

County of Santa Clara

Social Services Agency

353 West Julian Street
San Jose, California 95110-2335



DATE: February 6, 2024

TO: Honorable Board of Supervisors

FROM: Damion Wright, Director, Department of Family and Children's Services

SUBJECT: Child Welfare Policy Impact on Juvenile Justice Trends

At its December 19, 2024 Special Meeting, the Board of Supervisors requested data regarding children in the Probation system who have a nexus to the Department of Family and Children's Services (DFCS), including the number of previous Child Abuse and Neglect Center (CANC) calls and/or DFCS reports, as well as data on substantiated abuse including a report back with analysis of these data trends over time and options to research whether recent child welfare practice trends are having an impact on the number of youth with juvenile justice involvement.

Additionally, at the February 6, 2024 Regular Meeting, the Board of Supervisors requested that Administration incorporate the Child Abuse Prevention Council in the study being conducted by DFCS in partnership with the Probation Department and the Behavioral Health Services Department (BHSD) to assess whether recent child welfare practice trends are having an impact on the number of youth with juvenile justice involvement. This report is in response to this request by the Board of Supervisors and was prepared collaboratively by the DFCS and the Probation Department's Juvenile Probation Services Division (JPD).

As was reported at the February 6, 2024 Board meeting (Item no. 23), there were 1,903 youth referred to JPD in Calendar Year 2023, and of those, 986 the youth referred (i.e., 52%) had at least one referral to the Child Abuse and Neglect Center (CANC) at some point, with many JPD youth have had multiple referrals since birth.

It is important to note that a referral is a report of suspected child abuse and neglect – it does not necessarily mean a child is a victim of abuse or neglect but may need to be investigated to ensure the child is safe. When a child welfare referral is made to the CANC, the child welfare department must evaluate and determine the appropriate outcome for the referral. The potential outcomes for an allegation of abuse or neglect are the following:

- Evaluate Out – A child abuse report that does not meet the state's definition requiring an in-person investigation, and accordingly, the allegation will not be investigated by the DFCS. (For example, a report that a parent was seen yelling at their child in a store).

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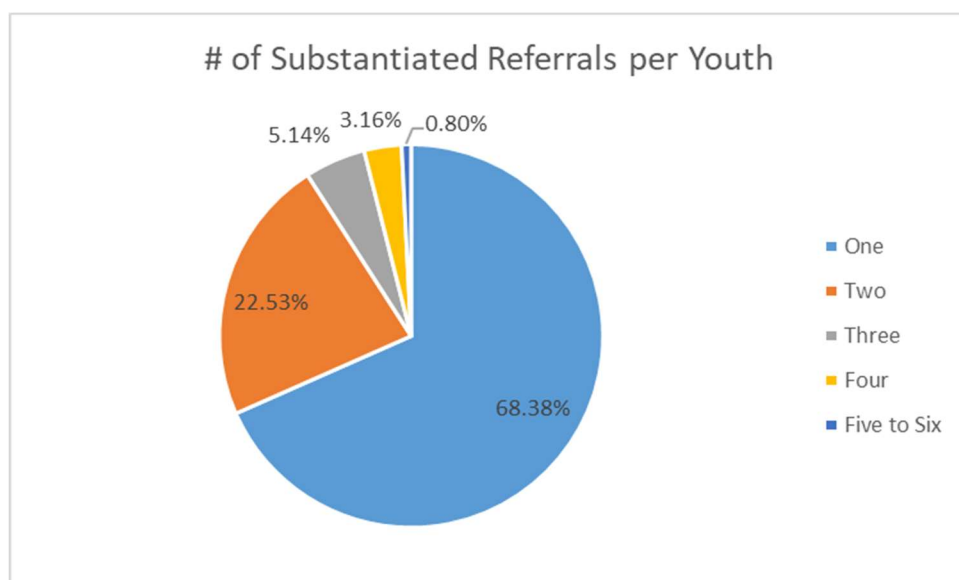
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- **Unfounded** – A child abuse report was investigated by a DFCS social worker and deemed false, inherently improbable, the result of an accidental injury, or a situation that does not constitute child abuse.
- **Unsubstantiated** – A child abuse report was investigated by a DFCS social worker and not unfounded, but there is insufficient evidence to determine whether abuse, neglect, or exploitation occurred.
- **Substantiated** – There is evidence that makes it more likely than not that child abuse, neglect, or exploitation, as defined in the Welfare and Institutions Code, occurred.

Of the 986 JPD youth with prior child welfare history, 26% (N=253) had a substantiated referral, of which most had only one throughout their history (Figure 1).

Figure 1 – Number of Substantiated Referrals per Youth



Additionally, approximately 26% of the 986 JPD youth rose to the level of having a child welfare case opened (court or non-court) at some point in their past, which includes DFCS oversight and case management services provided to the youth and their family (Figure 2).

