrest* Charge				
Felony	546	50%	254	30%
Misdemeanor	393	36%	270	32%
Probation violations	75	7%	271	32%
Other	84	8%	46	5%
Law Enforcement Disposition				
Released	16	1%	4	< 1%
Turned over	2	< 1%	0	0%
Petition requested	673	61%	673	81%
Counseled and closed	46	4%	4	0%
Informal probation	76	7%	4	0%
Referred to probation/no action taken	233	21%	145	17%
Handled informally by police department	50	5%	6	1%
Highest Charge Filed				
Felony	392	58%	201	30%
Misdemeanor	212	32%	209	31%
Probation violations	64	10%	246	37%
Other	4	1%	17	3%
Custody at Arrest				
Yes	550	52%	564	68%
No	470	44%	149	18%
In custody at arrest	41	4%	114	14%

¹ Two years prior to JUDGE targeting.

² Two years after JUDGE targeting.

* Refers to numbers of arrests, not individuals.

PROSECUTION EFFORTS

With the use of vertical prosecution, the JUDGE program sought to meet the following objectives.

- Reduce the caseload for prosecutors compared to caseloads with no vertical prosecution.
- Resist the release of defendants from custody prior to case adjudication.
- Ensure that the most severe sentence of commitment is imposed on convicted defendants.
- Reduce the average amount of time between the arrest and disposition of charges.
- Increase the conviction rate for project defendants.
- Eliminate or reduce the use of plea bargaining.

The measures (i.e., proportionate filing rates, conviction rates, plea bargains, cases with vertical prosecution, custody prior to disposition, sentence, and average time from arrest to disposition) were compared for youth processed before and after JUDGE implementation.

Examining the study case size of 279, the total number of arrests were examined two years prior to being targeted by JUDGE and two years after targeting. In the years prior to JUDGE targeting, the youth records showed 1,098 arrests. All justice processing percentages are based on the total number of arrests, not individuals (Table 10). In the pre-JUDGE period, 61 percent of the arrests resulted in petitions filed in the court compared to 80 percent of the 841 arrests targeted after JUDGE intervention. Nearly half (49%) of the arrest charges processed in the post JUDGE period were vertically prosecuted. In contrast, only 15 percent of the cases prior to JUDGE were handled in this fashion. It is important to note that the District Attorney's Office at that time had a gang division and cases within that division received vertical prosecution, so the mechanism was in place prior to JUDGE implementation. About the same percentage in each time period showed evidence of plea bargaining. Also, the presumption that additional charges or enhancements would augment charges was insignificant both before and after JUDGE implementation (1%).

Just over two-thirds (68%) of cases targeted by JUDGE resulted in convictions compared to 44 percent of the cases receiving convictions prior to JUDGE. Proportionately, two types of sentences changed after JUDGE targeting. More cases resulted in commitments to the California Youth Authority (CYA), from one percent to seven percent. Also, about a third (33%) of the cases in the post period involved local custody compared to 16 percent before JUDGE targeting.

When the data are examined with respect to sentences based on number of convictions, the differences still hold (Table 11). Prior to JUDGE, four percent of those convicted were sentenced to the California Youth Authority in contrast to eleven percent after JUDGE intervention. Over half (54%) received local custody through the JUDGE program compared to 42 percent with this sentence prior to being targeted by JUDGE.

Table 10

**PROSECUTION EFFORTS,¹
PRE AND POST JUDGE EVALUATION**

	BEFORE	AFTER
Total arrests	1,098	841
Petitions filed	61%	80%
Vertical prosecution	15%	49%
Plea Bargain	11%	10%
Enhancements		
Filed	1%	1%
Sustained	< 1%	1%
Disposition		
Convicted	44%	68%
Other ²	2%	3%
Sentence ³		
Prison	0%	1%
California Youth Authority (CYA)	1%	7%
Local custody ⁴	16%	33%
Probation ⁵	5%	5%
Other ⁶	16%	15%
In custody prior to disposition ⁷	27%	49%

¹ Numbers are based on total arrests.

² Includes dismissed, diverted, acquitted, and other dispositions.

³ Percentages do not include those cases that were combined for sentencing.

⁴ Includes Juvenile Hall, Juvenile Ranch Facility, 24 Hour School and jail.

⁵ Includes cases that were given probation reinstated and modified.

⁶ Includes sentences to out of state institutions, house arrest, work project, fines, restitution, halfway houses, and other.

⁷ In custody prior to disposition but after detention hearing.

Table 11

SENTENCES FOR CONVICTIONS

Sentence ¹	BEFORE		AFTER	
	Count	Percentage	Count	Percentage
Prison	0	0%	7	1%
CYA	16	4%	56	11%
Local custody ²	180	42%	277	54%
Probation ³	57	13%	46	9%
Other ⁴	175	41%	130	25%

¹ Percentages do not include those cases that were combined for sentencing, no sentence was given, or sentence was unknown.

² Includes Juvenile Hall, Juvenile Ranch Facility, 24 Hour School and jail.

³ Includes cases that were given probation reinstated and modified.

⁴ Includes sentences to out of state institutions, house arrest, work project, fines, restitution, work furlough, halfway houses, and other.

Resistance to Release from Custody

A prosecution objective was to apply immediate sanctions to youth who violated probation as well as those who were targeted for the first time as drug, gang-involved youth. Findings before and after JUDGE implementation indicate success in custody efforts at each level of processing (Table 12). Over two-thirds (68%) at time of arrest were placed in custody **after** JUDGE implementation even though during the two years prior, the group was more likely to have been arrested for felony-level offenses. Just over half (52%) of the youth prior to being targeted were placed in custody following arrest. This emphasis on use of custody persisted throughout the various levels of processing. Again, about two-thirds (67%) of the youth received custody after the readiness hearing compared to 46 percent getting custody before being targeted by JUDGE. At the disposition hearing, after JUDGE intervention, 63 percent of the youth were placed in custody compared to 47 percent prior to JUDGE. According to the JUDGE project director, juvenile hall staff were instructed to retain JUDGE targets. These findings may also be affected by the age of the juveniles and the fact that they continued to have contact with the justice system. Historically, the juvenile justice system has tended to treat juveniles more leniently when youth first enter the system. As they progress through the system, the tendency is to sanction more severely.

Data for actual time spent in custody are available only after JUDGE intervention. Even without comparison information, it appears that JUDGE targets spent considerable time in non-consecutive custody over the three year period of tracking (Table 13). Twenty five percent of the JUDGE targets spent from six months to one year in custody. Another 25 percent had a total custody time ranging from one to two years, and 21 percent served

over two years of custody time. These data suggest that JUDGE targets were indeed sanctioned frequently and custody time was utilized to a great extent.

Table 12

CUSTODY DECISIONS AT PROCESSING LEVELS

Custody	JUDGE TARGETS			
	BEFORE		AFTER	
At arrest	550	52%	564	68%
At detention hearing	369	72%	439	75%
At readiness hearing	300	46%	415	67%
At jurisdictional hearing	80	41%	118	60%
At disposition hearing	235	47%	360	63%

Table 13

**TOTAL TIME SPENT IN CUSTODY,¹
AFTER JUDGE TARGETING**

Time		
No time	16	6%
1 day to 6 months	53	19%
6 months to 1 year	71	25%
1 year to 18 months	38	14%
18 months to 2 years	32	11%
2 years to 30 months	32	11%
30 months to 3 years	23	8%
Unknown	<u>14</u>	<u>5%</u>
	279	100%

¹ Not necessarily consecutive time.

Note: Percentages may not equal 100 due to rounding.

