

Introduction

In the early 1990s – when youth violence was near its peak – the Commission conducted a comprehensive examination of California’s juvenile justice system. It advocated sure and swift justice for the most violent offenders. It sought greater protections and access to information for the victims of crime. And it also urged policy-makers to make prevention of juvenile crime and violence a priority.

In the intervening years, the Commission conducted a number of studies concerning children. In reviewing child care policies, the Commission learned about the importance of early childhood development and the physical and emotional benefits of nurturing care. In its examination of the foster care system, the Commission came to understand the emotional and physical trauma of abuse – and the scars it leaves on its victims.

In a variety of education-related studies the Commission reviewed many of the State’s concerted and often ineffective efforts to prepare its youngest citizens for a rapidly changing and not always friendly world.

The Commission initiated this study because it recognized a unique opportunity: growing scientific understanding of how children mature and how violence is a learned behavior, growing experience by communities in operating prevention efforts, and a surge of young people who will soon be in the vulnerable adolescent years.

This report, while inspired by the desire to reduce youth crime and violence, focuses solely on prevention. The Commission concentrated its efforts at the prevention end of the juvenile justice continuum because of its collective experience in this field and its concern that the State’s management and funding of prevention efforts have not matured from disparate programs to cohesive policy.

The Commission believes prevention and early intervention provide the most immediate opportunities to make a difference in the lives of California’s children.

This Introduction is followed by a Background, which details emerging knowledge about human development. The Background is followed by six findings and sets of recommendations that, taken together, would build a cohesive process for organizing, managing and funding prevention strategies at the state level in a way that would most support the day-to-day work that is done in California’s diverse communities.

As part of this review, the Commission convened an advisory committee comprised of individuals representing diverse personal and professional perspectives – all experienced in and dedicated to youth crime and violence prevention. The subcommittee met five times to help the Commission examine the way the State organizes, funds and evaluates prevention and how its efforts impact communities.

The Commission conducted three public hearings to receive testimony from the National Crime Prevention Council, state officials who administer programs, foundations, program managers, parents and youth themselves.

To learn firsthand how the State’s policies help or hinder the efforts of communities to advance violence prevention, the Commission conducted community forums in Fresno, Los Angeles and San Jose and made site visits to observe local programs. The Commission heard from local leaders representing schools, law enforcement, churches, mental health providers and many others committed to preventing youth violence. Parents and youth provided important insights. The Commission is grateful to all of those who shared their time and expertise. Their guidance was invaluable.

If implemented, the reforms the Commission recommends would put in place an effective statewide prevention strategy that includes top-level leadership, a funding mechanism that meets the needs of communities, and evaluation that answers key policy questions and guides local programs. Most importantly, the recommendations would be a structure that supports and builds the capacity of communities to identify and solve problems.

Background

Youth crime and violence – once viewed only as a criminal justice problem – is now recognized as a public health problem, as well – one that impacts the well-being of children, families and communities. This health perspective dictates that public safety efforts include prevention and early intervention.

In the 1980s, as violent crime by juveniles skyrocketed, the State took on a larger role in initiating and funding prevention programs. Several groups, including the Little Hoover Commission, have advocated that the State make a concerted effort to prevent and respond effectively to juvenile crime. To their credit, state policy-makers and community leaders in recent years have increased prevention efforts.

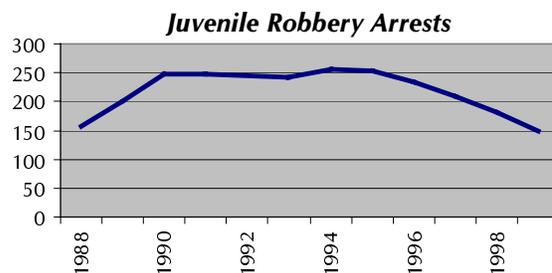
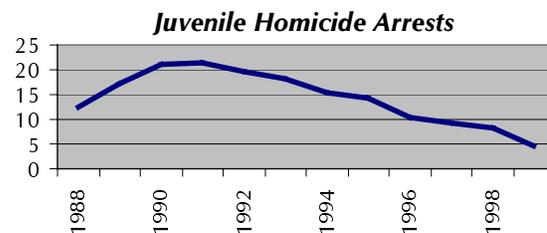
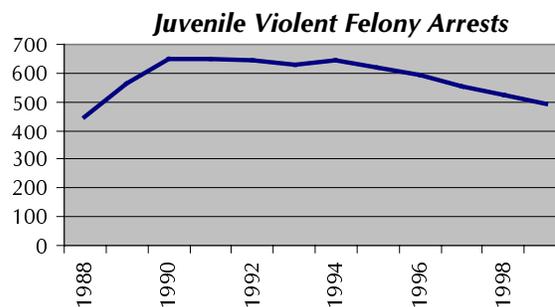
As the collective experience with prevention programs grows, practitioners and academics from a variety of disciplines are recognizing that preventing crime and violence is a complex challenge that requires sophisticated approaches.

The Problem

The nation has ridden a frightening roller coaster of crime with its young people. As the chart shows, between 1988 and 1991, the juvenile arrest rate for violent felonies rose dramatically, reaching a peak and then declining to rates still higher than just a generation ago.

Similarly, the incidence of specific crimes rose dramatically, and then steadily declined through the end of the 1990s. Juvenile arrest rates for homicides increased, peaked in 1991 and then declined in 1999 to 5 arrests per 100,000 juveniles.