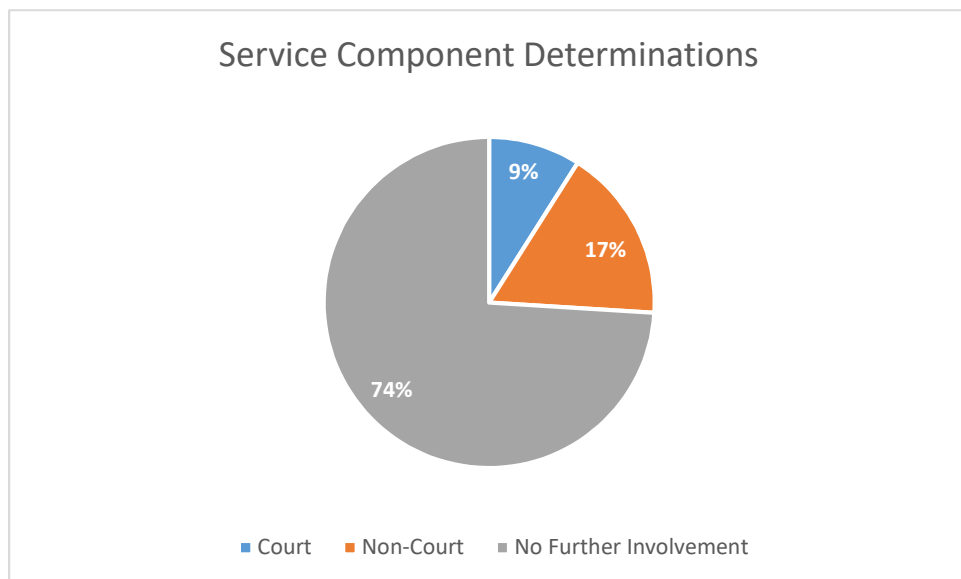
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Figure 2 – DFCS Service Component Determination



294 or 30% of youth had child welfare involvement in other counties.

In addition, DFCS conducted a more in-depth review of the 51-youth involved in the Dually Involved Youth (DIY) Unit in 2023. As would be expected, dually involved youth and families were much more likely to have multiple calls made to the CANC for concerns about their well-being, referrals for caretaker absence and general neglect, as by definition these youth are involved in the child welfare system in order to be included in the DIY Unit. Their child welfare history revealed the following:

- Of the 51, 48 or 94% had a referral to child welfare at some point in 2020 to present
- Of the 48 with referrals, 32 or 60% had an average of 2 to 6 referrals

Only 39%, or 20 of the youth who had referrals with substantiated allegations since 2020 (Figure 3).

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Table 1 – Number of Substantiations after 2020

	Count of Clients	# of Substantiations After 2020
	14	1
	5	2
	1	6
Total	20	9

A review of these referrals indicates the following (Figure 4):

- Over 30% of the referrals were for general neglect or caretaker absence.
- Over 54% of the youth had no additional substantiated referrals after 2020. Most of the abuse allegations were many years before the case that led to the DIY status, or when the children were much younger.

Table 2– Type of Allegation Since 2020

Allegations	County (Percent)
None Substantiated After 2020	54%
Caretaker Absence	12%
Caretaker Absence/General Neglect	12%
General Neglect	10%
No Referrals After 2020	6%
Emotional Abuse	2%
Emotional Abuse/General Neglect/Caretaker Absence	2%
Physical Abuse	2%
Total	100%

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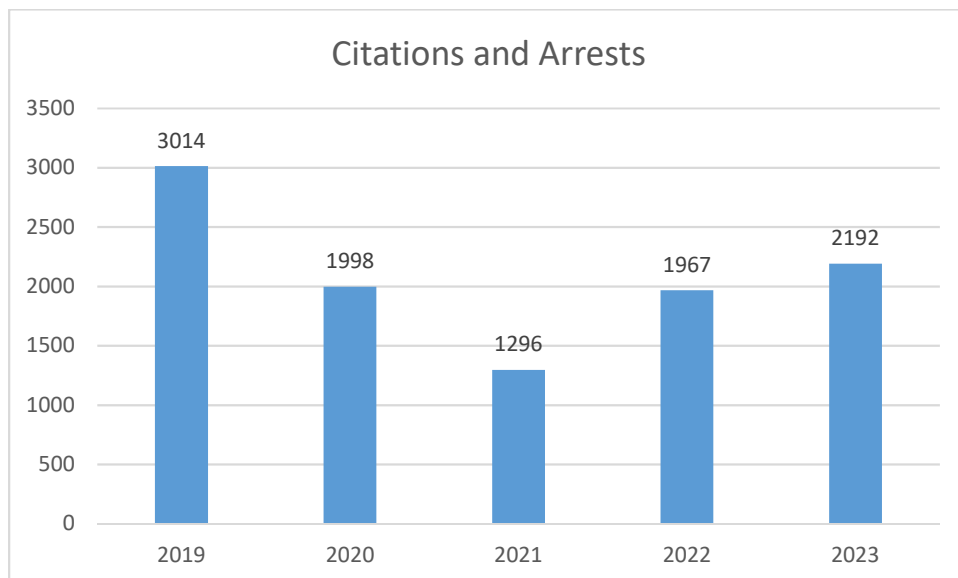
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A longitudinal review of juvenile arrests, citations, and detentions from 2021 through 2023 revealed no clear association between child welfare practices and fluctuations in juvenile arrests and detentions. Figures 1 – 3 summarize monthly arrests, citations, and detentions. As shown, a dramatic decrease was observed beginning with the novel coronavirus pandemic shelter-in-place orders instituted by the County in March 2020. As the County lifted the shelter-in-place orders, juvenile justice activity began to trend slightly upward, leveling off through 2023 (Figure 5). Of note, juvenile arrests and detentions have remained well below 2019 levels. Figure 6 shows a downward trend in detentions at Juvenile Hall and through 2023.