Vertical Prosecution

Another prosecution objective was to decrease the amount of time between arrest and court disposition. This was to be accomplished through coordinated case management and vertical prosecution by JUDGE staff. Comparing the before and after data shows that proportionately more JUDGE cases were disposed of in a shorter time period (Table 14). About a third (33%) were handled within 14 days. Prior to JUDGE implementation, 25 percent of the cases were disposed of in this time frame. Over half (54%) of the before cases took from one month to more than three months. The comparable figure after JUDGE targeting was proportionately fewer cases taking that length of time (39%).

Despite what appears to be more timely processing in the JUDGE program compared to case processing prior to the program, the effect of actual prosecution by JUDGE personnel was not apparent (Table 15). However, the number of cases not handled by JUDGE was relatively small. Most of these (90%) cases handled by non-JUDGE prosecutors were disposed of within 30 days compared to 72 percent of the cases handled by JUDGE staff. Over a quarter (28%) of the cases assigned solely to JUDGE staff took more than 30 days from arrest to disposition compared to ten percent of the cases handled by non-JUDGE personnel. These findings may not be unexpected since coordinated case management can still take place among the involved parties. Also, the District Attorney's Office at the time JUDGE was implemented had a specialized unit handling serious gang offenders. So, vertical prosecution may have been an effective option whether or not the case was actually handled by JUDGE prosecutors.

Table 14

TIME (IN DAYS) FROM ARREST TO COURT DISPOSITION

Time	JUDGE TARGETS			
	BEFORE		AFTER	
Same day to 14 days	165	25%	219	33%
15 days to 30 days	146	22%	189	28%
31 days to 90 days	225	33%	173	26%
More than 90 days	137	20%	88	13%

Table 15

**TIME (IN DAYS) FROM ARREST TO COURT DISPOSITION,
BY PROSECUTION TYPE
POST-JUDGE GROUP**

Time	JUDGE PROSECUTION		NON-JUDGE PROSECUTION	
	Count	Percentage	Count	Percentage
Same day to 14 days	165	40%	16	55%
15 days to 30 days	136	33%	10	34%
31 days to 90 days	96	23%	3	10%
More than 90 days	20	5%	0	0%

PROBATION CONDITIONS AND VIOLATIONS

A role of both police officers and probation officers in the JUDGE program was to supervise those on probation in an intensive manner so that violations of probation could be noticed and acted on. Utilizing surveillance techniques, informants, undercover buy programs, and frequent drug testing, the JUDGE team had ample opportunities to keep offenders accountable. Probation violations were examined in a number of different ways. First, the proportion of offenders who had certain conditions ordered prior to being targeted by JUDGE was compiled. It was presumed that when the cases became part of the JUDGE caseload, a higher proportion of defendants would have certain conditions ordered. Another effect in the second year of JUDGE was the implementation of the Gang Suppression Unit (GSU) which resulted in the majority of the JUDGE caseload being supervised by this unit.

Probation conditions ordered before and after JUDGE targeting are of interest with respect to the total proportion as well as the types of conditions emphasized. Prior to JUDGE intervention, less than half of all defendants had certain conditions ordered (Table 16). The modal and highest proportion was 39 percent. Of more interest is the focus within the JUDGE time frame. For example, during the JUDGE program, over two-thirds (67) of the youth had curfew imposed as a probation condition. In contrast, only 12 of the same group had curfew as a condition prior to JUDGE. Over 75 percent of the JUDGE targets had conditions regarding following probation officers' rules; reporting all law enforcement contacts; following guardian rules; staying in the county; and obeying school rules. Before being targeted by JUDGE, 39 percent of the youth had these conditions. Before JUDGE targeting, only 16 percent of the youth had a condition prohibiting weapon possession. Afterwards, 55 percent had this condition. Similarly, youth prior to JUDGE intervention showed 18 percent with a condition barring the wearing of gang clothes. After targeting the proportion rose to 75 percent. Finally, in the pre-JUDGE period, 28 percent had conditions of drug testing compared to 75 percent after being targeted by JUDGE. These differences in probation conditions imposed before and after JUDGE further support JUDGE's intentions to isolate gang and drug involved behavior. Not only

were individuals targeted as designed, JUDGE officers were more likely to utilize the tools available to them in their control efforts. For example, prior to JUDGE, about one-third (33%) of the youth had fourth amendment waiver search conditions even though the majority were already wards of the court. This statute precludes a defendant's right to regular search and seizure procedures, such as requiring a search warrant, for those previously convicted of a crime and on probation. After JUDGE targeting, the proportion with a fourth waiver condition rose to 76 percent. As noted earlier, in 1989, the second year of the JUDGE program, the probation office established the Gang Suppression Unit. These personnel took responsibility for supervising most of the JUDGE caseload. Regardless of who was doing the supervision, the JUDGE objectives were met with regard to imposing conditions on targeted youth.

Table 16

**PROBATION CONDITIONS ORDERED
PRE AND POST JUDGE TARGETING
JUDGE EVALUATION, 1986-1991**

Probation Conditions	JUDGE TARGETS	
	BEFORE	AFTER
Follow probation officer's rules	39%	78%
Report all law enforcement contacts	39%	78%
Follow guardian rules	39%	78%
Stay in county	39%	78%
Obey school rules	39%	77%
Submit to testing	28%	75%
Report in to probation officer	39%	77%
Not associate with others	19%	75%
No weapons	16%	55%
No alcohol	29%	74%
No illegal narcotics	29%	76%
Not in vehicle with other juveniles	9%	44%
No gang clothes	18%	75%
Not in certain places	8%	49%
Curfew	12%	67%
Counseling	35%	71%
Fourth amendment waiver	33%	76%
Other	2%	8%
TOTAL SAMPLE	279	279

Consistent with the features of intensive supervision, the individuals targeted by JUDGE and later supervised by the Gang Suppression Unit were violated frequently by their probation officers (Table 17). It is difficult to state with confidence whether they were violated because they were in fact serious offenders and got into trouble frequently or because they were more likely to get caught given the close supervision. Data are available for the three-year period of JUDGE tracking of the study group with respect to conditions ordered and violated. Over 50 percent of the JUDGE targets were violated for not observing the following conditions:

- following probation officers' rules (64%)
- obeying school rules (53%)
- not associating with certain others (60%)
- no illegal narcotics [use or sales] (99%)
- curfew (69%).

Table 17
PROBATION CONDITIONS ORDERED
AFTER JUDGE TARGET DATE AND
VIOLATED DURING TRACKING PERIOD, 1988-1991

Probation Conditions	%	%
	Ordered	Violated
Follow probation officer's rules	78%	64%
Report all law enforcement contacts	78%	14%
Follow guardian rules	78%	9%
Stay in county	78%	2%
Obey school rules	77%	53%
Submit to testing	75%	4%
Report in to probation officer	77%	11%
Not associate with others	75%	60%
No weapons	55%	42%
No alcohol	74%	13%
No illegal narcotics	76%	99%
Not in vehicle with other juveniles	44%	10%
No gang clothes	75%	33%
Not in certain places	49%	42%
Curfew	67%	69%
Counseling	71%	6%
Fourth amendment waiver	76%	1%
TOTAL SAMPLE	279	279

It was noted earlier that the majority of JUDGE targets (89%) were wards of the court when targeting by JUDGE. Table 18 shows the number of violations these youth had subsequent to becoming a court ward. About two-thirds (64%) had four or more technical violations by the court. Only six percent never violated within the tracking period.

Of interest is the fact that those youth who were violated most often (four or more times) were more likely to have had a first contact with law enforcement for violent acts (Table 19). Over three-fourths (76%) of those initially arrested for violence subsequently violated their probation conditions more than four times in the three year tracking period compared to 65 percent of those first contacted for property crimes. Of those first arrested for drug sales, 60 percent showed four or more probation violations compared to 45 percent of those originally contacted for drug possession or use.