The arrest rate for robberies followed a similar trend, peaking in 1994 then declining in 1999 to rates lower than those a decade previous. Arrest rates peaked in 1994 at 255 arrests per 100,000, then declined to 148 arrests per 100,000 juveniles in 1999.¹³



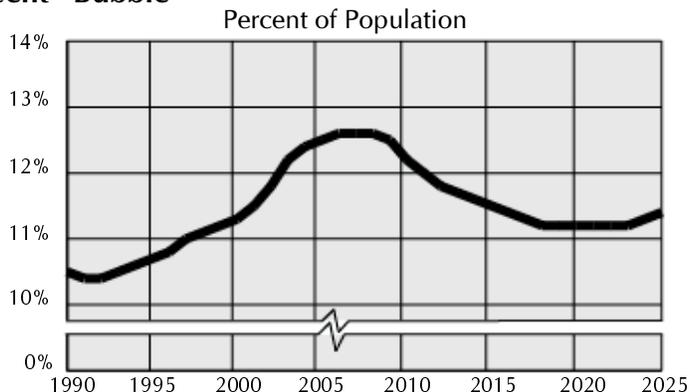
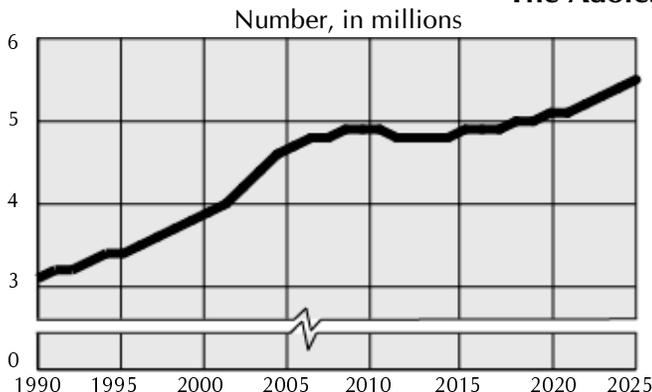
Over the last decade, the juvenile arrest rate for felony crimes has been higher than the arrest rate for adults – although both are declining and are now nearing the same level. Because adults make up a larger portion of the population, the number of crimes committed by adults far exceeds the number of crimes committed by juveniles. Even at the peak of the crime wave, adults were arrested in far greater numbers than young people.

However, arrest statistics are just one indicator of violence. The U. S. Surgeon General reports that while arrest, victimization and hospital records show significant declines in youth violence, self-reports by youth about their violent behavior show violence remains high. The reports reveal no change since 1993 in the proportion of youth who have committed violence resulting in “physically injurious and potentially lethal acts.” The report attributes much of the decline in lethal violence and arrests to a reduced use of guns by young people. It suggests that if violent youth resume their use of weapons, a resurgence in lethal violence could occur.¹⁴

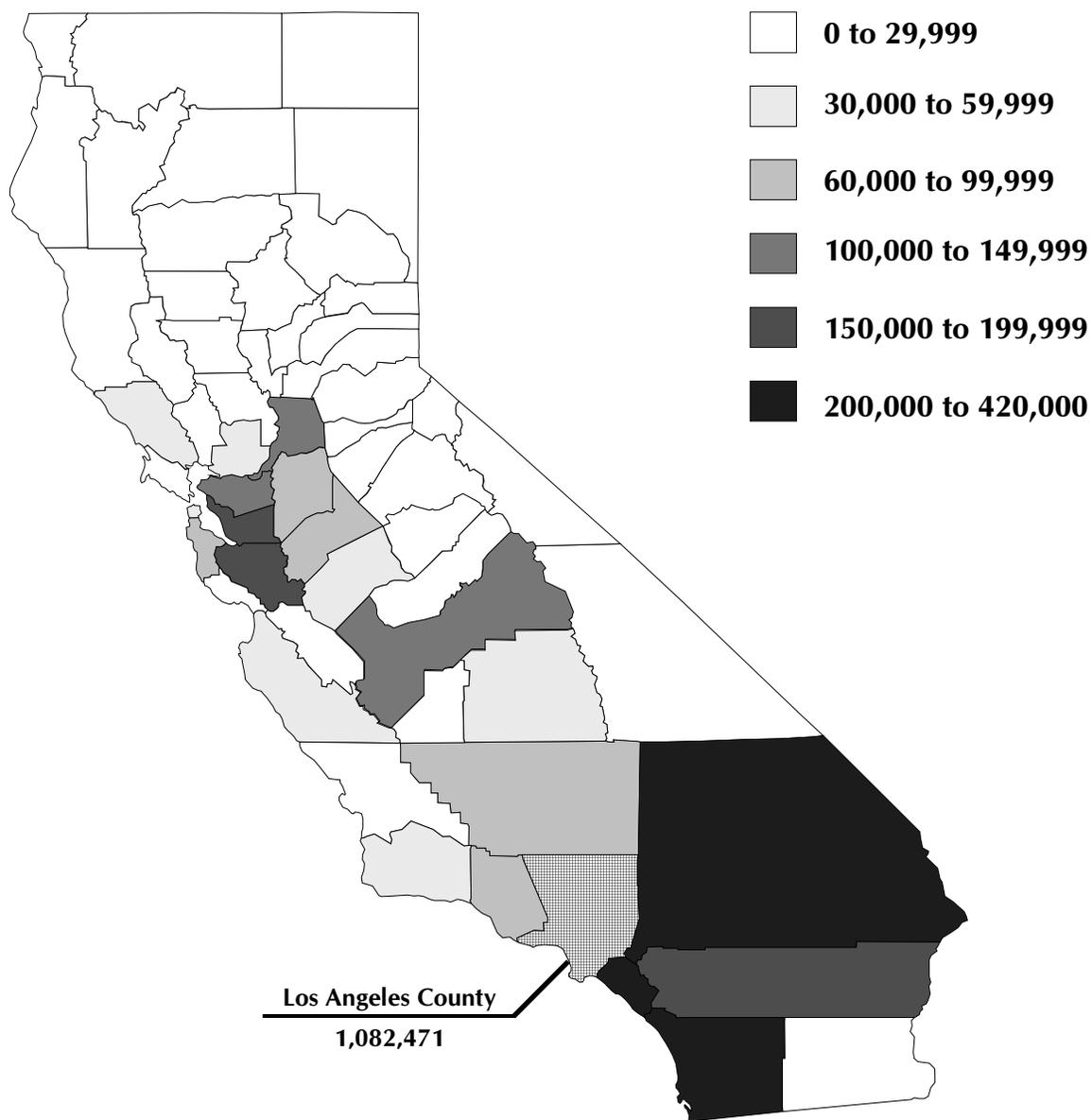
So despite some hopeful signs, the public and policy-makers remain concerned that young Americans are still more violent than previous generations, or their contemporaries in other industrialized nations. Additionally, there is a growing awareness of the social and economic consequences of so many young people getting trapped in the crime-incarceration cycle.