Figure 5 - Juvenile Arrests and Citations in Santa Clara County 2019 – 2023



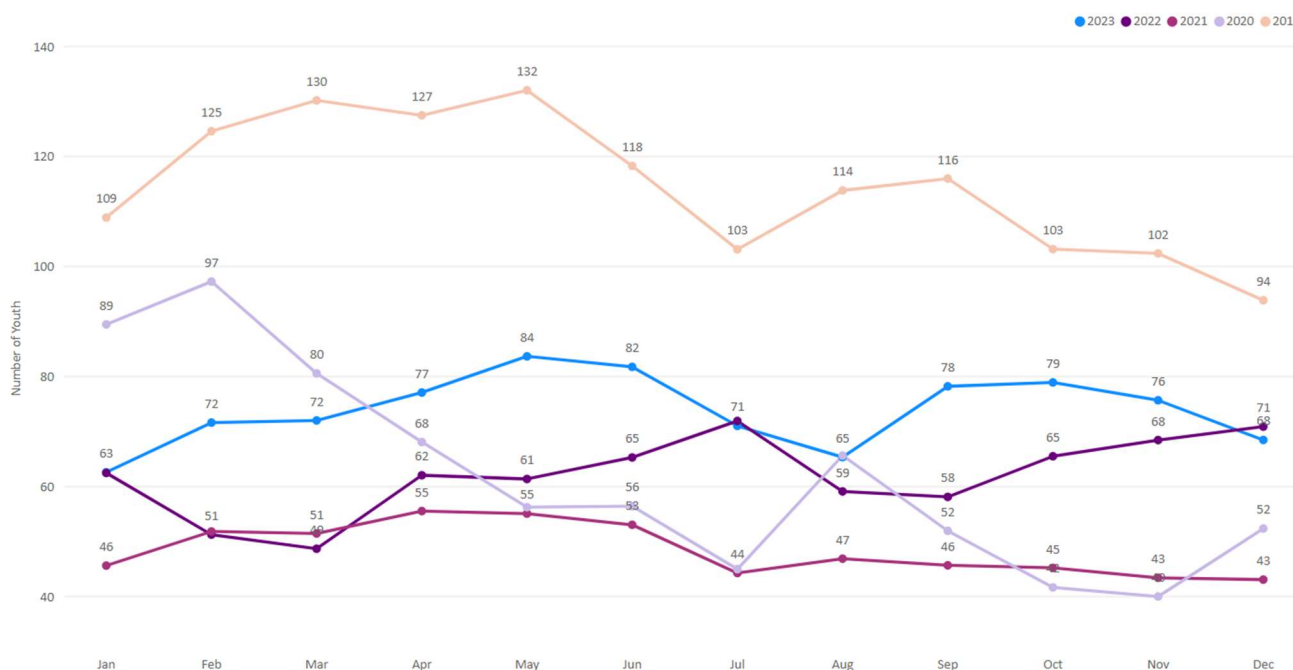
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Figure 6 - Juvenile Hall Average Daily Population by Month in Santa Clara County 2019 – 2023



Active System Involvement in both DFCS and JPD

Both DFCS and JPD follow legislation, policy directives, and best practices that aim to prevent and reduce systems involvement while keeping children safe. Coordination and communication are essential to support the appropriate level of intervention to meet the needs of families and youth at the lowest level of system involvement possible. When child welfare and juvenile probation systems involvement is necessary, it is imperative that both systems along with Behavioral Health Services Department (BHSD) are coordinating and collaborating with the family to resolve the issues involving them in both systems to avoid further system entrenchment. This collaborative approach is a particular strength of the Dually Involved Youth Unit response, however, collaboration among the County departments is a hallmark of the County's approach to serving youth in the County's care, regardless of their assigned unit.