Table 18

**TECHNICAL VIOLATIONS AFTER
DECLARED WARD OF COURT
JUDGE TARGETS**

No violations	6%
One to three violations	30%
Four to six violations	32%
Seven or more violations	32%
TOTAL SAMPLE	279

Table 19

**FIRST CONTACT WITH LAW ENFORCEMENT AND
VIOLATION OF PROBATION CONDITIONS BY CHARGE
JUDGE TARGETS**

Violations	Drug Sales	Drug Possession	Violent Offense	Property Offense	Other Offense
None	13%	10%	7%	3%	5%
1 to 3	27%	45%	17%	32%	31%
4 to 6	20%	21%	50%	31%	31%
7 or more	40%	24%	26%	34%	33%
TOTAL	30	29	46	94	80

ELEMENTS OF EFFECTIVE PROBATION

Interviews with JUDGE staff and others who interact with JUDGE addressed opinions about which elements of probation are most effective. Consistent with many of the conditions ordered for JUDGE targets, 80 percent or more of the 50 respondents noted the following as effective elements of probation supervision (Table 20):

- frequent and face-to-face contacts with probation officers
- small probation caseloads
- drug testing
- fourth waiver searches
- graduated sanctions
- consistent response to violations
- restitution
- limit contact with certain associates
- employment assistance
- employment training.

Benefits of enforcement of probation conditions included revocation (49%), being able to better monitor probationers (62%), and having more resources and information available (43%) (Table 21).

Table 20
EFFECTIVE ELEMENTS OF PROBATION,
JUDGE SURVEY RESPONDENTS

Elements	JUDGE	Law		Total
		Enforcement	Probation	
Frequent contacts by P.O.	96%	100%	100%	98%
Face to face contacts by P.O.	92%	100%	100%	96%
Phone contacts by P.O.	28%	0%	71%	38%
Small probation caseloads	96%	88%	100%	96%
Community service	52%	25%	59%	50%
Drug testing	100%	100%	100%	100%
Alcohol testing	68%	63%	82%	72%
Fourth waiver searches	100%	100%	100%	100%
Limit contact with others	88%	75%	94%	88%
NA/AA	56%	38%	88%	64%
Drug treatment programs	76%	50%	82%	74%
Employment assistance	88%	50%	100%	86%
Employment training	80%	75%	100%	86%
Graduated sanctions	68%	88%	94%	80%
Consistent response to violations	96%	88%	100%	96%
Return to court	72%	88%	47%	66%
Social skills training	80%	38%	94%	78%
Clean and sober activities	80%	25%	100%	78%
Drug re-entry programs	72%	38%	82%	70%
Sponsors	72%	63%	88%	76%
Payment of fees for treatment	60%	50%	59%	58%
Restitution	76%	88%	88%	82%
Payment Court Costs/Fines	72%	88%	65%	72%
TOTAL	25	8	17	50

Table 21

**BENEFITS FOR ENFORCEMENT OF PROBATION CONDITIONS
JUDGE SURVEY RESPONDENTS**

Benefits/Advantages	JUDGE	Law		Total
		Enforcement	Probation	
More resources/information	36%	29%	60%	43%
Able to monitor better	40%	57%	100%	62%
More effective	20%	29%	20%	21%
Vertical prosecution	16%	14%	7%	15%
Protect community	20%	14%	7%	15%
Revocation	12%	71%	100%	49%
Fourth waiver searches	8%	0%	0%	4%
TOTAL	25	7	15	47

DRUG TESTING

Since JUDGE targets initially were drug-involved youth, an objective of the JUDGE program was the enforcement of drug conditions through urine monitoring. Eight out of ten JUDGE targets were tested for drug use over the three year tracking period with 70 percent of the tests actually administered by JUDGE staff (Table 22). An average of five tests per defendant was taken in the three year period. Over half (57%) of the 223 youth tested revealed positive urinalysis tests during the tracking period. Of the 159 with positive tests, nearly half had three or more positive tests. Data on results of drug tests prior to being targeted by JUDGE were not obtained, but only 28 percent of the 279 had been given drug testing as a condition prior to assignment to JUDGE.

An average of five tests over three years does not suggest intensive urine surveillance. However, it is possible that both JUDGE staff and GSU probation officers did not faithfully note in juvenile records every time a juvenile was tested. Officers frequently used a portable handheld drug testing tool when they encountered a youth in the field and the urine was tested "on the spot." Also, the two units used different labs for drug testing. Despite the low average of tests recorded, the combination of fewer positive tests, the reduction in drug arrests and drug-related probation conditions suggest that the JUDGE unit, with assistance by GSU supervision, may have reduced the drug use of the JUDGE targets.

Table 22

**DRUG TESTING OF JUDGE TARGETS DURING
THREE-YEAR TRACKING PERIOD, 1988-1991**

Total Tests	
Not tested	20%
1 to 5 tests	48%
More than 5 tests	32%
% of tests administered by JUDGE	70%
Tests yielding negative results	43%
Tests yielding positive results	57%
Tests yielding positive results	
1 dirty test	34%
2 dirty tests	19%
3 dirty tests	13%
4 dirty tests	14%
5 or more dirty tests	21%
Mean number of tests	5.2
Mean number of positive tests	1.8
TOTAL SAMPLE	279

Note: percentages may not equal 100 due to rounding

RECIDIVISM

Another way to examine the impact of JUDGE is to look at the proportion and types of arrests for which the youth were arrested before they became JUDGE targets and the two years following (Table 23). All youth obviously had been arrested within the two year time frame before JUDGE started. Nearly 83 percent or 231 were arrested two years subsequent. Although the percentage of arrests could be considered high, the nature of the offenses may be the more interesting finding. The percentage contacted for violent offenses in the pre-JUDGE period was 22 percent. Two years later, this figure was 27 percent, which is not good news. However, proportionately fewer arrestees had more than one arrest in the latter period compared to the two years prior to JUDGE (18% versus 24%). Strikingly, the percentage involved in felony drug law violations dropped from 63 percent to 28 percent after JUDGE targeting. For misdemeanor drug offenses, percentages were 44 percent and 29 percent, respectively. Arrests for probation violations rose in the JUDGE time period to 66 percent of the study group compared to 17 percent in the pre-JUDGE time. This is consistent with JUDGE objectives to make offenders accountable with strong supervision operationalized through arrests for violating conditions of probation.

Rates of arrests before and after JUDGE reveal findings similar to the proportions. The mean number of arrests was down slightly to 3.0 after JUDGE targeting compared to the two years prior when the rate was 3.9 for the same group of youth. The rate of arrests for violent offenses stayed the same (0.3) and the felony drug rate dropped from 0.8 to 0.3. As expected, the rate of arrests for probation violations rose after JUDGE targeting, from 0.3 to 1.0.

Table 23

**ARREST HISTORY OF JUDGE TARGETS
BEFORE AND AFTER JUDGE TARGETING**

	Two Years Prior to Being Targeted		Two Years After Being Targeted		% Change
Total	279	100%	231	83%	-17%
Violent Felony Offenses	62	22%	62	27%	0%
One arrest	47	76%	51	82%	-> 1%
More than one arrest	15	24%	11	18%	-27%
Felony Drug Offenses	177	63%	65	28%	-63%
One arrest	133	75%	52	80%	-61%
More than one arrest	44	25%	13	20%	-70%
Misdemeanor Drug Offenses	123	44%	68	29%	-45%
One arrest	77	63%	49	72%	-36%
More than one arrest	46	37%	19	28%	-59%
Probation Violations	47	17%	152	66%	223%
One arrest	32	68%	74	49%	131%
More than one arrest	15	32%	78	51%	420%
Mean Number of Arrests	3.9		3.0		
Total without probation violations	3.7		2.0		
Violent felony offenses	0.3		0.3		
Felony drug offenses	0.8		0.3		
Misdemeanor drug offenses	0.7		0.4		
Probation violations	0.3		1.0		

SAN DIEGO SURVEY RESPONDENTS

Interviews with 50 individuals in San Diego County addressed various elements of the JUDGE project with respect to organization, structure, and mission. Responses were obtained from past and present JUDGE staff, probation officers who had had JUDGE targets on their caseload prior to becoming JUDGE targets, probation officers who supervised JUDGE targets, and law enforcement administrators and mid-level managers (sergeants) in police agencies throughout the county.