As the crime rate has declined for both adolescents and adults, the feverish concerns about violent youth have abated somewhat. Academics and policy analysts are debating the reasons why crime has decreased. Everything from a strong economy to tough prison sentences and community policing receive credit. Most analysts also are willing to give some credit to the gradually declining percentage of young males, who are most likely to commit crimes. In 1975, some 15 percent of Californians were between the ages of 11 and 18. By 1990 that number had decreased to nearly 10 percent.¹⁵

The Adolescent “Bubble”

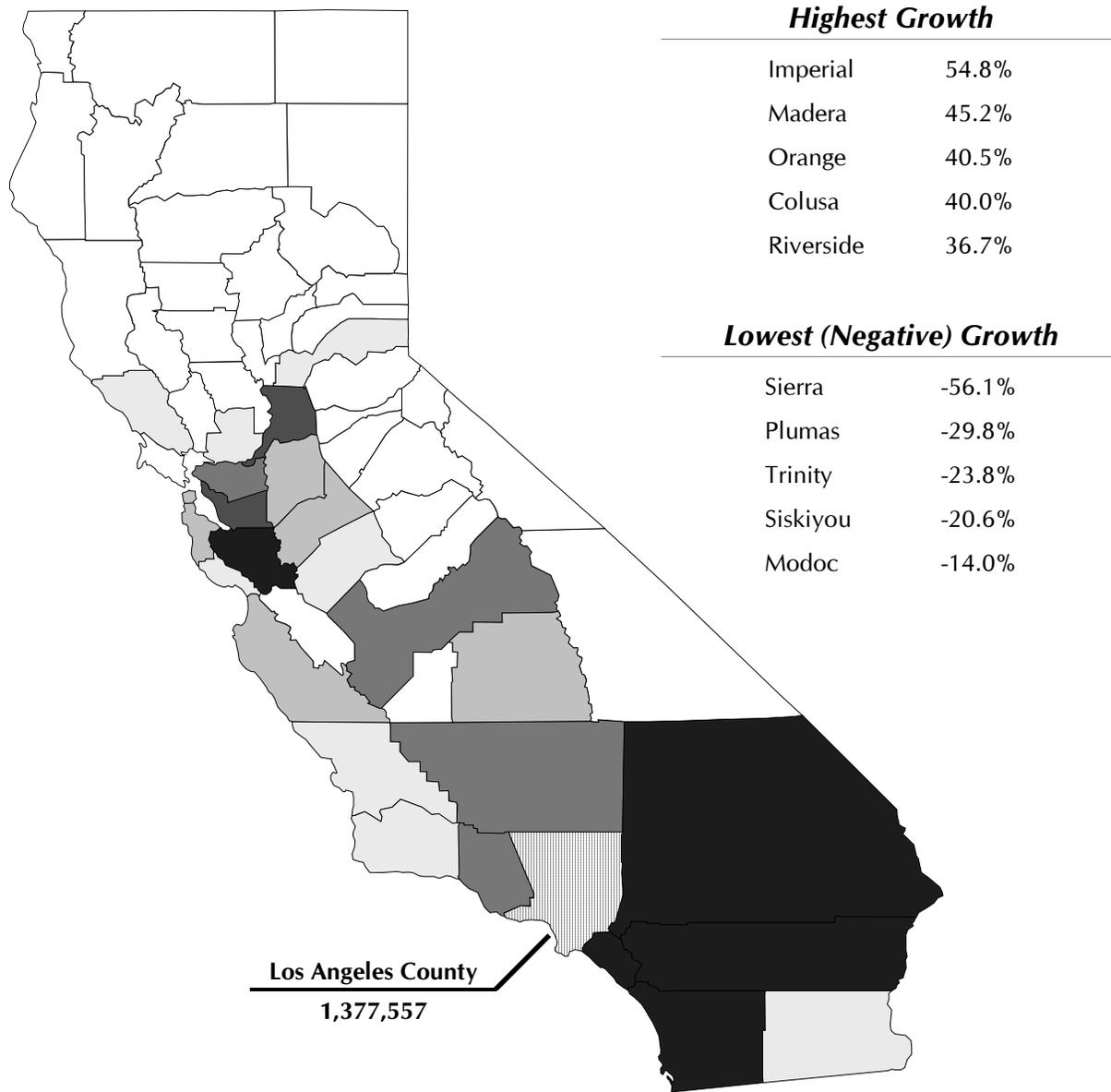


Adolescent Population Ages 11 to 18 – Year 2000



While there is uncertainty about some of the reasons for success, one trend is clearly about to change: Currently, there are nearly 4 million adolescents – ages 11 to 18 – in California. By the year 2008, there will be 4.9 million adolescents. Today, adolescents make up 11.5 percent of California’s population. In 2008, they will comprise 12.6 percent, the largest percentage in more than two decades. By 2020, adolescents will have dropped to 11.2 percent of California’s population – but in sheer numbers, they will continue to grow, reaching 5.1 million by 2020.¹⁶