Multi-task force approach versus traditional probation

Respondents were asked to identify ways that a multi-task force approach differs from traditional probation supervision (Table 24). Coordination among jurisdictions was cited by 40 percent of the total respondents, the most frequent response category. Over half of the probation officers (56%) offered this response. The contribution of individual components, (e.g., police, probation, prosecution) was noted by 26 percent. Police respondents were most likely to state this response (83%). The increase in manpower was another element viewed positively in contrast to regular probation by 23 percent, and most likely cited by the probation officers (56%). Better communication through a multi-agency approach was cited by 19 percent. Probation officers, again, were more likely than JUDGE staff or police to note this feature (31%).

Elements of a successful task force

Interview participants were asked to identify those elements of a task force that contribute to a successful effort (Table 25). The responses were consistent and similar to many of those cited in the research regarding effective task forces. Having a clear goal or mission was noted by 40 percent of the total respondents. Both law enforcement and JUDGE staff were more likely than other probation officers to suggest this feature. Communication was identified by 30 percent, and most likely by JUDGE personnel (36%). Cooperation and working together were elements indicated by 28 percent, with 44 percent of the JUDGE staff stating the element of "working together." It was remarked by more than a few respondents that up until the JUDGE program, police officers did not generally have a good understanding of the role of probation officers and tended to view their efforts primarily within the framework of rehabilitation. To learn that probation officers also have an enforcement emphasis with accountability of the offender as a priority objective was a surprise to some police officers. Also, probation officers learned to utilize to a greater extent fourth amendment waiver searches which, by statute, limits probationers' rights to refuse a search of person or premises. In other words, an individual on probation waives his fourth amendment rights to search and seizure. Often police in the field do not have first-hand knowledge of an individual's probation status and sometimes are not able to use this available tool to their advantage. Nearly a quarter of the JUDGE team (24%) mentioned the elements of motivation and experience contributing to success compared to only 13 percent of the law enforcement respondents and 12 percent of the probation staff.

Ensuring elements of a successful task force

The 50 administrators and practitioners were asked about ways to ensure that a multi-jurisdictional task force would include the elements of success mentioned above (Table 26). Having a clear mission or goal was mentioned most frequently by all respondents (40%) and by 47 percent of the probation officers. Continued evaluation and assessment with ability to modify program was noted by 26 percent, but by 47 percent of the probation officers. About a quarter of those interviewed (24%) noted resources and manpower as important elements. Having strong leaders, planning, agency commitment,

and having a steering committee were elements mentioned by 20 percent or less. The notion of strong leadership was expressed by few, but very adamantly. Generally, it was discussed with an individual (not specific) in mind who, was not only respected, but provided sound direction with respect to targets and strategies of action. Teamwork is an essential ingredient in any task force and an effective leader facilitates and promotes the team concept, according to the respondents.

More staff and more resources were the ways to improve the JUDGE program according to about 20 percent of the respondents (Table 27). Non-JUDGE personnel were much more likely than JUDGE staff to think there was a need for more resources whereas the JUDGE staff focused on more staff (24%). About eighteen percent stated that the focus should be on juveniles. This reflects the situation in which interviews were conducted after JUDGE directed more attention toward adults. Other issues, including better communication, more direction, being more proactive, including more agencies, and less staff turnover were mentioned by less than ten percent of the respondents. In some cases, these few expounded on their rationale for suggesting such improvements.

A small number of agency representatives commented that the JUDGE program does not communicate to smaller agencies and also does not target offenders in their agencies. Some questioned the value of JUDGE for their agency and expressed the possibility of reconsidering their involvement. It is important to point out that these comments reflect more present-day JUDGE, not the timeframe addressed in the evaluation (first two years of JUDGE). Currently, local agencies are taking fiscal responsibility for JUDGE. With dollars shrinking, accountability to local agencies is increasingly important.

Table 24

**MULTI-AGENCY TASK FORCE APPROACH VS.
TRADITIONAL PROBATION, JUDGE SURVEY RESPONDENTS**

Effective Ways	JUDGE	Law		Total
		Enforcement	Probation	
More manpower	0%	33%	56%	23%
Better communication	12%	17%	31%	19%
Coordination of jurisdictions	32%	33%	56%	40%
Individual contribution	0%	83%	44%	26%
TOTAL	25	6	16	47

Table 25

**ELEMENTS OF A SUCCESSFUL TASK FORCE,
JUDGE SURVEY RESPONDENTS**

Elements	JUDGE	Law		Total
		Enforcement	Probation	
Clear goal/mission	44%	50%	29%	40%
Cooperation	24%	38%	29%	28%
All work together	44%	25%	6%	28%
Resources/manpower	20%	25%	18%	20%
ID/target individual	4%	38%	6%	10%
Consistent vertical prosecution	12%	25%	24%	18%
Agency commitment	0%	38%	18%	12%
Communication/coordination	36%	25%	24%	30%
Strong leadership	20%	25%	0%	14%
Motivation/experience	24%	13%	12%	18%
Evaluation/modification	4%	0%	6%	4%
TOTAL	25	8	17	50

Table 26

**ENSURING A SUCCESSFUL TASK FORCE
JUDGE SURVEY RESPONDENTS**

What measures can be taken to ensure that task forces include these elements?	JUDGE	Law		Total
		Enforcement	Probation	
Strong leadership	24%	38%	6%	20%
Resources/manpower	28%	13%	24%	24%
Clear goal/mission	40%	25%	47%	40%
Evaluation/modification	16%	13%	47%	26%
Steering committee	0%	25%	18%	10%
Planning	20%	13%	12%	16%
Agency commitment	20%	8%	6%	14%
TOTAL	25	8	17	50

Table 27

**POSSIBLE IMPROVEMENTS TO JUDGE PROGRAM,
JUDGE SURVEY RESPONDENTS**

Improvements	JUDGE	Law		Total
		Enforcement	Probation	
Focus more on juveniles	8%	29%	33%	18%
More staff	24%	14%	17%	20%
More resources	8%	29%	33%	18%
Better communication	0%	14%	25%	9%
More direction	0%	29%	17%	9%
More proactive	0%	14%	0%	2%
Include more agencies	4%	0%	0%	2%
Less staff turnover	12%	0%	0%	7%
TOTAL	25	7	12	44

CHAPTER 4 COST OF JUDGE

CHAPTER 4

COST OF JUDGE

An analysis was conducted of costs associated with JUDGE target cases in San Diego County. Estimates of annual costs for the study period (July 1, 1988 through June 30, 1992) are based on sample cases involving defendants who were targeted by the JUDGE unit. The JUDGE sample was tracked for three years (from beginning target date through a three year follow-up period) and cost estimates represent all arrests, per person, for a two year time period after the date of each individual's target date. Cost data for individuals not on the JUDGE target list but meeting the juvenile, drug-involved gang-member criteria have been included for comparison purposes only. The cost estimates include: police investigation time; pre-sentence incarceration; criminal justice processing costs after arrest through court disposition; and the cost of the sentence imposed (e.g., probation, local custody, or prison).

The formula for computing the cost of sample cases is as follows:

$$\begin{array}{rcccccc} \text{TOTAL} & \text{Police} & & \text{Case} & & \text{Pre-Custody} & & \text{Sentence Costs} \\ \text{COST} & \text{Investigation} & + & \text{Processing} & + & \text{Costs} & + & \text{(probation supervision/} \\ & & & & & & & \text{incarceration)} \end{array}$$

Within each category, salaries and benefits were included from municipal and county budget expenditures for FY 1991-92. Costs were based on the average cost for all cases (e.g., police investigations and case processing). Costs for processing JUDGE targets may be slightly underestimated due to the higher cost associated with vertical prosecution for JUDGE targets.

Judge Staffing

The JUDGE Unit began operations in January 1988 with a budget of approximately \$400,000. They began with a staff that consisted of two San Diego police officers, two National City police officers, two San Diego County Sheriff detectives, two San Diego County Probation officers, and three San Diego County deputy district attorneys. Although staffing did increase to include additional law enforcement agencies, the JUDGE Unit has never had full representation from all ten agencies. During their first quarter, a substantial amount of time was spent profiling targeted offenders. The Unit documented all potential targets on paper and in computer form. Unfortunately, when data collection for this project began, JUDGE staff were unable to locate both the paperwork and the files

that identified the original targets. As a result, our sample was chosen as all new targets selected from July 1, 1988 through June 30, 1990 (our two year time period).

POLICE INVESTIGATIONS

Data on police costs are based on several agencies that represent areas served by JUDGE. For research purposes, we assumed that costs were similar for every agency. The average cost for all agencies is based on salaries and benefits. The average time expended per case includes taking crime reports, investigating cases, and making arrests.

The cost of police investigations for sample cases was estimated by computing the average time for case-related activities in the sample and multiplying by the average hourly personnel costs.

CASE PROCESSING COSTS

Case processing costs represent all criminal justice agencies involved in the adjudication process, including the courts, the County Clerk (Superior Court), the Marshal, the bailiff, the District Attorney, Public Defender, and Probation.

Most JUDGE targets are vertically prosecuted and, therefore, the enhanced case processing costs are most significantly noticed in this area. In fact, all other costs are identical for both JUDGE and non-JUDGE delinquents. The cost for JUDGE prosecution is higher than for regular juvenile drug-involved, gang members.

PRE-SENTENCE AND SENTENCE COSTS

In San Diego County, pre-sentence juvenile inmates can be housed in a locked facility operated by the Probation Department. To estimate total pre-sentence custody costs, the average daily cost per inmate was multiplied by the total number of days in custody prior to case adjudication for individuals in the sample. Sentence costs were computed when a defendant was ordered to serve time in a local facility, California Youth Authority or placed out of county, and when probation was ordered. Average daily inmate custody costs were provided by the County Probation Department and the State Department of Corrections. The average daily custody costs were multiplied by the total number of days in custody after sentencing.

The Probation Department compiles estimates of the average monthly cost of probation supervision based on the type of case, workload, and budget for each year. Total probation costs were estimated by multiplying the average monthly cost of probation supervision by the number of months on supervision.

RESULTS

Table 28 presents the annualized costs associated with criminal justice processing for arrest cases involving JUDGE individuals, after they became targets. The total cost was over

\$12,000 per target, per year. The majority of costs were related to incarceration (76%), with police investigations only representing one percent of total cost (\$59.90 per case). It should be noted that out-of-county incarceration costs are subsidized to an extent, so that the total costs are not borne by local agencies.

Table 29 offers a comparison of the cost of prosecution for a vertically prosecuted case compared to non-vertically prosecuted case. All other costs (arrest, facilities, and sentence) were the same for either a JUDGE target or a non-JUDGE target. The cost per case for vertical prosecution was \$2,427.60, and \$751.40 for non-vertical prosecuted cases (a difference of \$1,676.20). The largest difference was the cost of a trial. If a juvenile went to trial, and was vertically prosecuted, the cost was \$693.60 more than for a non-vertically prosecuted case). Vertically prosecuted cases cost more because deputy district attorneys are allotted more time to spend on each case for investigation and prosecution purposes. A deputy district attorney who is assigned to a vertical prosecution unit has a smaller caseload and is more knowledgeable about each case. These reasons combined with increased field work cause costs to be more. In FY 1995-96 the JUDGE Unit will be emphasizing efforts on targeting individuals who could fall under the three strikes legislation. As many of these individuals will probably pursue a trial to prevent their imprisonment, the cost of JUDGE may increase significantly.

Weighing the costs versus benefits of JUDGE is not an easy task. There are obvious deterrent benefits when a crime-prone offender is incapacitated through custody. What is more uncertain are the amount and level of crime that could be committed when not incarcerated. Also, the economic and psychological losses to victims are difficult to estimate. Perhaps another benefit, although difficult to measure, is the message communicated to offenders: that the JUDGE unit makes specific offenders accountable through swift and certain consequences.

Table 28
POST-JUDGE CASE COST ESTIMATES
BY CRIMINAL JUSTICE COMPONENT
FY 1991-92

LEVEL	UNIT OF ANALYSIS	UNITS	UNIT COST	TOTAL COST
Police - Field ¹	Arrest	421	\$ 59.90	\$ 25,217.90
Cost Per Hearing				
Issuing a case ²	Case			
Vertical prosecution		207	173.40	35,893.80
Non-vertical prosecution		130	115.60	15,028.00
Investigation ³		337	603.00	203,211.00
Readiness	Case			
Vertical prosecution		199	173.40	34,506.60
Non-vertical prosecution		111	28.90	3,207.90
Trial	Case			
Vertical prosecution		53	1,040.40	55,141.20
Non-vertical prosecution		46	346.80	15,952.80
Disposition	Case			
Vertical prosecution		207	173.40	35,893.80
Non-vertical prosecution		90	28.90	2,601.00
Contested ⁴	Case	28	173.40	4,885.20
Sentencing	Case			
Vertical prosecution		207	693.60	143,575.20
Non-vertical prosecution		78	57.80	4,508.40
SUBTOTAL PER PERSON	Year	1	N/A	\$ 2,077.39
Cost Per Facility				
Juvenile Hall	Day	10,009	60.00	600,540.00
Juvenile Ranch Facility ⁵	Day	8,604	56.00	481,824.00
California Youth Authority	Day	12,250	89.00	1,090,250.00
Southeast Involvement Program ⁶ (STOP)	Day	54	73.00	3,942.00
Other Institutions ⁷	Day	4,224	96.82	408,967.68
Cost Per Sentence				
Informal Probation	Month	46	12.30	565.80
Juvenile Parole	Day	59	12.04	710.36
Formal Probation - Regular	Month	1,133	113.70	128,822.10
Formal Probation - Level 1/Intensive	Month	794	113.40	90,039.60
Counsel and Close Referral	Case	6	158.00	948.00
Cost Per Drug Test	Test	482	6.00	2,892.00
Cost per Positive Drug Test	Every 3rd positive	159	25.00	3,975.00
TOTAL PER PERSON	Year	1	N/A	\$ 12,161.54

1. Assumes minimal investigation costs; assumes costs are similar for every agency; based on salaries and benefits.
2. Based on law enforcement dispositions of "Complaint Requested."
3. An investigation takes place after the District Attorney has filed a petition.
4. This hearing is done every time a defendant is sentenced to California Youth Authority.
5. Includes Rancho del Rayo, Rancho del Campo, Youth Day Camp and Girls Ranch Facility.
6. STOP is a 30, 60 or 90 day program at Juvenile Ranch Facility, usually for first timers.
7. Includes Vision Quest, Arizona Boys Ranch, and Glenn Mills School.