Adolescent Population Ages 11 to 18 – Year 2010



To some, this projection foretells a renewed surge in the potential number of juvenile criminals and victims. The forecast also provides an opportunity to reassess existing prevention programs and ensure they are funded and administered in ways that increases their success. Can the recent declines in crime rates and other indicators be sustained through the “bubble,” or even decreased? Can the programs evolve from evaluating bad outcomes – violence – to enhancing positive outcomes like educational and career success?

What is “Prevention”?

Government has long responded to protect the public safety. In modern times, a continuum of public safety policies have emerged to suppress crime and violence, from police forces to prison systems.

Government also has increasingly responded to the needs of communities to educate, protect and provide for children, particularly those born into troubled families.

In more recent times, communities have been besieged by some complex and intractable problems – violent crime, drug use, and child abuse and neglect. Heightened concerns led to intensive efforts to develop programs and policies that intervene earlier than traditional law enforcement responses, and are more targeted at these specific problems of youth than programs traditionally provided by social welfare and education.

These prevention programs for youth are diverse by definition. Some take the form of traditional youth development efforts, such as scouting or Boys & Girls Clubs. Some take the form of remedial education programs. Others take the form of proactive policing efforts.

Violence prevention and early intervention strategies include truancy and dropout prevention programs, mentoring programs, conflict resolution curricula in schools and after-school programs. They can be parent-training programs, youth employment programs, and programs to limit access to firearms.

Importantly, many public programs, administered correctly, can result in more positive outcomes for children and families – and by that definition are preventive in nature. The director of California’s foster care programs correctly identifies her program, if effective, as preventing youth crime and violence – of both current victims and future victims. Similarly, community members in East Los Angeles told Commissioners that the most important step the government could take to prevent crime and violence would be to provide high-quality K-12 education.

But parents and community leaders also see that some efforts to improve educational programs, for example, do so at the expense of children most in need of public help. “Zero tolerance” policies that expel children for bringing weapons or drugs to school may be necessary to protect the student

Levels of Prevention

- ***Primary prevention*** fosters and maintains healthy individuals, families and communities.
- ***Secondary prevention*** addresses the attitudes, behaviors, conditions and environments that place individuals, families and communities at risk of violence or expose them to violence.
- ***Tertiary prevention*** targets violent populations and their victims through the use of treatment or deterrence to reduce or prevent the risk of continued violence.

body, but may doom the troubled children who are shunted into ineffective remedial programs or cut loose into “independent study.”

The challenge for communities and policy-makers is to understand how traditional programs – such as schools – affect the health and safety of children and families, and how to effectively complement those efforts with new initiatives that strengthen their preventive benefits and respond effectively when problems surface.

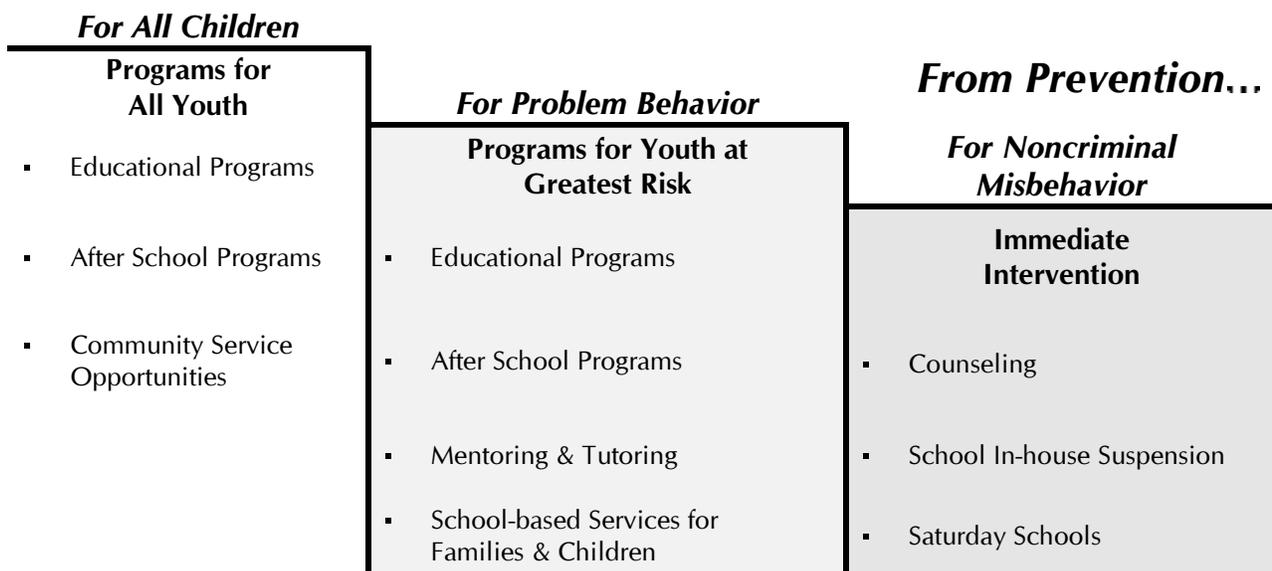
The long-term opportunity is to “embed” prevention into programs and policies by assessing every action for its impact on every child and every family.

Prevention is Part of a Continuum

There has long been a vigorous debate about how to best respond to violent, criminal and other malevolent behaviors. Within that debate, “preventive” efforts are often characterized as an alternative to punitive ones.

A growing consensus among policy-makers and practitioners views prevention programs as part of a continuum of public responses from the most primary interventions in the lives of newborns and their families to the incarceration of criminal offenders. This continuum acknowledges that many responses may be a hybrid – offering opportunities for treatment, restitution and punishment.

The Continuum:



Recognizing that multiple levels of prevention and intervention are involved in comprehensive approaches, practitioners have adapted the public health field’s definition of prevention, which describes primary, secondary and tertiary levels of prevention.

A model developed by Larry Cohen of the Prevention Institute, based on work by Dr. Marshall Swift of Hahnemann College in Philadelphia, is known as the Spectrum of Prevention. It includes a broad range of strategies that have been used to help policy-makers and practitioners understand and implement youth crime and violence prevention initiatives.¹⁷

The Public Health Approach

In 1985 Surgeon General C. Everett Koop declared violence a public health emergency, called on public health professionals to get involved, and set the stage for fundamentally rethinking how public and private organizations, communities and policy-makers respond to violence.

The public health approach to violence emphasizes prevention and identifies risk and resiliency factors associated with violence. It employs strategies to educate and protect communities and individuals from the risks, as well as to enhance the resiliency factors. It is a scientific approach that utilizes research and employs strategies from diverse disciplines – bridging the gap between criminal justice, social science and public health approaches.

Youth Development

Positive youth development prepares youth to meet the challenges of adolescence and adulthood by becoming socially, morally, emotionally, physically, and cognitively competent.

As a concept and strategy, youth development has gained wide acceptance. Practitioners across disciplines believe it holds the best promise for promoting healthy, competent and productive youth and communities.

Recent published studies are beginning to show the potential that these programs have to reduce crime. They include after-school recreation programs, Boys & Girls Clubs and Big Brothers/Big Sisters mentoring programs.

...To Sanctions

For Delinquent Behavior

Intermediate Sanctions	Community Confinement	Training Schools	<i>For Serious, Violent, and Chronic Offending</i>
<ul style="list-style-type: none"> ▪ Informal & Formal Probation ▪ Community Service ▪ Restitution 	<ul style="list-style-type: none"> ▪ Residential Treatment ▪ Juvenile Hall, Camps & Ranches 	<ul style="list-style-type: none"> ▪ California Youth Authority 	<p>Aftercare</p> <ul style="list-style-type: none"> ▪ Counseling ▪ Parole

Adapted from *Guide for Implementing the Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders*, U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, May 1995

The Public Health Approach

To identify problems and develop solutions for entire population groups, the public health approach:

- Defines the problem
- Identifies potential causes
- Designs, develops and evaluates the effectiveness...of interventions
- Disseminates successful models

Source: Hamburg, 1998; Mercy et al., 1993.

The public health model is broader than the traditional medical model, which focuses on the etiology, diagnosis and treatment of illness in individual patients. A recent report by the Surgeon General says: “The public health approach offers a practical, goal-oriented, and community-based strategy for promoting and maintaining health.”¹⁸

Prevention efforts based on the public health approach have successfully changed negative behaviors and saved lives. Among the successes: child restraint and safety belt use, smoking prevention, minimum drinking age laws, motorcycle

and bicycle helmet laws and reduced lead exposures to children.¹⁹ The Centers for Disease Control asserts that the public health approach can help reduce the number of injuries and deaths caused by violence, just as it reduced deaths attributed to these other dangers.

Community Indicators for Violence Prevention

For communities to know if their violence prevention efforts are working they must set goals and measure progress. Because violence prevention involves improvements to health and mental health care, social services, housing, law enforcement and other factors, measuring success can be difficult.

Community health indicators are outcome measures that track these aspects of social life. Data are the “raw material” of indicators. Good indicators require good data. They include individual measurements collected consistently over time to permit trend analysis.²⁰

Obvious measures include juvenile arrest rates, truancy rates and drop out rates. But the overall health or “efficacy” of a community – which reflects the well-being of families and young people – must also be measured. Suicides, domestic violence arrests and economic factors can identify problems and guide public actions.

Healthy People 2010 is a statement of national health objectives designed to identify the most significant preventable threats to health and to establish national goals to reduce them. Healthy People 2010 identified indicators that reflect nationwide health concerns, have the potential to motivate action, and can be measured with available data. The indicators are designed to be “building blocks” for community health initiatives.²¹

Similarly, the State could help communities develop indicators for violence prevention, by helping them to share and interpret data. These efforts are often frustrated by a lack of reliable data, so the first step is to start with data that is available and testing the measures in several communities.

The State also could support this effort by collecting information that state and local policy-makers need, but do not have. A statewide victimization survey, modeled after the National Victimization Survey would provide estimates of rape, other sexual assaults and suicide attempts that are not currently available. It could provide information about the personal experiences of victims with specific crimes like robbery, sexual assaults and suicide attempts. And it could tell Californians about the costs of these acts to victims.

The Department of Health Services estimates that to initially develop and administer the survey once would cost \$1.5 million. The survey would provide a statewide picture of victimization and county-wide information for a dozen of the largest counties.²²

Brain Development

Emerging research on brain development has significant implications for prevention and intervention policies. This research is exploring the relationship between early trauma, brain development and later delinquent behavior.