Table 29

PROSECUTION COSTS

Cost of Prosecution	Vertical Prosecution	Non-vertical Prosecution	Cost Difference
Cost Per Hearing			
Issuing a Case	\$173.40	\$115.60	\$57.80
Readiness	173.40	28.90	144.50
Trial	1,040.40	346.80	693.60
Sentencing	693.60	57.80	635.80
Contested Hearing*	173.40	173.40	0
Disposition	173.40	28.90	144.50
Cost Per Case	2,427.60	751.40	1,676.20

* This hearing is done for defendants sentenced to CYA.

Source: County budget.

CHAPTER 5 SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

CHAPTER 5

SUMMARY

Findings

Examination of the program implementation and some preliminary outcome measures suggest that the JUDGE program used their screening criteria to target the intended offenders, intervened at the appropriate phases in system processing, and enforced probation conditions.

Offender Characteristics. The screening criteria used to identify JUDGE targets included juveniles

- with evidence of a drug history (operationalized as arrests for possession, sale, and trafficking or other indication in the file);
- who were wards of the court;
- who were gang members.

Over half (56%) of the 279 targets were in the 16-17 year old age group when targeted by JUDGE and nearly equally divided between Blacks (45%) and Hispanics (52%), closely paralleling the ethnic breakdown of gangs in San Diego. The majority (73%) had been convicted of a drug violation and the most frequent charge of first referral to probation was a felony-level property offense. Nearly all of the juveniles in the sample (89%) were wards of the court when targeted by JUDGE. Just over half of the youth (55%) were targeted by JUDGE during the prosecution stage and little less than a quarter (23%) were targeted when on probation.

Police Objectives. Police responsibilities in the JUDGE program include special enforcement, identification of gang members, and surveillance, as well as maintaining profiles of suspects in the regional computer.

All youth targeted by JUDGE in 1988 and 1989 were documented gang members. Prior to targeting, 52% had been placed in custody after arrest. After JUDGE targeting, the proportion rose to 68%. Two years before becoming a JUDGE target, half of the 279 youth had been arrested for a felony and 7% had been contacted for violations of probation. Two years after targeting, of those arrested, 30% involved felonies while 37% were for probation violations, suggesting increased surveillance of targets. Also, before the youth were JUDGE targets, 61% had a petition (complaint) requested, compared to 81% within the two years after focus by JUDGE.

Drug Tests. Frequent drug testing is a tool used with probationers to monitor compliance with probation conditions. Since a basis for being a JUDGE target was drug involvement, it was presumed that drug testing would take place often with JUDGE juveniles. Data on drug tests prior to being a JUDGE target were not available for comparison purposes. However, 80% of the 279 JUDGE targets were tested for drugs within two years after JUDGE targeting, for an average number of 5.2 tests, with an average of 1.8 revealing drug-positive results. It is not known how these numbers compare to court wards on general probation caseloads with drug testing conditions.

Prosecution Efforts. To examine the objectives associated with prosecution, proportionate filing rates, conviction rates, plea bargains, cases with vertical prosecution, custody prior to disposition, sentence, and average time from arrest to disposition were compared for cases involving youth before and after JUDGE targeting. These data were addressed in terms of cases, not individuals. Before JUDGE targeting, the 279 juveniles had a total among them of 1,098 arrests. In the two years following, the number of arrests for the 279 was 841, a 23% drop. After JUDGE targeting, 80% of the arrests resulted in petitions filed with the court, compared to 61% filed before JUDGE targeting, suggesting a more severe approach. In addition, 49% of the cases during the JUDGE targeting period were vertically prosecuted in contrast to 15% of the cases before JUDGE was implemented. Over two-thirds (68%) of the JUDGE target cases led to conviction compared to less than half (44%) of the cases arrested pre-JUDGE. Cases processed by JUDGE were more likely to result in sentences involving custody. About a third (33%) of the cases in the JUDGE period were sentenced to local custody compared to 16% of the pre-JUDGE cases. About 7% of the JUDGE cases resulted in sentences to the California Youth Authority (CYA) but only 1% of the cases processed before JUDGE began had this sentence. Also, time from arrest to disposition was shorter after JUDGE was implemented in that 61% of the JUDGE cases were processed within 30 days compared to 47% of the pre-JUDGE cases. These differences suggest that JUDGE processing was indeed more severe than cases handled when there was no JUDGE Unit and that prosecution goals were met. Generally, juveniles are processed more harshly as they evolve through the justice system. This factor may have contributed to the differences in processing.

Custody Decisions. An objective of the JUDGE program is to hold youth accountable for their behavior. A means to operationalize this objective is to initiate graduated sanctions when responding to probation violations such as placing persons in custody at varying levels of processing. Again, reviewing cases two years before and after JUDGE intervention, reveals that, proportionately, youth were more likely to have been placed in custody **after** becoming JUDGE targets despite somewhat similar arrest behavior. Over two-thirds (68%) of the post JUDGE cases resulted in custody upon arrest compared to 52% in custody in the pre-JUDGE period. This pattern was consistent for several types of hearings. At disposition, 63% of the post JUDGE cases involved placement in custody in contrast to 47% of the cases processed prior to JUDGE. Vertical prosecution, conceptually, is associated with a higher level of preparedness by the deputy district attorney. This is apparent in the proportionate increases following JUDGE.

Technical Violations. Intensive supervision generally involves increased contact with defendants, thus increasing opportunities to observe unacceptable behavior that includes violating conditions of probation. Also, in accordance with keeping offenders accountable, fairly strict probation conditions are ordered to more closely monitor behavior. The data suggest that this was the case with the JUDGE targets. Prior to becoming JUDGE targets, from 12% to 39% of the study group had probation conditions ordered by the court that included no contact with illegal narcotics, following probation officers' rules, not associating with specific individuals, obeying school rules, submitting to fourth waiver searches, observing curfew, not carrying or using weapons, and submitting to drug testing. After becoming a JUDGE target, from 55% to 78% of the juveniles had such conditions ordered by the court. While a JUDGE target, 60% or more were in fact violated for not following rules, associating with specific individuals, possessing narcotics, and curfew. Overall, nearly two-thirds of the JUDGE targets (66%) were arrested for probation violations after JUDGE intervention compared to 17% prior to being a target.

Total Time in Custody. The value of incapacitation for deterrence purposes has been debated over time with mixed results. What is certain, however, is that offenders who are in custody have fewer or no opportunities to re-offend. The data show that JUDGE targets spent a considerable amount of time behind bars during their JUDGE tenure. Over 40% were in jail for a total of a year or more, although it was not necessarily consecutive time. Another 25% had six months to a year of custody time. Unfortunately, custody time prior to being targeted was not collected so it is not certain if the time in custody was actually greater after JUDGE targeting began. Other indicators however, such as differences in number of technical violations, suggest that after JUDGE, defendants probably spent more time in custody since they were violated more often than when they were not JUDGE targets.

Recidivism. A popular measure of success in the criminal justice system is recidivism, or the frequency in which offenders return to the system based on arrest. The measure is not without limitations and generally is bolstered with other measures such as offender reintegration into mainstream society through employment, school attendance, or reduction in drug use. Also, it is recognized that both a cause and effect of intensive supervision effort is more arrests due to increased surveillance. Unfortunately, social integration information was not available so recidivism is limited to the number and nature of arrests two years before and after JUDGE intervention.

Most of the 279 JUDGE targets were re-arrested within two years after JUDGE intervention (83%). The mean number of arrests dropped slightly (3.9 to 3.0), and arrests for felony drug violations dropped to 28% of the total compared to 63% in the pre-JUDGE time period. The proportion of violent arrests rose slightly, from 22% to 27%, although the rate remained the same. As expected, arrests for probation violations constituted the majority of arrest charges after JUDGE targeting (66% versus 17%).