A growing body of evidence suggests that the brains of children who are traumatized develop differently than those of children who grow up in non-violent environments. One researcher, Dr. Bruce Perry, suggests that the brains of traumatized children become hypervigilant and focused on non-verbal cues, potentially related to threat. These children exist in a constant state of arousal and, therefore, anxiety – making them ill-equipped to function effectively in school and with peers.²³

Many additional studies have shown that children exposed to violence and maltreatment experience increased depression, anxiety, post-traumatic stress, anger, greater alcohol use and lower school attainment.

Oregon Benchmarks

Oregon has adopted 90 indicators, described as “benchmarks,” in seven major categories:

economy, education, civic engagement, social support, public safety, community development and environment.

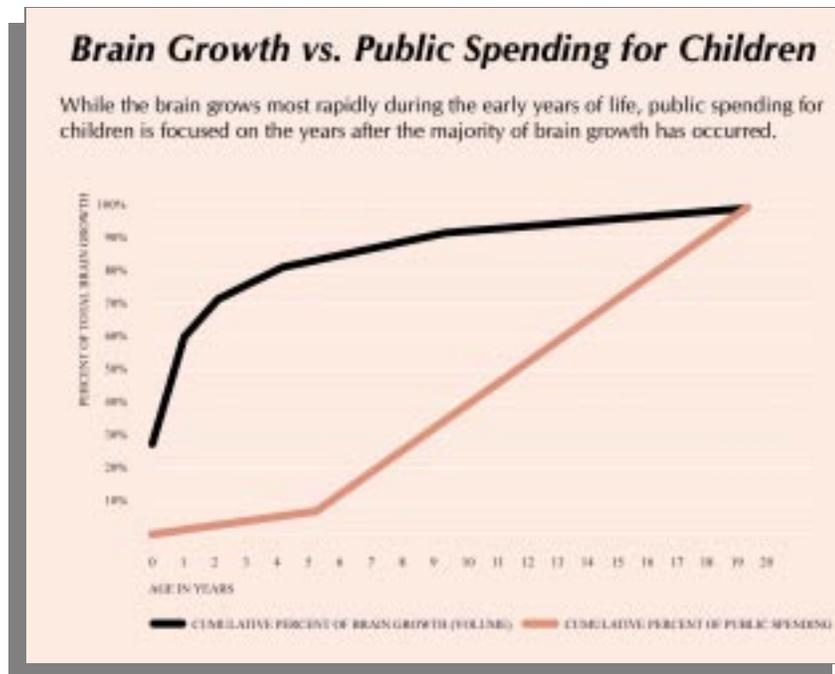
Education benchmarks include:

- Percentage of students entering school ready-to learn
- Percentage of third and eighth graders who achieve established skill levels
- Percentage of high school students completing a structured work experience
- High school drop out rate

Public Safety benchmarks include:

- Reported crimes per 1,000 population
- Juvenile arrests per 1,000 juveniles
- Percentage of students who carry weapons
- Percentage of paroled adult offenders convicted of a new felony within three years of initial release
- Percentage of juveniles with a new criminal referral within 12 months of initial criminal offense
- Percentage of counties that have completed a cooperative policing agreement

Source: Oregon Progress Board
(www.econ.state.or.us/opb)



Source: California Center for Health Improvement. *Brain Development: Nearly Half of California Parents Unaware of Important First Three Years*. Growing Up Well Series, No. 7. July 1998.

Dr. Perry asserts, however, that traumatized children can be helped. Therapeutic interventions that provide hope, opportunity for change and are characterized by safety, predictability and nurturing can help maltreated children begin to trust and heal from their trauma. Interactions with caring adults that include respect, humor and flexibility allow children to feel valued. The children, he said, need to understand why they feel and behave as they do, and the adults in their lives need to understand the ways traumatized children think, feel and behave.²⁴

Many parents, however, are not aware of the importance of the first three years of child development. A survey by the California Center for Health Improvement revealed that 57 percent of fathers were unaware of the importance of the first three years, while 27 percent of mothers were unaware.²⁵

The California Children and Families Act of 1998 (Proposition 10) funds early childhood development programs, administered by county commissions, from taxes on tobacco. A major focus of the effort is educating parents and communities about the importance of the first years of a child's life.

Research on brain development, if widely understood and disseminated, can inform policy-makers and practitioners about the importance of intervening effectively in the lives of victimized children as a way to prevent

future crime and violence. One such effort is Safe from the Start, a partnership between the Attorney General and Health and Human Services Secretary. The partnership has sponsored a statewide symposium, nine county forums and a legislative forum to raise awareness among policy-makers and practitioners about this emerging knowledge.

Violence as a Learned Behavior

Many promising programs are premised on this evidence that children who are involved in violence are faced with a set of life situations that predispose them to aggression.

A report by the National Institute of Justice describes a significant link between victimization in childhood and later involvement in violent crimes, suggesting a learned cycle of violence. Individuals who had been abused or neglected as children were more likely to be arrested for violent crimes as juveniles and adults. Abused and neglected children, the study found, begin committing crimes at younger ages, commit nearly twice as many offenses as non-abused children, and are arrested more frequently. Based on interviews with a large number of people 20 years after their childhood victimization, the study found that the long-term consequences of childhood victimization may also include mental health problems, educational difficulties, alcohol and drug abuse, and employment problems.²⁶

It is estimated that nationwide over 3 million children annually experience a traumatic event. Of those, 1 million may develop post-traumatic stress disorder (PTSD) – a long-term mental health condition characterized by depression, anxiety, flashbacks, nightmares, and other behavioral and physiological symptoms. A significant number of adolescents abuse alcohol and drugs as a method of coping with PTSD. One study showed that 22 percent of adult psychiatric outpatients have a diagnosis of PTSD, many as a result of trauma in early childhood or adolescence. Victimization and PTSD can derail normal mental, emotional, and physical development in younger children.²⁷

Importantly, not all children who are exposed to violence develop symptoms associated with the trauma. In fact, the majority of neglected and traumatized children never become violent.²⁸ Dr. Bruce Perry believes that facilitating belief systems – such as racism, sexism and violent images and modeling – further encourage abused and neglected children to “carry their pain forward” in violent ways.²⁹

Resiliency vs. Risk

A widely accepted body of research, known loosely as resiliency theory, has emerged in the last decade, explaining the factors that predispose individuals to violence (risk factors) and those that protect them (protective factors). Resiliency experts theorize that problems like drug and alcohol abuse, interpersonal violence, teen pregnancy and child abuse are a result

of the breakdown of the social connections and networks critical to the healthy development of children, families and communities. Resiliency theory assumes that individuals, families and communities are naturally resilient, with the inherent capacity to adapt and change in positive ways.

The Health Realization/Community Empowerment approach developed by Roger Mills is being used in schools, community-based organizations, hospitals, businesses and by community-wide collaborations. As a way to prevent violence and other harmful behaviors, this approach fosters in youth the positive belief that they are innately resilient, have the capacity to solve problems, and should be hopeful about their future. The model has shown to be effective in reducing rates of violence, drug abuse, teen pregnancy and school failure.

Results from an 18-month effort in an Oakland housing project show an end of gang warfare and ethnic clashes, a 45 percent reduction in violent

crime – including no homicides since the project started – and a 110 percent increase in youth participation in the Boys & Girls Club.³⁰ The program has achieved similar results in other communities.

Risk and Resiliency Factors for Violence

Risk Factors

- Availability of firearms
- Media portrayals of violence
- Economic deprivation
- Family conflict and management problems
- Early and persistent problem behavior
- Academic failure
- Friends who engage in problem behavior

Protective Factors

- Resilient temperament
- Strong bonding and attachment to positive adults and the community
- Healthy beliefs and clear standards of behavior

Sources: Catalano and Hawkins, *Risk Focused Prevention: Using the Social Development Strategy*, Seattle, WA, Developmental Research and Programs, Inc. 1995; and *Juvenile Justice Bulletin*, March 2000, National Criminal Justice Reference Service.

The Response to Youth Crime and Violence

As described earlier, policy-makers, researchers and service providers are debating the reasons for the dramatic declines in crime in the last decade. In addition to economic conditions, demographic trends and prison policies, credit is given to strategic, well-managed prevention efforts. The federal government, foundations, the State and local communities have stepped up their efforts to implement effective prevention and early intervention strategies.

A Focus on Prevention

The Schiff-Cardenas Juvenile Crime Prevention Act of 2000 provided \$121 million to communities to develop comprehensive juvenile justice plans based on programs and approaches with demonstrated effectiveness. The 2001-02 budget proposes an additional \$121 million for these community prevention efforts.

Violence prevention efforts in Salinas and Los Angeles provide examples of the community-wide collaborative responses to youth violence advocated by researchers and practitioners. They were born out of discretionary grants made by the Department of Health Services beginning in 1990. The department supported the efforts of the Salinas project for close to five years and those of the Los Angeles Project for seven years.³¹

Cultivating Peace In Salinas: A Framework For Violence Prevention

In Salinas, a collaborative effort between the city and the Violent Injury Prevention Coalition (VIPC), and its foundation, Partners for Peace, led to the creation of a framework to improve community health. A core group of 20 community leaders and an extended network of 100 individuals representing the city, community, business, and the media formed Cultivating Peace in Salinas. Together they developed a plan to reduce youth violence and address overall community well-being. Community assets and needs were inventoried and long-term efforts to prevent and reduce violence were planned. The *Spectrum of Prevention* was employed to develop the framework.

Sixteen initiatives resulted that are designed to create a “culture of caring” in Salinas. Specific activities include increasing after-school and recreation opportunities, fostering coalitions and networks, and developing initiatives that promote positive community values.³²

The Spectrum of Prevention

The *Spectrum of Prevention*, developed by the Prevention Institute, identifies six levels of intervention:

1. ***Strengthening Individual Knowledge & Skills*** – Enhancing individual capacity.
2. ***Promoting Community Education*** – Reaching groups with information and resources.
3. ***Educating Providers*** – Informing providers who influence others.
4. ***Fostering Coalitions & Networks*** – Convening groups and individuals for greater impact.
5. ***Changing Organizational Practices*** – Adopting regulations and shaping norms.
6. ***Influencing Policy & Legislation*** – Developing strategies to promote laws and policies that support prevention.