Analysis of the judge program suggests that it was implemented as designed with respect to appropriate targets and methods for ensuring offender accountability such as complaints filed, custody time, vertical prosecution, conviction, and sentencing. Outcome measures

suggest that, although over 80% of the JUDGE targets were re-arrested, the number of arrests dropped and most were for probation violations. Also, the proportion that involved drug violations declined substantially. Cost analysis suggests that a program structured like JUDGE costs a great deal more than traditional supervision. This research also raised a number of issues regarding the limitations of conducting retrospective studies including the impact of data availability, reliability, and validity. Foremost in this regard was the issue of selecting a comparable group of subjects for a control group. Other factors that complicated the impact assessment were that probationers could be targeted at any time in the process, including before arrest. In addition, some process-level objectives, such as use of informants and surveillance hours could not be assessed because the data were not maintained and multiple data sources in numerous locations hampered the efficiency of the data collection effort.

Summary

Before summarizing this assessment of the early JUDGE project and recommending changes for the future, an up-to-date description of the current status of the targets identified in the study is presented along with a brief summary of JUDGE efforts in 1995 according to the proposed grant application for continuation funding.

JUDGE Study Targets in 1995

The conclusion that JUDGE targeted the intended offenders is apparent when these individuals' criminal behavior was examined three years after the 1992 tracking period ended. In July 1995, the status of the 279 JUDGE offenders targeted in 1988 and 1989 was as follows.

- A total of 178 or 64% had court cases filed since 1992 with a total of 540 cases or an average of three cases per individual.
- Twenty-three percent (23%) or 65 were serving time in state prison. This number is likely conservative since the number that are housed in the California Youth Authority is not known.
- About one out of five (57 of 279) were on probation.
- Five percent (5%) were in local custody (15) in July 1995 and thirteen had outstanding warrants on pending cases.

These results suggest that many JUDGE targets remained criminally-involved and the program appropriately targeted a crime-prone group of offenders.

Obviously, JUDGE is primarily an enforcement approach to gang and drug control. With the advent of the Gang Suppression Unit (GSU) in 1989, many of the JUDGE cases were supervised by the GSU probation officers. These officers are likely to link probationers with necessary job, life skills training, and drug treatment programs. Data reflecting face-

to-face contacts between probation officers and probationers were collected when available. The average number of contacts was twenty over the three year period, obviously less than once a month. Contacts noted by JUDGE probation officers averaged six in the same time period. These numbers are likely conservative, a reflection of the files in which this information was noted. Although referral agencies were often noted in probation files, there was no follow up information to track how often or how long juveniles received services from an agency. However, given the continued criminal activity of a significant proportion of the probationers, it could be assumed that the level of services did not make a difference.

JUDGE in 1995

The FY1995-96 grant application for \$1.6 million represents the eighth year of funding through the monies available from the federal Anti-Drug Abuse Act of 1988. The description that follows reflects JUDGE efforts today as presented in the proposed application.

The current focus of JUDGE is drug-involved gang members, habitual drug offenders, and mid-level drug dealers, both adult and juvenile. The program still involves the cooperation and teamwork between law enforcement, probation, and the District Attorney. Six of the ten law enforcement agencies in San Diego County are represented. Due to limited resources, the other four agencies have elected not to participate in JUDGE.

Targeted offenders continue to be prosecuted vertically and prosecutors accompany police officers in the field for observation, training, and as an immediate resource. According to the grant application, the prosecution component completed a total of 945 cases in FY 1994-1995 with 71% of the cases involving adults and 29%, juveniles. The 275 juvenile prosecutions resulted in 262 convictions and 51 youth were committed to the California Youth Authority. The 670 adult prosecutions yielded 660 convictions leading to 279 prison commitments. Over 90% of all cases were handled vertically.

Probation officers conducted 648 searches with police and identified 969 drug or drug-involved probationers during joint operations with law enforcement. A total of 598 probation revocations were completed. Police officers conducted 473 investigations and made 376 arrests. All arrests have been filed by the District Attorney's Office.

Based on the FY1995-96 grant proposal, JUDGE will continue to focus on drug offenders, but will concentrate more on those individuals who also fall within the criteria of Three Strikes legislation. The proposal also notes that "the new focus will result in a lower number or quantity of arrests and prosecutions, but will generate a more significant impact by removing for a longer period of time those drug offenders who rob and steal or have turned to violence as a result of drug use and sales." Still included are gang members involved in those criminal acts.

Impact of JUDGE

This research of the first two years of the JUDGE operation clearly indicated that the JUDGE program was implemented as intended in the original grant. Lack of documentation precluded collecting information on some activities, such as use and value of informants and number of contacts with probationers. Also, the targets tracked for the research did not reflect all JUDGE targets in the time period studied because JUDGE began targeting before the actual start-up in July 1989. The research effort focused only on new targets identified after July 1 because the available information on other targets was incomplete, missing, or insufficient for evaluation purposes.

The retrospective nature of this research limited a more rigorous evaluative approach and highlights the pitfalls of conducting such studies. The experience underscores the need for researchers and practitioners to begin their work simultaneously as a project begins, with consensus on success measures and the availability of necessary data to support the expected outcomes of the project.

On a process level, the efforts of JUDGE in 1988 and 1989 definitely resulted in appropriate targets for investigation, i.e., drug and gang-involved juveniles, although in the second year, the focus shifted more toward adult offenders.

After offenders were targeted by JUDGE, their cases were handled more seriously, based on comparative information of the same sample prior to being placed on the JUDGE caseload. A higher proportion had petitions filed and more resulted in true findings (convictions in adult court) **even though** proportionately fewer were charged with felonies. JUDGE targets spent more time in custody at each level of intervention by the justice system. And a higher proportion had probation conditions that were isolated and focused on specific behavior, such as not associating with gang members and maintaining contact with probation officers. More offenders were vertically prosecuted **after** JUDGE targeting, which not only increases efficiency due to decreased time between filing of charges and disposition, but also serves to show offenders that the system intends to make them accountable for actions.

The activities of the JUDGE Unit are consistent with many of the tenets of intensive probation supervision with the added strength of a team approach to investigation and conviction. Probably the focal point of the JUDGE effort is that of vertical prosecution which, by its very nature, can demonstrate the concept of swift and certain intervention.

Effectiveness of JUDGE

The value of JUDGE to the region must be weighed in light of many factors, including impact on recidivist behavior, cost, and other regional approaches to gangs and drugs in the San Diego region.

Recidivism. This study showed that the majority of JUDGE targets were re-arrested two years after being targeted by JUDGE, although the nature of the offenses changed

somewhat. Proportionately fewer were contacted for drug violations. Follow-up in 1995 since our tracking period ended (1992) showed that over 60% had court cases filed. This percentage is similar to state and national figures that show from 60% to 70% of offenders return to the criminal justice system. More offenses may have occurred if JUDGE targets had not spent so much time in custody.

Our cost analysis suggests that investigating and processing a JUDGE target costs approximately \$12,000 per year with most of the cost incurred by vertical prosecution and time in custody. General cost of prosecution, based on analysis of non-vertical prosecution, revealed a cost of about \$750 per case. These figures are FY1991-92 dollars. Whatever the figure is today (1996), it can be presumed that vertical prosecution is approximately three times more costly than regular prosecution. While FBI Index crimes, countywide, and gang crimes within the city of San Diego have shown declines over the past few years, it is difficult, if not impossible, to determine how much of the decline can be attributed to the efforts of the JUDGE Unit, particularly in light of all the other efforts taking place. These include the U.S. Attorney's Violent Crime Task Force which has as its focus both gang violence and narcotics activity, the Gang Suppression Unit, still operative in the Probation Department, the Gang Suppression Unit and the narcotics division of the San Diego Police Department, the gang prosecution unit of the District Attorney's Office, and the recently formed North County Gang Task Force.

San Diego's current available allotment from the federal Anti-Drug Abuse Act of 1988 funding is \$1.6 million and entirely expended for the JUDGE operation. Local agency administrators should reconsider on an annual basis, the cost and effectiveness of JUDGE.

The San Diego region has a history of successful regional task force efforts, beginning with the Narcotics Task Force in the early 1950s. The research on other task forces in the country suggests that those task forces that appear to be successful are more likely to have a dedicated and well-defined mission, consensus regarding success measures, and an oversight board or committee to set direction and policy. With respect to JUDGE, in its eighth year, perhaps it is time to revisit its objectives, mission, and results in light of the costs and the efforts and outcomes of other approaches targeted toward drug and gang-involved offenders.

Experience and sound research have demonstrated that an enforcement approach, by itself, will not ultimately reduce either gang activity or narcotics use and sales. The Three Strikes legislation, by its very nature, along with the local Three Strikes Court, provides the framework to target hardcore gang and drug-involved offenders. Given the rise in violent crimes committed by juveniles and the use of firearms by this population, perhaps JUDGE should redirect its efforts on younger juveniles at high risk for becoming involved in illegal gang activity or drug sales. This age group, according to demographers, is expected to increase proportionately in the next ten years, leading some criminologists to suggest that juvenile violence will increase significantly. The benefits and costs of the JUDGE approach need to be considered in lieu of this projection as well as other current efforts directed toward gangs and drugs.

The lessons learned regarding how to successfully implement a task force involving police, prosecutor, and probation are valuable and could be applied to other task force efforts. Most importantly, the value and benefit of a JUDGE Unit must be balanced by cost considerations. Incapacitation definitely deters crime, but it is not without significant costs as the three strikes legislation has demonstrated.

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APPENDIX A CASE TRACKING FORM

	Amount	Yes = 1	No = 2	DK = 9
		JUDGE	GSU	Other
In-Person Contacts with Probation	_____			
Tally here:	162	165		
All Contact with JUDGE Personnel	_____			
Tally here:	168			
Tests	_____			
	171			175

RECORD DATES AND OFFICER'S NAME

ID #	_____	_____	_____	_____	_____	_____
	1	2	3	4	5	6
		.0	.3	.0	.3	
		Rec	#	Rec	Type	
		1st	2nd	3rd	4th	5th
Referrals to Other Agencies		9	---	---	---	---
						20

CRIMINAL ACTIVITY

Date of First Contact/Arrest	_____	_____	_____	_____	_____	_____
Age at First Contact/Arrest	21	---	---	---	---	26
	27					
Highest Charge of First Contact/Arrest	_____	_____	_____	_____	_____	_____
						BCS Code
Highest Drug Charge Involved (if different)	_____	_____	_____	_____	_____	_____
						29
Date of Arrest of First Probation Referral	_____	_____	_____	_____	_____	_____
Highest Charge of First Referral	_____	_____	_____	_____	_____	_____
						BCS Code
Highest Drug Charge Involved (if different)	_____	_____	_____	_____	_____	_____
						32
Date of First Wardship	_____	_____	_____	_____	_____	_____
Highest Charge of First Wardship	47	---	---	---	---	52
						BCS Code
Highest Drug Charge Involved (if different)	_____	_____	_____	_____	_____	_____
						41
						44
Highest Drug Charge Involved (if different)	_____	_____	_____	_____	_____	_____
						53
						56
Status at End of Tracking Period						
Yes = 1	No = 2	DK = 9				
Probation	39	Case Pending	60			
Deceased	61	Other (_____)	62			
In Custody						
24-hr. school	63	CYA	---			
Camp	---	Jail	65			
Juvenile Hall	66	Prison	---			
Other Institution	---		69			
	70					

START WITH FIRST ARREST AND INCLUDE ALL ARRESTS

INCLUDE NEW ARRESTS OR PROBATION VIOLATIONS WHEN TAKEN INTO CUSTODY OR RETURNED TO COURT

ID Number	1	1	1	1
Record Number	4	4	4	4
Record Type	5	5	5	5
Highest Arrest BCS Code	0 4	0 4	0 4	0 4
Date of Arrest	9			
JUDGE Officer	12			
Yes = 1 No = 2 DK = 9	17			
Drug Charge	11			
Yes = 1 No = 2 DK = 9	19			
LE Disposition	20			
See code list				
Highest Charge Filed (BCS Code)	23			
Date Filed On	24			
Custody at Arrest	29			
Yes = 1 No = 2 DK = 9	30			
Custody at Detention for Juveniles/Arraignment for Adults Hearing				
Yes = 1 No = 2 DK = 9	31			
Custody at Dispo for Juveniles and Adults				
Yes = 1 No = 2 DK = 9	32			
Custody at Jurisdictional for Juveniles/Dispo or Trial for Adults				
Yes = 1 No = 2 DK = 9	33			
Custody at Dispo for Juveniles/Sentencing for Adults				
Yes = 1 No = 2 DK = 9	34			
Enhancements				
Yes = 1 No = 2 DK = 9	35			
Dispo				
See code list	36			
Highest Charge at Dispo (BCS Code)				
Date of Dispo	41			
Enhancements Sustained	46			
Yes = 1 No = 2 DK = 9	47			
Sentence				
See code list	49			
Custody Amount				
Plea	50			
Yes = 1 No = 2 DK = 9	51			
*Vertical Pros.				
Yes = 1 No = 2 DK = 9	53			
*JUDGE Target Prosecution				
Yes = 1 No = 2 DK = 9	56	56	56	56

* only for cases filed during tracking period

START WITH FIRST ARREST AND INCLUDE ALL ARRESTS

INCLUDE NEW ARRESTS OR PROBATION VIOLATIONS WHEN TAKEN INTO CUSTODY OR RETURNED TO COURT

ID Number	1	1	1	1
Record Number	5			
Record Type	7 0 4	0 4	0 4	0 4
Highest Arrest BCS Code	9			
Date of Arrest	12 - - - - 17			
**JUDGE Officer	18			
Yes = 1 No = 2 DK = 9				
Drug Charge	19			
Yes = 1 No = 2 DK = 9				
LE Disposition	20			
See code list				
Highest Charge Filed (BCS Code)	23			
Date Filed On	24 - - - - 29			
Custody at Arrest	30			
Yes = 1 No = 2 DK = 9				
Custody at Detention for Juveniles/Arrestment for Adults Hearing	31			
Yes = 1 No = 2 DK = 9				
Custody at Readiness for Juveniles and Adults	32			
Yes = 1 No = 2 DK = 9				
Custody at Jurisdictional for Juveniles/Dispo or Trial for Adults	33			
Yes = 1 No = 2 DK = 9				
Custody at Dispo for Juveniles/Sentencing for Adults	34			
Yes = 1 No = 2 DK = 9				
Enhancements	35			
Yes = 1 No = 2 DK = 9				
Dispo	36			
See code list				
Highest Charge at Dispo (BCS Code)	38			
Date of Dispo	41 - - - - 46			
Enhancements Sustained	47			
Yes = 1 No = 2 DK = 9				
Sentence	49			
See code list				
Custody Amount	50			
Plea	54			
Yes = 1 No = 2 DK = 9				
*Vertical Pros.	55			
Yes = 1 No = 2 DK = 9				
*JUDGE Target Prosecution	56	56	56	56
Yes = 1 No = 2 DK = 9				

** only for cases filed during tracking period