The Violence Prevention Coalition of Los Angeles

The Violence Prevention Coalition of Greater Los Angeles, a public/private partnership founded in 1991, boasts 800 members. Housed within the Los Angeles County Department of Health Services, it addresses violence from a public health perspective. The coalition includes representation from medicine, law enforcement, the judiciary, probation, public health,

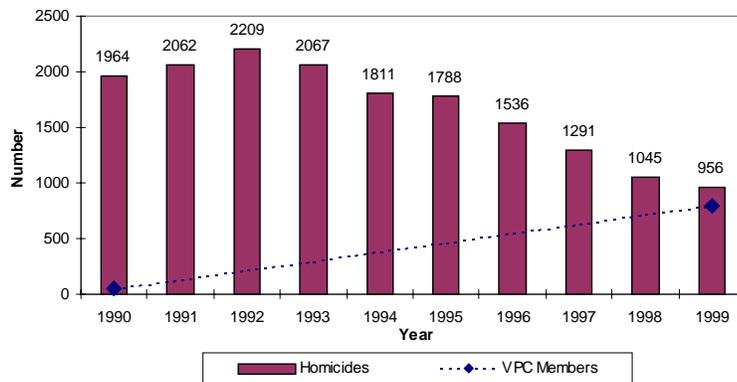
mental health, schools, universities, business, the entertainment media and community based organizations. It receives limited government funding, in-kind support from the Los Angeles County Health Department and grants from private foundations. Limited government funding supports core functions and specific projects. The coalition educates policy-makers on the causes and consequences of violence and implements community-based solutions. Activities include:

- Conducting public awareness campaigns about successful efforts to reduce crime and violence.
- Evaluating community-based intervention and prevention programs.
- Providing challenge grants to local youth-based violence prevention activities.
- Hosting a biennial violence prevention conference.
- Engaging youth in dialogue about violence, their perceptions of successful programs and projects, and those that are not working.

The coalition facilitated the formation of 12 neighborhood coalitions in Los Angeles County and has been instrumental in changing local policies regarding firearm sales and distribution, and expanding violence prevention efforts by schools and businesses.

Although the coalition does not attribute the dramatic decrease in fatal violence solely to the work of the coalition, it notes that in cities with public health coalitions violence has declined more than the national average.³³

**Annual Number of Homicides: LA County, 1990-1999
1990 and 1999 VPC Membership**



Harsher Penalties for Youth Who Commit Violence

In addition to prevention, most states have passed laws providing for the prosecution of juveniles in adult court. In California, the Gang Violence and Juvenile Crime Prevention Act (Proposition 21) was passed

overwhelmingly by voters in March 2000. The initiative significantly changed the juvenile court system by making it easier to prosecute juveniles as adults, changed probation and sentencing procedures and increased penalties for gang-related violence.

Prior to Proposition 21 the juvenile justice system, in keeping with its treatment and rehabilitation goals, gave broad discretion to police and probation officials and prosecutors in dealing with young offenders. Proposition 21 diminished that discretion and increased the circumstances under which juvenile offenders can be sent directly to adult court.

Proponents of Proposition 21 argue that the juvenile justice system, created at a time when juvenile crime was less prevalent and far less lethal, is not equipped to effectively protect the public from today's violent and repeat offenders. Proponents believe that serious and repeat juvenile crime can only be reduced by imposing harsher punishment on offenders.

Opponents of the initiative believe that prevention programs work and that the State's priority should be on addressing the underlying causes or risk factors associated with youth violence. They believe helping troubled youth now will prevent crime in the future.

A California Court of Appeal in February 2001 struck down the key provision of Proposition 21 that gives prosecutors, instead of juvenile court judges, the authority to try youths 14 and over as adults. The court held that the provision violates state and federal separation of powers doctrines because it gives judicial power to prosecutors.

In the wake of the Appellate Court ruling, the Los Angeles County District Attorney called Proposition 21 "bad lawmaking" and said he would suspend discretionary filings in adult court and resume requesting juvenile court judges to conduct "fitness hearings" to determine whether juvenile offenders should be tried as adults.³⁴ Analysts believe that the constitutionality of Proposition 21 will ultimately be decided by the California Supreme Court.

Key Provisions of Proposition 21

Proposition 21 created tougher sentences for juveniles convicted of crimes.

- Increased the range of circumstances under which juveniles can be tried as adults.
- Required youth ages 14 and older to be tried in adult court for specified violent crimes.
- Increased the list of "serious" and "violent" felonies which count as "strikes" under the state's "three strikes" law.
- Relaxed confidentiality laws for juvenile criminal records.
- Established stiffer punishments for gang-related offenses.

Summary: Toward A Comprehensive Approach

California has reason to be hopeful that declines in the arrest rates of young people for violent and lethal acts can be sustained. Scientific research and the experiences of communities across the state attest to the effectiveness of focused and comprehensive approaches that include planning and participation from leaders across a multitude of disciplines.

But the Surgeon General's report that shows that youth themselves report high levels of violence in their lives is a vivid reminder that this is not a time for complacency, but for commitment and action.

In recent years, state policy-makers have shown increased commitment and support for prevention efforts. Local communities across the State have shown that they have the will and the ability to identify and solve tough community issues like youth violence.

In this report the Commission explores reforms that would create an infrastructure to support an effective statewide strategy for prevention. That strategy would include an organizational structure at the state level that mirrors, supports and enhances the capacity of communities to address their youth violence problems. It would inform the State's funding and evaluation policies and provide communities with access to resources and knowledge.

What's New?

In testimony to the Commission, the vice president of the National Crime Prevention Council said that six recent developments are shaping youth violence prevention. Together, he said, they provide a foundation for a youth violence framework in which collaboration is central to success. They include:

- Acknowledgement that youth violence has multiple causes and requires multiple solutions.
- Application of the public health concepts of risk and protective factors to violence prevention.
- Many programs have a scientific basis and have been significantly evaluated.
- Increased recognition that character counts.
- Acknowledgement that the availability of guns was the major factor in the dramatic increase in juvenile homicides between the early 1980s and mid-1990s.
- Increased understanding of the links between drug and alcohol abuse and crime.

The full text of Mr. Copple's testimony is available on the Commission's Web site at www.lhc.ca.gov.